

In the
Supreme Court of the United States

JEFFREY M. JOHNSON, SR.,

Petitioner,

v.

BOB JACOBSON,
in his official capacity as Commissioner of the
Minnesota Department of Public Safety,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

**BRIEF OF AMICI CURIAE SECOND
AMENDMENT FOUNDATION, NATIONAL
RIFLE ASSOCIATION OF AMERICA,
CALIFORNIA RIFLE & PISTOL ASSOCIATION,
INCORPORATED, SECOND AMENDMENT
LAW CENTER, INC., MINNESOTA GUN
OWNERS CAUCUS, AND THE CITIZENS
COMMITTEE FOR THE RIGHT TO KEEP AND
BEAR ARMS IN SUPPORT OF PETITIONER
AND REVERSAL**

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AMICI CURIAE STATEMENT OF INTEREST

Second Amendment Foundation (“SAF”) is a non-profit membership organization founded in 1974 with over 720,000 members and supporters in every state of the union. Its purposes include education, research, publishing, and legal action focusing on the constitutional right to keep and bear arms. Currently, SAF is involved in several Second Amendment-related lawsuits and thus has great interest in the outcome of this case.¹

The National Rifle Association of America (NRA) is America’s oldest civil rights organization and foremost defender of Second Amendment rights. It was founded in 1871 by Union veterans—a general and a colonel—who, based on their Civil War experiences, sought to promote firearms marksmanship and expertise amongst the citizenry. Today, the NRA is America’s leading provider of firearms marksmanship and safety training for both civilians and law enforcement. The NRA has approximately four million members, and its programs reach millions more.

Founded in 1875, California Rifle & Pistol Association, Incorporated, is a nonprofit organization that seeks to defend the Second Amendment and

¹ No counsel for a party authored this brief in whole or in part, nor did such counsel or any party make a monetary contribution to fund this brief. No person other than the amicus parties, its members or counsel, made a monetary contribution intended to fund the preparation or submission of this brief. The Parties were notified that this brief would be filed on September 8, 2026, in compliance with Rule 37.2.

advance laws that protect the rights of individual citizens. In service of its mission to preserve the constitutional and statutory rights of gun ownership, California Rifle & Pistol Association regularly participates as a party or amicus in Second Amendment litigation.

Second Amendment Law Center, Inc. is a nonprofit corporation headquartered in Henderson, Nevada. Second Amendment Law Center is dedicated to promoting and defending the individual rights to keep and bear arms as envisioned by the Founding Fathers. Its purpose is to defend these rights in state and federal courts across the United States. It also seeks to educate the public about the social utility of firearm ownership and to provide accurate historical, criminological, and technical information about firearms to policymakers, judges, and the public.

Minnesota Gun Owners Caucus (“MGOC”) is a 501(c)(4) non-profit organization incorporated under the laws of Minnesota with its principal place of business in Shoreview, Minnesota. MGOC seeks to protect and promote the right of citizens to keep and bear arms for all lawful purposes. MGOC serves its members and the public through advocacy, education, elections, legislation, and legal action. MGOC’s members reside both within and outside Minnesota.

The Citizens Committee for the Right to Keep and Bear Arms is a non-profit corporation organized under Section 501(c)(4) of the Internal Revenue Code, dedicated to promoting the benefits of the right to bear arms. The Court’s interpretation of the Second Amendment directly impacts the Committee’s

organizational interests, as well as the Committee's members and supporters, who enjoy exercising their Second Amendment rights. The Committee's substantial expertise in the field of Second Amendment rights would aid the Court in this case.

SUMMARY OF ARGUMENT

The Second Amendment protects “the general right to publicly carry arms for self-defense.” *N.Y. State Rifle & Pistol Ass’n v. Bruen*, 597 U.S. 1, 31 (2022). That right, enshrined in our Federal Constitution, cannot tolerate each state having the power to force individuals from every other state to jump through time-consuming and costly hoops before it deigns to allow them to carry a firearm within its borders.

