

CARRYING CONCEALED WEAPONS: A violation of Section 4029 R. S. Mo. 1929.
Pistol carried in cab of truck.

February 12, 1938

2-14

FILED
57

Mr. G. Logan Marr
Prosecuting Attorney
Versailles, Missouri

Dear Sir:

We have your request of February 10th for an opinion as to whether or not truck drivers engaging in the practice of carrying a gun on the floor or seat of a truck is a violation of any state law.

You will find this exact question answered and passed upon in State vs. Renard, 273 S.W. 1058, wherein the defendant was arrested while driving an automobile on Olive Street in St. Louis and was found to have a loaded revolver on the floor of the car at defendant's feet. The night was dark and the revolver could not be seen. The Court held, l. c. 1058:

"This was a concealment within the meaning of the statute. State vs. Conley, 280 Mo. 21, 25, 217 S.W. 29."

CONCLUSION

It is therefore the opinion of this office that the carrying of a revolver by a truck driver about the cab of his truck at night, in the dark, is a violation of Section 4029 R.S. Mo. 1929, prohibiting the carrying of concealed weapons.

Respectfully submitted,

APPROVED:

FRANKLIN E. REAGAN
Assistant Attorney General

J. E. TAYLOR
(Acting) Attorney General

FER:MM