



# Concealed Weapon License

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In receiving a license to carry a concealed weapon for lawful self-defense, you are undertaking a great responsibility. If you find it necessary to use your weapon, you will be protected only if you acted within the law. Therefore, you should also arm yourself with the most indispensable weapon of all — **knowledge**.

## The License

There are two classes of Concealed Weapons license:

- **Class 1**, for ages 21 and older, requires the applicant to attend classroom instruction, demonstrate familiarity with the weapon, and successfully complete both an open book test (based upon the Concealed Weapons Manual) and a proficiency test;
- **Class 2**, for ages 18 and older, requires the applicant to successfully complete the open book test. Existing licenses automatically converted to a Class 2 on August 1, 2009.

Within North Dakota, there is no difference – both licenses are equally valid; the difference between the licenses is reciprocity: a Class 1 license has reciprocity with more states than a Class 2 license.

## Application Process

The Bureau of Criminal Investigation (BCI) is responsible for receiving and processing applications and issuing concealed weapon licenses. Application forms can be obtained from the local police department, sheriff's office, or a certified test administrator. Out of state residents may send a written request to the BCI to receive an application form. All applicants must be United States citizens.

1. The applicant first must successfully complete the appropriate testing for the type of license. Only test administrators certified by the Attorney General may conduct testing. All classroom instruction and testing *must be held and completed within the State of North Dakota and may not be held in conjunction with any other state's testing process*. A list of certified test administrators is available from the Concealed Weapon's License page at [www.ag.nd.gov](http://www.ag.nd.gov) or by contacting the local law enforcement agency. The test administrator may charge a maximum of \$50 (plus range fee).
2. After testing is completed, the application must be approved by the sheriff in the county in which the applicant resides. If the applicant lives in a city with a police department, the application also must be approved by the chief of police of that city.
3. The completed application should be submitted to the local law enforcement agency along with two color passport photographs and a certified check or money order for \$45 (no personal checks) made payable to "ND Attorney General." The agency will obtain fingerprints (for which there may be a separate fee), conduct a local background check, and determine if the applicant qualifies for a license. The agency then forwards the application to the BCI for processing.
4. The BCI performs state and national background checks and processes the fingerprints through the regional Automated Fingerprint Identification System (AFIS). If the application process is satisfactorily completed, the BCI will issue a license. Invalid applications will be destroyed and the applicant required to restart the application process. An application form is invalid if it (a) has an issue date prior to 06/2011; or (b) is not an original form issued by the BCI, or (c) applicant began the renewal process outside the authorized renewal period.

A valid concealed weapon license must be carried at all times and produced when requested by law enforcement. Failure to produce a valid license is evidence the concealed weapon is carried illegally.

## Application Processing Time

**Please do not call with inquiries about the status of the application.** *The BCI is prohibited by law from providing information about the status of a concealed weapon license application, even to the applicant.* **How long will it take?** The sheriff has 30 days to approve the application, the police department has 10 working days, and the BCI has up to 45 days from the date a *properly completed* application is received. If there are problems with the application, it will be returned for correction. Incorrectly completed applications create delays at BCI. If you do not receive a license within 90 days of submitting a satisfactorily completed application, you may send written notice to the BCI (via US mail) that the license has not been received. For security reasons, the BCI cannot accept notice by e-mail or telephone.