Earlier this year, this Court explained how a hypothetical young woman would struggle trying to exercise her right to carry in Hawaii. *Wolford v. Lopez*, 146 S. Ct. 2032, 2048 (2026). Imagine if that same young woman also frequently travels and wants to carry a firearm to defend herself in each state she visited. The monetary cost of acquiring a permit in every state that requires one, to say nothing of the time investment, would be astronomical. Interstate visitors are Americans, yet states like Minnesota treat them like suspect foreigners that need to be re-vetted before exercising a fundamental right.

The burden of this abuse falls most heavily on someone like the Petitioner, whose job as a long-haul truck driver consists of traveling constantly between the states. It is completely unreasonable to demand that he maintain permits in each state he travels through. Fortunately for him, our historical tradition requires no such thing. Historically, travelers from other places were given *more* leeway than locals and were exempted from concealed carry restrictions.

Dozens of historical “traveler’s exception” laws dating from the colonial era through the 19th Century confirm this tradition. In fact, it is a more well-represented historical tradition than the surety regimes and affrays this Court previously cited to uphold 18 U.S.C.S. § 922(g)(8) in *United States v. Rahimi*, 602 U.S. 680, 698 (2024).

To be sure, *Bruen* might be read as approving “shall-issue” licensing regimes designed to ensure that those who carry firearms are law-abiding citizens. *Bruen*, 597 U.S. at 38 n.9. Under that standard, it is arguably permissible for a state, if it chooses, to require individuals to acquire a permit to carry a firearm. But it may not refuse to honor the permits issued by other states and insist that every nonresident complete its own redundant licensing scheme as a precondition to exercising the same nationally protected right. Petitioner has two carry permits, issued by Florida and Georgia. Pet. 35. That should be sufficient.

This exact sort of abuse has already been rejected as it relates to other rights. For instance, because Ohio would not allow for same-sex marriages, James Obergefell and John Arthur married in Maryland. *Obergefell v. Hodges*, 576 U.S. 644, 658 (2015). After learning that Ohio would not recognize their marriage, they filed a lawsuit. *Id.* This Court ultimately held that the Fourteenth Amendment requires a state to recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out-of-state. *Id.* at

681. In reaching this conclusion, this Court explained that:

For some couples, even an ordinary drive into a neighboring State to visit family or friends risks causing severe hardship in the event of a spouse's hospitalization while across state lines. In light of the fact that many States already allow same-sex marriage—and hundreds of thousands of these marriages already have occurred—the disruption caused by the recognition bans is significant and ever-growing.

Id. at 680-81. *Obergefell's* holding and its supporting logic, with respect to an unenumerated substantive due process right to marry, should apply with equal force to the enumerated right to bear arms found in the Second Amendment. Indeed, the danger present “in an ordinary drive into a neighboring State” is even greater when it comes to the right to carry.

Consider the infuriating example of Lloyd Muldrow. Mr. Muldrow, a Marine veteran and self-defense instructor, stopped an attack by an armed assailant in a Baltimore bar. For his heroism, he would later receive the Carnegie Medal, which recognizes those who perform extraordinary acts of heroism in civilian life. But before that recognition, he suffered the humiliation of arrest and prosecution solely because he carried a firearm in Maryland with a permit issued by Virginia—one that Maryland refuses to honor. As reported, “police thanked him—and then they arrested him.” See Valerie Richardson

& Matt Delaney, *Baltimore Police Arrest ‘Good Guy with the Gun’ Who Stopped Armed Attacker*, Wash. Times (D.C, Sept. 2, 2022, <https://www.washingtontimes.com/news/2022/sep/2/good-samaritan-faces-charges-after-stopping-armed-/>) (last visited Sept. 8, 2026). Mr. Muldrow would eventually receive probation for his “crime.” His experience underscores that the issue of interstate carry rights is not limited to this case. Rather, it threatens responsible, licensed carriers nationwide

This brief will cover three main points. First, it will show how our historical tradition is very clear that visitors from other states were not required to get permits or special permission before exercising the right to carry. In fact, they received favorable treatment in the form of “traveler’s exceptions.” Second, Amici will discuss how incredibly burdensome it is to acquire and maintain carry permits from more than one state. Finally, Amici will conclude by looking at how Americans with carry permits are extraordinarily law-abiding, and so states have no legitimate safety concerns in honoring the permits of other states.

