

UPDATE TO 2010 EDITION OF UNDERSTANDING OREGON'S GUN LAWS

The passage of HB 2792 made several important changes in Oregon gun law.

Until the passage of this law in August of 2011, it was illegal for *anyone* to carry a loaded firearm on a snowmobile or ATV. No definition for "loaded" was in the statute.

Now those with concealed handgun licenses may carry loaded firearms concealed or openly. Those without concealed handgun licenses may carry openly if the firearm is "unloaded." The law defines "unloaded" as follows:

- (a) If the firearm is a revolver, that there is no live cartridge in the chamber that is aligned with the hammer of the revolver;*
- (b) If the firearm is a muzzle-loading firearm, that the firearm is not capped or primed;*
or
- (c) If the firearm is other than a revolver or a muzzle-loading firearm, that there is no live cartridge in the chamber.*

Handguns may be carried concealed on snowmobiles, motorcycles and all-terrain vehicles, by persons without concealed handgun licenses if the handguns meet the following guidelines:

- (c) If a vehicle is a motorcycle, an all-terrain vehicle or a snowmobile, a handgun is not readily accessible within the meaning of this section if:*
 - (A) The handgun is in a locked container within or affixed to the vehicle; or*
 - (B) The handgun is equipped with a trigger lock or other locking mechanism that prevents the discharge of the firearm.*

On street motorcycles, concealed handgun license holders maintain the freedom to carry any way they choose.

Senate Bill 603, passed in 2009, allowed persons with felony convictions to petition the courts for restoration of gun rights. HB 2792 added new restrictions to who could request rights restoration. Now the following restrictions apply.

- (11) The court may not grant relief under this section to a person who:
 - (a) Has been convicted of a person felony, as that term is defined in the rules of the Oregon Criminal Justice Commission, or the statutory counterpart to a person felony in any other jurisdiction, if the offense involved the use of a firearm or a deadly weapon as defined in ORS 161.015;
 - (b) Has been convicted of an offense listed in ORS 137.700 or the statutory counterpart to an offense listed in ORS 137.700 in any other jurisdiction; or
 - (c) Is currently serving a felony sentence as defined in ORS 10.030 or has served a felony sentence in the one-year period preceding the filing of the petition.