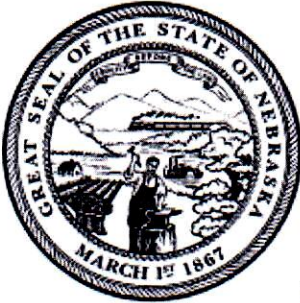


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# Nebraska Knife Laws

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→ IT IS LEGAL TO OWN AND OPEN CARRY ANY KNIFE, BUT CANNOT CARRY IT CONCEALED

Nebraska knife laws can be found in vaguely worded statutes and interpretative case law, which can be confusing and unclear. This article will help clarify some of the statutes and translate the law into more concrete terms so that anyone can understand what is legal and what is not legal in Nebraska.

## What is Legal to Own

- Balisong knives are legal to own
- Bowie knives are legal to own
- Dirks, daggers, and stiletos are legal to own
- Ballistic knives are legal to own
- Disguised knives like cane knives, lipstick knives, and belt knives are legal to own
- Switchblades and automatic knives are legal to own

## What is Illegal to Own

- It is illegal for a person who has been convicted of a felony to own a knife
- It is illegal for a person who is a fugitive to own a knife
- It is illegal for a person subject to a domestic violence protective order to own a knife while knowingly violating such order

# What the Law States

§ 28-1202. *Carrying concealed weapon; penalty; affirmative defense.*

(1) (a) *Except as otherwise provided in this section, any person who carries a weapon or weapons concealed on or about his or her person, such as a handgun, a knife, brass or iron knuckles, or any other deadly weapon, commits the offense of carrying a concealed weapon...*

A knife is defined in R.R.S. Neb. § 28-1201, as any dirk, knife, dagger, or stiletto with a blade over three and one-half inches long, or any other dangerous instrument capable of inflicting cutting, stabbing, or tearing wounds.

## Definition of a Deadly Weapon

While the statutes of Nebraska do not define "deadly weapon", the Court, in State v. Kanger, defined it as any of the weapons listed in R.R.S. Neb. § 28-1202, which includes handguns, knives, and brass or iron knuckles, as well as any instrument that, in the manner it is used, or intended to be used, is capable of producing death or serious bodily injury.

## Limits on Carry

- It is illegal to conceal carry a dirk with a blade over 3 ½ inches long
- It is illegal to conceal carry a dagger with a blade over 3 ½ inches long
- It is illegal to conceal carry a stiletto with a blade over 3 ½ inches long
- It is illegal to conceal carry any knife with a blade over 3 ½ inches long
- It is legal to open carry any type of knife in Nebraska ~~XXXX~~

One must be careful when conceal carrying any type of knife in Nebraska, even if the blade is less than 3 ½ inches long. This is because in 2000, the Nebraska Supreme Court found, in State v. Bottolfson, that a knife with a blade less than 3 ½ inches long could still be a "dangerous instrument capable of inflicting cutting, stabbing, or tearing wounds" and therefore illegal to conceal carry. Whether any particular knife should be considered such a



dangerous instrument is a question left to the jury at trial, which means that you could be arrested and tried for conceal carrying any knife with a blade less than 3 ½ inches long.

## Definitions of Various Types of Knives

Nebraska statutes do not define any type of knife, however, the Supreme Court of Nebraska, in *State v. Williams*, defined a dirk as a “long straight-bladed dagger formerly carried especially by Scottish Highlanders,” or “a short sword formerly worn by British junior naval officers”. The *Williams* Court also defined a bowie knife as a large hunting knife adapted especially for knife-fighting, and having a guarded handle and a strong single-edge blade typically 10 to 15 inches long. Switchblades and stiletos are mentioned in several cases, but the Court does not offer any definition of either type of knife.

## Definition of Concealed

The statute says that a weapon may not be carried concealed on or about ones person; however, in 1960, in *Kennedy v. State*, the Supreme Court of Nebraska found that a weapon is concealed on or about the person when it is hidden from ordinary observation inside a vehicle. In 1969, in the case of *State v. Goodwin*, Nathaniel Goodwin Jr. was convicted of carrying a concealed weapon after police found a handgun (locked) in the glove box of his vehicle. The Court found that the words “concealed on or about the person” meant concealed in such close proximity to the driver of a vehicle as to be within immediate physical reach. Nebraska Legislature 69-2429. Terms, defined.