ARGUMENT

I. Travelers From Other States Were Historically Exempted from State and Local Restrictions on Carrying Firearms.

The Eighth Circuit asserted that “[i]f ... Minnesota may constitutionally condition public carry on obtaining a permit from the state, then it may require all nonresidents to obtain one.” *McCoy v. Jacobson*,

176 F.4th 1055, 1058 (8th Cir. 2026). This is serious error because it completely ignores our rich historical tradition of expanded carry rights protections for travelers.

Before 1900, carrying a firearm openly generally did not require a permit or any other permission from the government. Concealed carry, on the other hand, was often restricted or banned entirely. Courts generally approved of this arrangement. *See, e.g., Nunn v. State*, 1 Ga. 243, 251 (1846).

But there was one frequent exception. Travelers from other states were allowed to carry their firearms concealed. The historical tradition of these “traveler’s exception” laws is not some outlier, but overwhelming to the point that it justifies this Court summarily reversing the decision below. It is especially relevant here, given the Petitioner is someone whose job requires constant travel.

This tradition began in the colonial era. In 1686, the Province of East Jersey prohibited “privately” wearing various weapons but exempted “all strangers, travelling upon their lawful occasions thro’ this Province, behaving themselves peaceably.” 23 *The Grants, Concessions, and Original Constitutions of the Province of New Jersey* at 289-90 (1758).

An 1813 Kentucky law was perhaps the earliest post-founding example, prohibiting the concealed carry of certain weapons “unless when travelling on a journey.” 1813 Ky. Acts 100, *An Act to Prevent Persons in this Commonwealth from Wearing Concealed Arms*,

Except in Certain Cases, ch. 89, § 1.² An 1820 Indiana law was similar, limiting its concealed carry ban by stating it “shall not be so construed as to affect travellers.” 1819 Ind. Acts 39, *An Act to Prohibit the Wearing of Concealed Weapons*.

By the end of the Antebellum Era, at least three other states (Tennessee, Arkansas, and Alabama) had also banned concealed carry but provided express exceptions for travelers. See 1821 Tenn. Pub. Acts 15–16, *An Act to Prevent the Wearing of Dangerous and Unlawful Weapons*, ch. 13 (“[N]othing herein contained shall affect ... any person that may be on a journey to any place out of his county or state.”); REVISED STATUTES OF THE STATE OF ARKANSAS, ADOPTED AT THE OCTOBER SESSION OF THE GENERAL ASSEMBLY OF SAID STATE, A.D. 1837, at 280 (1838) (1837 law applying to every person “unless upon a journey”); 1841 Ala. Laws 149 (prohibiting concealed carry “unless such person shall ... be travelling, or setting out on a journey”).

This tradition continued well after the Civil War. An 1867 Nevada law barred concealed carry for everyone who was not a “peace officer or traveler.”

² That law would soon be held unconstitutional under Kentucky’s state constitution’s bearing arms provision, but not because of the traveler exception. Rather, the state court ruled the restriction on concealed carry was unconstitutional in its entirety. “[I]n principle, there is no difference between a law prohibiting the wearing concealed arms, and a law forbidding the wearing such as are exposed; and if the former be unconstitutional, the latter must be so likewise.” *Bliss v. Commonwealth*, 12 Ky. 90, 92 (1822).

1867 Nev. Stat. 66. An 1864 California law did the same. 1863 Cal. Stat. 748.

Traveler's exceptions also applied to the rare jurisdictions that implemented more comprehensive carry bans that were not limited only to concealed carry. In 1871, Texas instituted a fine for anyone caught "carry[ing] on or about his person, saddle, or in his saddle-bags, any pistol, dirk, dagger, slung-shot, sword-cane, spear, brass-knuckles, bowie-knife, or any other kind of knife manufactured or sold for purposes of offense or defense," providing, however, that "[t]he preceding article shall not apply ... to persons traveling." *The Revised Statutes of Texas*, 42–43 (1879).

