ATF
State Laws and Published Ordinances - Firearms

2010-2011 31st Edition

Advisory Note:
This document predates SB 281 does NOT include the changes to Maryland gun laws under SB 281.
It is provided as a courtesy only. In matters of law, always consult with an experienced and competent attorney.
TABLE OF CONTENTS

Introduction & General Information

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>Item</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATF Director’s Message</td>
<td>i</td>
<td>Attorneys General</td>
<td>ix-x</td>
</tr>
<tr>
<td>Table of Contents</td>
<td>iii</td>
<td>Ready Reference Table</td>
<td>xi-xi</td>
</tr>
<tr>
<td>Currency of Laws Table</td>
<td>iv</td>
<td>Brady Law Information</td>
<td>xiii</td>
</tr>
<tr>
<td>ATF Offices &amp; Information</td>
<td>v-viii</td>
<td>Permanent Brady Permit Chart</td>
<td>xiv-xv</td>
</tr>
<tr>
<td>ATF Field Divisions</td>
<td>v</td>
<td>Relevancy Criteria</td>
<td>xvi</td>
</tr>
<tr>
<td>Forms/Publications/Licensing</td>
<td>v</td>
<td>Unlawful Acts</td>
<td>xvi</td>
</tr>
<tr>
<td>ATF IO Field Offices</td>
<td>vi-viii</td>
<td>Federal Age Restrictions</td>
<td>xvi</td>
</tr>
</tbody>
</table>

State and Local Laws and Ordinances*

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Page</th>
<th>Jurisdiction</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>1</td>
<td>Montana</td>
<td>286</td>
</tr>
<tr>
<td>Alaska</td>
<td>4</td>
<td>Nebraska</td>
<td>288</td>
</tr>
<tr>
<td>American Samoa</td>
<td>8</td>
<td>Nevada</td>
<td>296</td>
</tr>
<tr>
<td>Arizona</td>
<td>10</td>
<td>New Hampshire</td>
<td>306</td>
</tr>
<tr>
<td>Arkansas</td>
<td>15</td>
<td>New Jersey</td>
<td>309</td>
</tr>
<tr>
<td>California</td>
<td>19</td>
<td>New Mexico</td>
<td>324</td>
</tr>
<tr>
<td>Colorado</td>
<td>88</td>
<td>New York</td>
<td>326</td>
</tr>
<tr>
<td>Connecticut</td>
<td>95</td>
<td>North Carolina</td>
<td>355</td>
</tr>
<tr>
<td>Delaware</td>
<td>110</td>
<td>North Dakota</td>
<td>363</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>117</td>
<td>Northern Mariana Islands</td>
<td>365</td>
</tr>
<tr>
<td>Florida</td>
<td>129</td>
<td>Ohio</td>
<td>369</td>
</tr>
<tr>
<td>Georgia</td>
<td>141</td>
<td>Oklahoma</td>
<td>393</td>
</tr>
<tr>
<td>Guam</td>
<td>148</td>
<td>Oregon</td>
<td>397</td>
</tr>
<tr>
<td>Hawaii</td>
<td>151</td>
<td>Pennsylvania</td>
<td>403</td>
</tr>
<tr>
<td>Idaho</td>
<td>157</td>
<td>Puerto Rico (English &amp; Spanish)</td>
<td>412</td>
</tr>
<tr>
<td>Illinois</td>
<td>161</td>
<td>Rhode Island</td>
<td>431</td>
</tr>
<tr>
<td>Indiana</td>
<td>187</td>
<td>South Carolina</td>
<td>439</td>
</tr>
<tr>
<td>Iowa</td>
<td>197</td>
<td>South Dakota</td>
<td>446</td>
</tr>
<tr>
<td>Kansas</td>
<td>199</td>
<td>Tennessee</td>
<td>448</td>
</tr>
<tr>
<td>Kentucky</td>
<td>203</td>
<td>Texas</td>
<td>455</td>
</tr>
<tr>
<td>Louisiana</td>
<td>207</td>
<td>Utah</td>
<td>458</td>
</tr>
<tr>
<td>Maine</td>
<td>212</td>
<td>Vermont</td>
<td>461</td>
</tr>
<tr>
<td>Maryland</td>
<td>217</td>
<td>Virginia</td>
<td>463</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>233</td>
<td>Virgin Islands</td>
<td>471</td>
</tr>
<tr>
<td>Michigan</td>
<td>252</td>
<td>Washington</td>
<td>477</td>
</tr>
<tr>
<td>Minnesota</td>
<td>268</td>
<td>West Virginia</td>
<td>485</td>
</tr>
<tr>
<td>Mississippi</td>
<td>280</td>
<td>Wisconsin</td>
<td>489</td>
</tr>
<tr>
<td>Missouri</td>
<td>283</td>
<td>Wyoming</td>
<td>497</td>
</tr>
</tbody>
</table>