(1) Concealed handgun means the handgun is totally hidden from view. If any part of the handgun is capable of being seen, it is not a concealed handgun;

## Defenses to Concealed Carry Laws

Nebraska law specifically recognizes the affirmative defense that a defendant was engaged in a lawful business, calling, or employment the circumstances of which justify a prudent person in carrying the weapon or weapons for the defense of his or her person, property, or family. In *State v. Goodwin*, Mr. Goodwin attempted to use this defense, however it failed when he admitted that he was not working at the time he was arrested with a hand gun in the glove box. The Court here found that in order to fall within this exception to the conceal carry law, one must be able to prove that he or she was engaged in that business or calling at the time when he or she was carrying the concealed weapon.

# Conclusion on Nebraska Knife Laws

Nebraska law is very relaxed on what types of knives are legal to own, as it does not make it illegal to own any type of knife unless you are a convicted felon, a fugitive from justice, or subject to a domestic violence protective order.

While you may not conceal carry any knife, on your person or in your vehicle, with a blade more than 3 ½ inches long or any other dangerous instrument capable of inflicting cutting, stabbing, or tearing wounds, it is legal to open carry any type of knife in Nebraska.

When conceal carrying any knife, even one with a blade less than 3 ½ inches long, one must be careful, as it may be found to be a dangerous instrument capable of inflicting cutting, stabbing, or tearing wounds, and therefore illegal to conceal carry.

## Sources

R.R.S. Neb. § 28-1201 (2012)

R.R.S. Neb. § 28-1202 (2012)

State v. Williams, 218 Neb. 57, 352 N.W.2d 576 (1984)

State v. Kanger, 215 Neb. 128, 337 N.W.2d 422 (1983)

State v. Goodwin, 184 Neb. 537, 169 N.W.2d 270 (1969)

Kennedy v. State, 171 Neb. 160, 105 N.W.2d 710 (1960)

State v. Bottolfson, 610 N.W.2d 378 (2000)



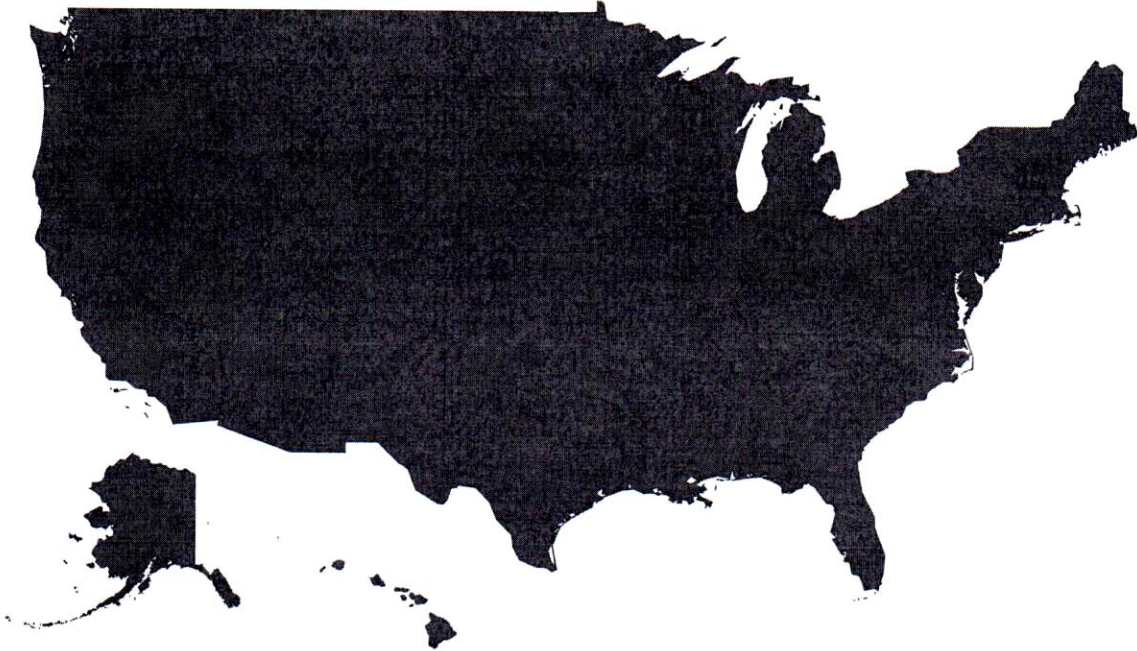
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## US Knife Laws

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KnifeUp provides, for free, knife law guides for all 50 states. Below is a map of the US, click on the state you are interested in to read about it's knife laws. I try to keep these guides as up-to-date and accurate as possible but, for the law changes a lot, please leave a comment if you see something wrong.