Similarly, in the 1880s, the Arizona Territory banned the carry of "any dirk, dirk-knife, bowie-knife, pistol, rifle, shot-gun, or fire-arms of any kind ... in any of the towns, villages or settlements" of two counties, but "provided, that any person traveling from one village, town or settlement, to another shall be permitted to carry fire-arms of any kind." 1883 Ariz. Sess. Laws 21–22. In 1887, the New Mexico Territory banned all carry of deadly weapons except that "[p]ersons traveling may carry arms for their own protection while actually prosecuting their journey and may pass through settlements on their road without disarming." 1886 N.M. Laws 57.

Besides state and territorial laws, many local governments implemented traveler's exceptions too, including the cities of Oakland and Sacramento. Fred L. Button, ed., *General Municipal Ordinances of the City of Oakland, California* (Oakland, CA; Enquirer,

1895), p. 218, sec. 1, citing *An Ordinance to Prohibit the Carrying of Concealed Weapons*, No. 1141 (“It shall be unlawful for any person in the City of Oakland, not being a public officer or a traveler actually engaged in making a journey, to wear or carry concealed about his person without a permit, as hereinafter provided, any pistol.”); Ordinance no. 84, *Charter and Ordinances of the City of Sacramento, Prohibiting the Carrying of Concealed Deadly Weapons* (1876) (“It shall be unlawful for any person, not being a public officer or traveler, or not having a permit from the Police Commissioners of the City of Sacramento, to wear or carry, concealed, any pistol, dirk, or other dangerous or deadly weapon.”). Los Angeles similarly banned all carry of certain “dangerous and deadly” weapons in 1878, unless carried by “persons actually traveling.” *Revised Charter and Compiled Ordinances and Resolutions of the City of Los Angeles* 83 (Wm. M. Caswell ed., 1878).

Many more examples exist, *see, e.g.*, 1890 Okla. Sess. Laws 495; 1890 Wyo. Sess. Laws 140, but Amici have made their point.³ Indeed, the exception for travelers was so widely accepted that future Supreme Court Justice Oliver Wendell Holmes, Jr., wrote that, whether or not prohibitions on the concealed carry of

³ If this Court would like to see more examples of historical traveler’s exception laws and ordinances, a recent lawsuit painstakingly compiled **over 80** of them. *See* Complaint ¶¶ 50–131, *Solinsky v. Lopez*, No. 1:26-cv-00117 (D. Haw. Mar. 7, 2026), <https://storage.courtlistener.com/recap/gov.uscourts.hid.177496/gov.uscourts.hid.177496.1.0.pdf>

weapons are constitutional, carry by travelers is generally a recognized right:

As the Constitution of the United States, and the constitutions of several of the states, in terms more or less comprehensive, declare the right of the people to keep and bear arms, it has been a subject of grave discussion, in some of the state courts, whether a statute prohibiting persons, **when not on a journey, or as travellers, from wearing or carrying concealed weapons**, be constitutional.

2 James Kent, *Commentaries on American Law*, 340 n.2 (O.W. Holmes, Jr. ed., 12th ed. 1873) (emphasis added).

If it responds to the history above, Minnesota will likely argue that many of these historical laws and ordinances were written so that they only protected travelers while they were traveling through the state or between cities in the state, and they would not apply after the traveler had stopped at a destination for more than a short time. *See, e.g., Carr v. State*, 34 Ark. 448, 449 (1879) (“The exception in the statute is to enable travelers to protect themselves on the highways ... Travelers do not need weapons, whilst stopping in towns, any more than citizens do.”). Of course, Petitioner *does* constantly travel; such travel is inherent to his job as a truck driver, and he is not permitted to carry his firearm while doing so. Minnesota law does not provide even that minimal allowance for visitors from other states. *Any* form of

carrying without a Minnesota permit is illegal, whether in the process of traveling or not.