<b>Denial/ Revocation</b>	An application for license or renewal must be submitted on a current form (issue date 06/2011). Prior versions of the form are invalid. A license application may be denied if the applicant is prohibited by state or federal law from owning, possessing, or having a firearm under that person's control; if there is a material misstatement in the application process; if the applicant fails to disclose information on the application; or for other good and valid reasons. Once issued, a concealed weapon license may be revoked if an individual becomes prohibited by state or federal law from possessing a firearm, or if another valid reason to revoke a license exists.
<b>"Weapon"</b>	Under state law, a "weapon" falls into one of two categories: firearms and dangerous weapons. "Dangerous weapons" include any knife with a blade of five inches or more, martial arts weapons, slingshots, bow and arrows, billy clubs, metal knuckles, stun guns, air rifles, BB guns, and other such items (N.D.C.C. § 62.1-01-01(1)). A firearm or dangerous weapon is considered "concealed" if it is carried in such a way that it cannot be recognized by the "ordinary observation" of a passerby—this includes wearing it under clothing (N.D.C.C. § 62.1-04-01). A weapon also is concealed if it is in a vehicle glove compartment, under a seat, or otherwise within reach of the driver or any passengers.
<b>Prohibitions, Weapons and Persons</b>	<ul style="list-style-type: none"> <li>State law prohibits firearms and dangerous weapons (concealed or otherwise) in liquor establishments, gaming sites and at any public gathering, including: sporting events, schools or school functions, churches or church functions, political rallies or functions, musical concerts, publicly owned or operated buildings, and publicly owned parks where hunting is not allowed (N.D.C.C. §§ 62.1-02-04 and 62.1-02-05).</li> <li>Concealed weapon licenses cannot be issued to anyone prohibited by state or federal law from owning, possessing, or having a firearm under that person's control (N.D.C.C. § 62.1-04-03).</li> </ul>
<b>Reinstatement</b>	For information about reinstatement of the right to carry a weapon, contact a private attorney.
<b>The License</b>	Licenses issued prior to July 1, 2011, are good for 3 years. Licenses issued on or after July 1, 2011, are good for 5 years. <i>Timely renewal is the responsibility of the license holder. The BCI does not send out license expiration or renewal reminders.</i> No additional testing is required to renew a Class 2 concealed weapons license. A Class 2 license may be upgraded to a class 1 license upon successful completion of the Class 1 requirements (including proficiency testing) and satisfaction of the age and other application requirements. A Class 1 license may be renewed upon successful completion of all Class 1 testing requirements within one year before submission of the application for renewal.
<b>Renewal Time Period</b>	<p>Until December 31, 2011, the renewal process may be started no earlier than 90 days prior to the license expiration date and no later than 90 days after the license expiration date.</p> <p><b>Beginning JANUARY 1, 2012</b>, the renewal process may be started no earlier than <b>180 days prior</b> to the license expiration date and <b>no later than 90 days PRIOR TO the license expiration date</b>. It takes a total of ninety days for local law enforcement and the BCI to complete the renewal processing. A license that has expired cannot be renewed. Therefore, in order to be considered a timely renewal, an application must be delivered to local law enforcement <b>at least 90 days before the date of expiration of the license</b>. A renewal application delivered to law enforcement fewer than 90 days before license expiration is untimely and will be deemed invalid by the BCI; applicant will have to start over as a new applicant and complete all required testing.</p>
<b>Firearms Purchase</b>	A National Instant Check System (NICS) background check is completed during the application process and the NICS number is printed on the license for a ND resident. The requirement for an NICS check for a firearm purchase may be waived at the discretion of the dealer. The NICS number is not printed on a non-resident's license, so it cannot be used to purchase firearms.
<b>Lost/Stolen License</b>	If a license is lost or destroyed, send a written notice via US mail to the BCI, including the license holder's full name, address, date of birth, and the reason a replacement is needed. The BCI will issue a replacement license at no charge.
<b>Address Changes</b>	License holders are required to notify the BCI in writing via US mail within 30 days of an address change. The notification must include the license holder's name, license number, old address, new address. An updated license will be issued at no charge at the license holder's request. The outdated license must be surrendered to BCI before the updated license can be issued.
<b>Reciprocity</b>	North Dakota has reciprocity with many other states, which means that a ND concealed weapon license is valid while in those states and licenses from those states are recognized as valid in ND. A Class 1 license is accepted for reciprocity in more states than the Class 2 license. Reciprocity information is available on the Concealed Weapon Licenses link at <a href="http://www.ag.nd.gov">www.ag.nd.gov</a> . ■