### Choose Your State



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<a href="#">NM</a>	<a href="#">NY</a>	<a href="#">NC</a>	<a href="#">ND</a>	<a href="#">OH</a>	<a href="#">OK</a>	<a href="#">OR</a>	<a href="#">PA</a>	<a href="#">RI</a>	<a href="#">SC</a>
<a href="#">SD</a>	<a href="#">TN</a>	<a href="#">TX</a>	<a href="#">UT</a>	<a href="#">VT</a>	<a href="#">VA</a>	<a href="#">WA</a>	<a href="#">WV</a>	<a href="#">WI</a>	<a href="#">WY</a>

## How the US Justice System Works

The United States was founded under the principals of federalism. Under federalism, governing powers are divided between the federal government as well as the state governments. For states existed before the founding of the US, the writers of the Constitution respected the state's authority by limiting federal powers to only those expressly stated within the Constitution. All other governing powers are, therefore, state powers.

For knife law, the only federal law is the *Switchblade Knife Act of 1958* as well as the 2009 amendment to the act (see 15 U.S.C. §1244). The federal knife law only applies to individuals who are traveling internationally as well as between states. If you reside in a federal district (see [Washington D.C. knife laws](#)), the federal law is the only law that governs knives for you. If you live in one of the 50 states, the federal law would only apply to you if you are traveling from one state to another or if you are entering federal property, such as a military base.

All states have knife laws (click on the map above to find the knife law for a particular state) but some state's knife laws are more up-to-date than others and local municipalities often pass their own knife laws as well. For example, if you live in Denver, Colorado, you must abide under the knife laws of Colorado as well as the knife laws of Denver. However, if you travel to Boulder, Colorado (30 minutes away) you must conform to Boulder's knife laws as well. And, during your journey, you must conform to the knife laws of all the municipalities in between Boulder and Denver.

This makes knife laws a tricky subject unless your state has a preemption clause. Preemption means that the state government nullifies all knife laws made by municipalities. Therefore, when you travel from town to town, you would not have to worry about municipal knife laws.

## General Guide to Knife Laws

Knife laws can be divided into these two categories: ownership laws and carry laws.

### Ownership Laws

Ownership laws forbid individuals from owning certain types of knives that society has deemed "deadly weapons" or "dangerous." Most of the time, these knives were once associated with unlawful people such as gangs, the mob, and outlaws. It is for this reason that the Bowie knife has been outlawed in so many states.


### Carry Laws

Carry laws forbid an individual from carrying, concealed or open, certain knives. For example, some states forbid an individual from conceal carry of knives over a certain length but open carry of that same knife is legal. Other states forbid the carry, concealed and open, of certain knives. Most knives that are barred from carry are ones deemed by society to have no utility uses and, therefore, their only use is as weapons.

### Other Laws

Some states have laws that forbid one from aggravated display of a knife as well as committing a crime with a knife. These laws are usually only enforceable after the fact and, for that reason, allows the state to increase the penalty of a crime. For example, robbery with a knife is viewed as an even worse crime and should be punished more than simple robbery.

## What is Generally Allowed

If you want to carry a knife that is usually legal everywhere, I highly recommend you buy a knife that is clearly intended for utility use. For example, most pocket knives and all leathermans as well as multi-tools fit this description. As long as the blade is less than 3 or 2.5 inches, you should be fine. Times where this advice might not be true is at: courts, planes, schools, and special buildings that forbid the carry of blades. 

#### 11 comments on "US Knife Laws"

**chad** says:

July 24, 2013 at 1:44 am

Map not working on my android phone. Android 2.35 HTC inspire.

**Rich S** says:

July 27, 2013 at 5:01 pm

Even with graphics and javascript on, I can't get the map to load. Can you perhaps put a postal abbrev for the states with a hot link to the laws of that state. Thanks Rich

**Nellie Hall** says:

August 19, 2013 at 3:33 pm

The map was not available. What are the laws for MO and KS? Thanks

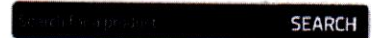


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SKU: FX-599



hover over image to zoom

RRP: \$169.95

Your Price: **\$129.95** (You save \$40.00)

**QUICK SPECS:**

Brand: Fox

Weight: 1.00 LBS

Rating: ★★★★★ ( 80 product reviews )

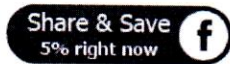
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#### Product Description



This is the NEW 599 FOX Karambit G10 Black Folding Knife !!!

We are **EXCITED** to present this **BRAND NEW** Karambit Knife !!! The 599 G10 Black FOX Karambit Knife was co-designed by FOX Knives, Inc. and ReNu Tech Solutions, LLC. Ergonomically Perfect !!! Meant to fit Medium to Extra Large Hands.