But regardless, that some traveler's exception laws were limited to those actively traveling does not change the result even if Petitioner decided to spend a week in the Twin Cities. This Court has said that its Second Amendment precedents "were not meant to suggest a law trapped in amber." *United States v. Rahimi*, 602 U.S. 680, 691 (2024). Rather, "the appropriate analysis involves considering whether the challenged regulation is consistent with the principles that underpin our regulatory tradition." *Id.* at 692.

Here, the principle that underpins our regulatory tradition is that visitors from other states get *more* leeway than residents when it comes to the right to carry. The law not being "trapped in amber" must not be a one-way ratchet only favoring the government, it can also work in favor of the rights of Americans as well.

Moreover, travelers who stopped somewhere and thus did not fall under the traveler's exception laws could still generally carry firearms openly, it was only concealed carry that was typically restricted. Petitioner, by contrast, had no such option, because Minnesota also requires a permit for open carry too. *See* Minn. Stat. § 624.714, subd. 1a (2025). Lacking a Minnesota permit, his right to carry is entirely denied to him. The degree of burden imposed is thus much heavier with the modern law compared to its historical predecessors, and "whether modern and historical regulations impose a comparable burden on the right of armed self-defense and whether that burden is

comparably justified are ‘*central*’ considerations when engaging in an analogical inquiry.” *Bruen*, 597 U.S. at 29.

History is clear, and it tells us that Minnesota must—at minimum—recognize carry permits issued by other states in line with the historical traveler’s exception laws.⁴ This Court should not ignore that history, nor should it allow Minnesota to rise to higher levels of generality in its claimed historical analogues. The traveler’s exception laws are directly on point, well-represented in our history, and uncontroversial. They decide this case in Petitioner’s favor.

II. The Considerable Burdens Facing Americans Seeking to Carry Across State Lines.

Today, 29 states have adopted permitless “constitutional” carry, under which any American who may legally possess a firearm may carry it without a permit. Some states do not go quite that far but do honor the permits of any other state. Virginia, for example, honors all valid out-of-state concealed carry permits issued to individuals who are at least 21 years

⁴ In fact, this arrangement would be more favorable to Minnesota than what our historical tradition tells us is permissible. Again, prior to 1900, open carry was generally allowed for everyone without any permit, with traveler’s exceptions mostly applying to restrictions on concealed carry. Today, it is illegal to carry a firearm (openly or concealed) in Minnesota without a permit. Being forced to recognize the permits of other states still allows Minnesota to require that visitors carrying firearms at least have a permit issued by another state, a requirement that is more burdensome than what the historical tradition supports.

old and are carrying a photo ID issued by a government agency. Va. Code Ann. § 18.2-308.014 (2025).

Other states honor some permits, but not all. Minnesota falls into that camp. It recognizes the carry permits of 34 states, but excludes 15 others, including the two states in which Petitioner is licensed, as well as Vermont (which does not issue permits at all and has always had only constitutional carry). *See* Minn. Dep't of Pub. Safety, Permit to Carry Reciprocity, <https://dps.mn.gov/divisions/bca/public-services/firearms-information/permit-carry-reciprocity> (last visited Sept. 9, 2026).

But this petition is also important because many states refuse to honor permits from *any* other state—not even those with similarly strict requirements. The fact that this blanket refusal places a tremendous burden on the right to carry for interstate visitors seems to be a feature, not a bug. Unfortunately, these states are also some of our most visited, including, but not limited to, California, New York, Massachusetts, Illinois, New Jersey, Maryland, and others.

Amici understand the cumulative burden these states place on carry rights especially well, as they have often litigated against such burdens. Two of the Amici here were plaintiffs in a case that finally ended California's total ban on nonresident carry, and now that state must issue permits to nonresidents for the first time. *See Cal. Rifle & Pistol Ass'n v. L.A. Cty. Sheriff's Dep't*, 745 F. Supp. 3d 1037, 1071 (C.D. Cal. 2024).

