

# Storage of Firearms in Massachusetts



*All Firearms, rifles and shotguns should be stored unloaded when not being used.*

Massachusetts Law requires all Firearms, rifles and shotguns to be secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device when at home and not in the possession of the owner.

The purpose of the law is to prevent children, criminals and persons with mental illness from having access to weapons that may harm themselves or others.

Container must not merely be locked but secured in a manner so that it will deter all but the most persistent from gaining access.

Storage at home:

Law applies when firearm is not carried or in direct control (you can immediately gain control)

Must be in a locked container or

Have a tamper proof mechanical lock or other safety device

Storage in a vehicle:

For a class A license carrying a loaded firearm is permitted but it must be under their direct control.

For a class B license or a large capacity rifle or shotgun it must be unloaded and contained in a locked trunk or other secure container.

Court case law has defined the locked container as “will deter all but the most persistent from gaining access”. “At a minimum, to be secure, any qualifying container must be capable of being unlocked only by means of a key, combination, or other similar means.”

Questions on whether Massachusetts gun storage laws are constitutional because of recent Supreme Court decisions have been addressed by the Massachusetts Supreme Judicial Court which has found them to be constitutional because they do not preclude the right of self-defense. You can carry a firearm if properly licensed you only need to store it properly when you are leaving it out of your custody.

M.G.L. chapter 140 section 131L weapon storage at home.

M.G.L. chapter 140 section 131C weapon in vehicle.

Recent case Law:

Commonwealth vs. Stephen Parzick (2005)

Commonwealth vs. Amaury Reyes (2013)

Commonwealth vs. John McGowan (2013)

District of Columbia vs. Heller (U.S. Supreme Court 2008)

McDonald vs. City of Chicago, Illinois (U.S. Supreme Court 2010)