**THE 599 FOX KARAMBIT G10 KNIFE IS NOT AVAILABLE ANYWHERE ELSE**

**& CAN ONLY BE FOUND HERE EXCLUSIVELY AT THEULTIMATEKNIFE.COM !!!**

**ALL FOX KARAMBIT KNIVES ARE MACHINED, HAND ASSEMBLED, HAND SHARPENED**

**& STRICTLY INSPECTED AT FOX KNIVES, ITALY**

#### About the Karambit Folding Knife:

The Karambit is a functional knife first introduced in the Indonesian archipelago. However, some believe that this unique design originated in Malaysia or the Philippines. The knife was originally designed to be a working folding knife and dates back to the 6th century. This unusual but functional design was first introduced into the United States at the end of the 1800s but was only put into use by the mid 1900s. In Europe it was first introduced in 1970 and 1980 for use in several martial arts disciplines like the Indonesian Pencak Silat, the Malaysian Bursilat and the Pilipino Kali. Today the Karambit Folding Knife is the next generation of Folding Knives. With the advantage of the Emerson "Wave Shaped Opening Feature" (Patent #5,878,500), this is one of the finest personal defense weapons ever developed.

#### Features:

- Ergonomic Handle Design fits Forward and Reverse Grip perfectly
- Can be carried for Reverse or Forward grip deployment
- Total Ambidextrous opening

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★★★★★

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\$136.95

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Founded by Oreste Frati in Italy, FOX Knives are known worldwide for their innovative quality and solid craftsmanship in cutlery since 1977.

We believe that the FOX Karambit Knife is one of the most **unassuming and powerful** knives on the market for personal and self defense. Not only that, but we are extremely honored to be allowed by Ernest Emerson himself to utilize his patented (#5,878,500) "**Wave Shaped Opening Feature**" (or Remote Pocket Opener). With this important and added feature in an emergency or injury situation the knife can be opened with one hand as it is drawn from the pocket.

The FOX Karambit Knife is three tools in one:

- 1) Utility Knife
- 2) Martial Arts Knife
- 3) Self Defense Knife

**Blade Specs:**

Blade Style: Talon  
 Blade Edge: Plain  
 Blade Finish: Teflon Coated Black Finish  
 Blade Length: 2.25"  
 Steel Type: N690 Co Stainless Steel  
 Length Open: 7.0"  
 Length Closed: 4.75"  
 Weight: 3.5 oz.  
 Thickness: 0.12"  
 Pocket Clip: Black Ambidextrous Tip-Up  
 Handle Material: G-10 (Composite Material)  
 Handle Color: Black  
 Locking Mechanism: Liner Lock  
 Manufacturing Country: Italy/USA  
 Retail Price: \$169.95

**ATTN: FOR PROPER SIZING OF THE KNIFE**

- 1) Use a Ruler or a Tape Measure
- 2) Make sure you **DO NOT INCLUDE** your Thumb and your Fingers in this measurement
- 3) **ONLY** measure the **WIDTH** of the **four tops** of your knuckles where your fingers attach to your hand (from your Index Pointer Finger Knuckle all the way across to your Pinky Knuckle)
- 4) If your hand measures **4 Inches or UNDER** in width then the **599 FOX Karambit Black G10 Knife** is going to be the **BETTER FIT** for your hand.
- 5) Again, if you hand is **4 Inches or UNDER** in width, we **STRONGLY** suggest that you **DO NOT** order the **479 or 479TK Karambit Knives** as they will **NOT** fit your hand properly, as they are meant for **XXL Size Hands** and any returns will cause a 15% restocking fee we don't want you to incur.

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Any questions, please contact us at:  
 Email: [lad@renutechsolutions.com](mailto:lad@renutechsolutions.com)  
 Phone: 281-770-2565 (ask for Lad)

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 Posted by Unknown on 19th Jan 2014  
 I love this knife. Super sharp and fast to deploy.
2. **GREAT PRODUCT!** ★★★★★  
 Posted by SCOTT on 18th Jan 2014  
 AWESOME COMPANY TO BE DEALING WITH! THE ESTIMATED TIME OF SHIPMENT WAS AFTER CHRISTMAS 2013. AFTER SPEAKING WITH THE OWNER OF THE COMPANY, HE WAS ABLE TO HAVE MY KNIFE HERE BEFORE THE CHRISTMAS HOLIDAYS. THIS WAS A GIFT FOR MY SON, WHO WAS HOME ON LEAVE FROM ACTIVE DUTY (USMC). THANKS
3. **Karambit first impression** ★★★★★

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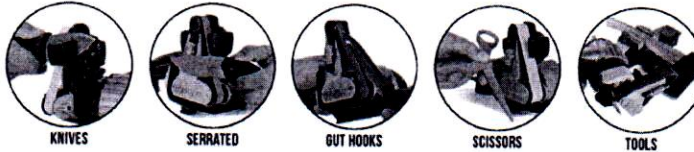
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