While that was an improvement over the prior status quo under which nonresidents had *no* legal avenue to carry in California, the obstacles still facing applicants are outright ridiculous. Getting a carry permit in California costs anywhere between about \$500 and \$2,000,⁵ depending on the county and city. It also involves a lengthy wait, which can extend up to two years, an issue Amici also litigated in their case. *See id.* at 1054 (“Plaintiff Messel’s application to LASD has been pending for more than two years.”). Additionally, California requires a training course, and following *Bruen*, increased the training course requirement from 8 hours to 16 hours, which further increases costs for applicants. Cal. Penal Code § 26165(a)(1). Some counties and cities even choose to require a psychological examination, which adds hundreds of dollars in additional expense. *Id.* § 26190(e). Finally, permits are only good for two years and then must be renewed, incurring even more time and expense. *Id.* § 26220(a).

With all the above in mind, imagine an Arizona resident planning an impromptu road trip to Los Angeles for the weekend. They have no meaningful right to carry in California, because even in the counties that issue permits the quickest, it takes at least a month or two to get a permit. Even if they planned their trip that far in advance, they must also have the financial means to pay the considerable

⁵ Some of the Amici are also plaintiffs in a lawsuit challenging Santa Clara’s roughly \$2,000 in total expense for a carry permit. *See* First Amended Complaint for Declaratory and Injunctive Relief, *Blank v. County of Santa Clara*, No. 5:25-cv-08027-EJD (N.D. Cal. Nov. 14, 2025), ECF No. 11.

expense of a California permit and have the time to take a two-day training course, as well as possibly sit for a psychological examination. California is not just treating the Second Amendment like a second-class right; the state is treating it as if it is not a right at all.

If you frequently travel across the country and regularly visit many states as the Petitioner in this case does for his job, you will not need just one or two extra permits, but a dozen or more, juggling all their different fees, training courses, and renewal processes.

At least one individual has posted about his and his wife's experience of trying to get as many different permits as possible on YouTube. At the time the video was posted in early 2026, the couple had permits from New York City (which does not even recognize New York *state* permits), California, Arizona, Maryland, Pennsylvania, Washington D.C., Utah, Connecticut, Maine, Maine, Massachusetts, New Jersey, and Rhode Island. *See School of the American Rifle, Taxing the 2nd Amendment - \$12,804.63 to Carry in 46 States & D.C. - Husband & Wife*, YouTube (Mar. 15, 2026), <https://www.youtube.com/watch?v=vUAenO-7LcM> (last visited Sept. 9, 2026).

Combined, the permits are valid in 46 states and DC and cost the couple a grand total of \$12,804.63 to acquire, with additional costs to come as permits come due for renewal. *Id.* And that cost does not factor in the considerable time investment required for application processes, taking various training courses, and remembering to renew permits as they expire.

Even with that massive investment of time and expense, they still could not carry in Oregon, Colorado, and Hawaii, which still do not issue permits to nonresidents at all, or only issue to residents of certain states.

In sum, to exercise the right to carry in every state in the country, an American would need to spend thousands of dollars, take dozens of hours of repetitive training courses, often travel to each state to be interviewed and fingerprinted, and then remember to do it all again as permits expire and need to be renewed. Under the status quo, attempting to exercise the right to carry in all states unavoidably involves “exorbitant fees” and “lengthy wait times.” *Bruen*, 597 U.S. at 38 n.9.

Minnesota’s own permitting scheme illustrates the problem. Minnesota does not treat nonresidence as a substantive disqualification from carrying a firearm. To the contrary, “[n]onresidents . . . may apply to any sheriff,” and a sheriff must issue a permit to an applicant who satisfies Minnesota’s generally applicable eligibility requirements. Minn. Stat. § 624.714, subd. 2(a)–(b) (2025). That application process imposes a burden having little apparent connection to the State’s determination of whether the applicant is qualified to carry. Minnesota requires that “[a]pplications must be submitted in person.” *Id.* subd. 3(e). A nonresident must therefore physically travel to Minnesota merely to initiate the application process. Yet the application packet itself consists principally of documentary materials—a completed application, proof of firearms training, and

identification—and the sheriff conducts the relevant criminal-record and eligibility checks electronically. *Id.* subds. 3(c), 4(a). The applicant’s physical presence at a sheriff’s counter establishes neither firearms proficiency nor legal eligibility. For an interstate traveler like Petitioner, Minnesota’s scheme means that he must make a separate trip to Minnesota, personally deliver paperwork initiating a redundant licensing process, and obtain a Minnesota credential to add to his collection of existing carry permits.

Does all of that sound like the treatment befitting a constitutional right? Do these massive burdens allow the right to carry to have the same scope it was “understood to have when the people adopted” it? *District of Columbia v. Heller*, 554 U.S. 570, 634 (2008). The answer, of course, must be no, because for most of our history, Americans could at least open carry in any state, and even concealed carry restrictions were frequently waived if they were traveling. Minnesota’s modern requirements thus have little in common with our historical tradition. On one side we have a state refusing to recognize the Second Amendment rights of travelers unless they get a permit, and on the other we have the historical traveler’s exception laws. “To state the analogy is to expose its deficiency.” *United States v. Hemani*, 146 S. Ct. 1677, 1689 (2026).

If such burdens *are* permissible despite their total lack of historical support, then the historical standard of *Heller* and *Bruen* does not really exist in any meaningful sense. Fortunately, this Court has indicated it is receptive to concerns about burdens

faced by Americans merely attempting to exercise their right to carry. *See WOLFORD*, 146 S. Ct. at 2048 (discussing the burdens faced by a hypothetical young woman seeking to exercise the right to carry in Hawaii). For that reason too, this petition should be granted.

III. Americans with Carry Permits Are Overwhelmingly Law-Abiding.

If forced to respond to the arguments above, Minnesota would no doubt make appeals to public safety and claim that forcing it to honor the carry permits of other states would lead to increased crime and violence. This Court should reject that argument for two reasons, the first being that *Heller* and *Bruen* forbid such appeals to interest-balancing. “While judicial deference to legislative interest balancing is understandable—and, elsewhere, appropriate—it is not deference that the Constitution demands here.” *Bruen*, 597 U.S. at 26.

But second, even assuming that such a public safety argument were permissible, Minnesota has nothing to fear because Americans with carry permits are exceptionally law-abiding, much more so than the general population as a whole.⁶

⁶ This should not be taken to mean Constitutional carry states have significant violent crime problems. In fact, in the last five years several more states have adopted Constitutional carry, including large ones like Texas and Florida. Yet our national homicide rate has dropped precipitously. *See* Olivier Knox, *The U.S. Is on Track for Its Lowest Murder Rate Ever*, U.S. News & World Rep. (Sept. 29, 2025), <https://www.usnews.com/news/u-s->

This is true regardless of which state issued the permit. In their own litigation challenging California’s bans on carrying in many public places, Amici presented extensive data from several state governments related to crime committed by carry permit holders, including from Florida (where the Petitioner in this case happens to be licensed), Texas, Wisconsin, Illinois, and Minnesota. *See* Memorandum of Points & Authorities Supporting Plaintiffs’ Motion for Preliminary Injunction at 30-35, *May v. Bonta*, No. 8:23-cv-01696-CJC-ADS (C.D. Cal. Sept. 29, 2023). These states have varying levels of burdens in getting carry permits. But all of them uniformly showed that crime by those issued permits is extremely rare. *Id.* That data led the district court to conclude: “[s]imply put, CCW permitholders are not the gun wielders legislators should fear.” *May v. Bonta*, 709 F. Supp. 3d 940, 969 (C.D. Cal. 2023), *aff’d in part, rev’d in part sub nom. Wolford v. Lopez*, 116 F.4th 959 (9th Cir. 2024).⁷

news-decision-points/articles/2025-09-29/the-u-s-is-on-track-for-its-lowest-murder-rate-ever (last visited Sept. 9, 2026).

⁷ Other courts have found the same, including the *Wolford* district court and another district court in New Jersey. “[T]he vast majority of conceal carry permit holders are law abiding.” *Wolford v. Lopez*, 686 F. Supp. 3d 1034, 1076 (D. Haw. 2023), *aff’d in part, rev’d in part*, 116 F.4th 959 (9th Cir. 2024), *rev’d in part*, 146 S. Ct. 2032 (2026); “[D]espite ample opportunity for an evidentiary hearing, the State has failed to offer any evidence that law-abiding responsible citizens who carry firearms in public for self-defense are responsible for an increase in gun violence.” *Koons v. Platkin*, 673 F. Supp. 3d 515, 577 (D.N.J. 2023).

At least one research organization that typically argues for more gun control, RAND, has recognized the same: “[E]vidence generally shows that, as a group, license holders are particularly law abiding and rarely are convicted for violent crimes.” Rosanna Smart, et al., *The Science of Gun Policy: A Critical Synthesis of Research Evidence on the Effect of Gun Policies in the United States*, at 427 (4th ed. 2024), available online at https://www.rand.org/pubs/research_reports/RRA243-4.html (last visited Sept. 9, 2026).⁸

Given that the Petitioner has a Florida carry permit, it is worth noting here that those issued carry permits by Florida are no exception in terms of being law-abiding citizens. As of August 2026, Florida had issued 6,644,160 concealed weapon permits since October 1, 1987. Of those, 2,290,204 are still active today. In that 37-year period, only 24,134 permits were revoked without being subsequently reinstated. *See* Concealed Weapon or Firearm License Summary

⁸ Minnesota may point to *Concealed Carry Killers*, a project of the anti-gun Violence Policy Center, to try to paint those with carry permits in a negative light. A prior amicus brief filed by some of the Amici in the Ninth Circuit thoroughly rebutted the Violence Policy Center’s arguments and demonstrated how the *Concealed Carry Killers* data inadvertently proved how law-abiding people with carry permits are. “In other words, according to the Concealed Carry Killers data, Americans who legally carry firearms are about 20 times less likely to commit homicide than the general population. This hardly supports Hawaii’s claim that such persons are uniquely dangerous that they must be disarmed in public.” Brief for Gun Owners of America, Inc. et al. as Amici Curiae Supporting Appellees at 26-29, *Wolford v. Lopez*, No. 23-16164 (9th Cir. Nov. 9, 2023).

Report Oct. 1, 1987-Aug. 31, 2026, Fla. Dep't of Agric. & Consumer Servs., Div. of Licensing, https://ccmedia.fdacs.gov/content/download/7499/file/cw_monthly.pdf (last visited Sept. 9, 2026).

That's a revocation rate of just 0.36%, which is a much better tally than the general population, considering about 8% of Americans overall are felons. Sarah K.S. Shannon et al., *The Growth, Scope, and Spatial Distribution of People With Felony Records in the United States, 1948-2010*, 54 *Demography* 1795 (2017), available online at <https://pmc.ncbi.nlm.nih.gov/articles/PMC5996985/> (last visited Sept. 9, 2026). Nor does revocation only occur for those who commit *violent* crimes involving firearms, as other nonviolent crimes can also lead to one losing their carry permit, including crimes like illegal drug use or drunk driving. The number of people with Florida carry permits who committed a violent crime is thus even fewer than that 0.36% revocation rate suggests. Minnesota has nothing to fear from those with Florida carry permits.⁹

⁹ Petitioner also has another carry permit issued by Georgia. Pet. 2. To the best of Amici's knowledge Georgia does not maintain the same state-level data that Florida offers. However, given how every other state that does keep such data always demonstrates that those with carry permits rarely commit crime, Amici are confident those with Georgia carry permits are similarly law-abiding.

CONCLUSION

A general right to publicly carry arms for self-defense cannot coexist with each state having the option to require visitors from other states to undergo a costly and time-consuming permit process to exercise that right. The Petitioner went through the trouble of getting a carry permit in Florida and Georgia, and he should not have to go through the same hassle in every state he travels through for his work as a trucker, including Minnesota. Given the overwhelming history on Petitioner's side, his petition should be granted. At minimum, this case should be remanded to the Eighth Circuit with instructions to properly consider the historical traveler's exception laws.

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Respectfully submitted,

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