* The editors of this publication endeavored, where local firearm regulation has not been preempted by State law, to include ordinances for those major local jurisdictions that make their laws readily accessible to the public. States and many local jurisdictions now make their laws available on the Web; See, e.g., http://www.municode.com (municipal codes). However, space and time constraints precluded including every local jurisdiction in this publication. Therefore, users of this publication are encouraged to consult with State and local authorities to ascertain the most current firearms laws and regulations applicable to their particular situation.
<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>The jurisdiction’s laws in this publication are current through:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>End of 2010 First Special Session</td>
</tr>
<tr>
<td>Alaska</td>
<td>2010 Regular Session</td>
</tr>
<tr>
<td>American Samoa</td>
<td>2010</td>
</tr>
<tr>
<td>Arizona</td>
<td>Second Regular Session and Ninth Special Session of the Forty-Ninth Legislature (2010)</td>
</tr>
<tr>
<td>Arkansas</td>
<td>End of 2010 Fiscal Session</td>
</tr>
<tr>
<td>California</td>
<td>2009 Regular and Extraordinary Session</td>
</tr>
<tr>
<td>Colorado</td>
<td>Second Regular Session of the 67th General Assembly (2010)</td>
</tr>
<tr>
<td>Connecticut</td>
<td>2010 Supplement to the Connecticut General Statutes</td>
</tr>
<tr>
<td>Delaware</td>
<td>2010 Regular Session and the Second Special Session of the 145th General Assembly, 77 Del. Laws, Ch. 476</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>May 18, 2010</td>
</tr>
<tr>
<td>Florida</td>
<td>Chapter 271 (End) of the Special ‘B’ Sessions of the 21st Legislature</td>
</tr>
<tr>
<td>Georgia</td>
<td>2010 Regular Session</td>
</tr>
<tr>
<td>Guam</td>
<td>P.L. of the 31st Legislature (2010)</td>
</tr>
<tr>
<td>Hawaii</td>
<td>2010 Regular and Special Sessions</td>
</tr>
<tr>
<td>Idaho</td>
<td>2010 Second Regular Session on or of the 60th Legislature</td>
</tr>
<tr>
<td>Illinois</td>
<td>2009 Regular Session of the 95th General Assembly (P.A. 96-880) and through P.A. 96-884 of the 2010 Regular Session of the 96th General Assembly</td>
</tr>
<tr>
<td>Indiana</td>
<td>2010 Second Regular Session</td>
</tr>
<tr>
<td>Iowa</td>
<td>Immediately effective legislation signed as of Feb. 22, 2010</td>
</tr>
<tr>
<td>Kansas</td>
<td>2010 Regular Session</td>
</tr>
<tr>
<td>Kentucky</td>
<td>2010 Regular Session</td>
</tr>
<tr>
<td>Louisiana</td>
<td>2010</td>
</tr>
<tr>
<td>Maine</td>
<td>2009 Second Regular Session of the 124th Legislature</td>
</tr>
<tr>
<td>Maryland</td>
<td>2010 Regular Session</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Chapter 19 of the 2010 2nd Annual Session of the General Court</td>
</tr>
<tr>
<td>Michigan</td>
<td>2010 Regular Session, 95th Legislature</td>
</tr>
<tr>
<td>Minnesota</td>
<td>2010 Legislative Session</td>
</tr>
<tr>
<td>Mississippi</td>
<td>2010 Regular and 1st and 2nd Extraordinary Sessions</td>
</tr>
<tr>
<td>Missouri</td>
<td>First Regular Session of the 95th General Assembly (2009)</td>
</tr>
<tr>
<td>Montana</td>
<td>All 2009 Legislation</td>
</tr>
<tr>
<td>Nebraska</td>
<td>101st Legislature Second Regular Session 2010</td>
</tr>
<tr>
<td>Nevada</td>
<td>76th (2010) Special Session</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Chapter 381 (End) of the 2010 Regular Session and Chapter 1 of the 2010 Special Session</td>
</tr>
<tr>
<td>New Jersey</td>
<td>214th Legislature, First Annual Session</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Second Session and Second Special Session of the 49th Legislature (2010)</td>
</tr>
<tr>
<td>New York</td>
<td>2009 Legislative Session</td>
</tr>
<tr>
<td>North Carolina</td>
<td>2010 Regular Session</td>
</tr>
<tr>
<td>North Dakota</td>
<td>2009 Regular Session</td>
</tr>
<tr>
<td>Ohio</td>
<td>2009 File 17 of the 128th General Assembly (2009-2010), approved and filed with the Secretary of State by Feb. 25, 2010</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Chapter 479 (End) of the Second Regular Session of the 52nd Oklahoma Legislature</td>
</tr>
<tr>
<td>Oregon</td>
<td>2009 Regular Session of the 75th Legislative Assembly</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>End of the 2009 Regular Session</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>December 2009</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>All 2010 Legislation</td>
</tr>
<tr>
<td>South Carolina</td>
<td>2010 Regular Session of the General Assembly</td>
</tr>
<tr>
<td>South Dakota</td>
<td>2010 Legislation passed at the 85th Regular Session including Supreme Court Rule 10-07</td>
</tr>
<tr>
<td>Tennessee</td>
<td>End of 2010 First Ex. Sess. and 2010 Regular Session</td>
</tr>
<tr>
<td>Texas</td>
<td>2009 Regular Session and First Called Session</td>
</tr>
<tr>
<td>Utah</td>
<td>2010 General Session</td>
</tr>
<tr>
<td>Vermont</td>
<td>2009 Regular Session and the 2009 Special Session</td>
</tr>
<tr>
<td>Virginia</td>
<td>End of the 2010 Regular Session</td>
</tr>
<tr>
<td>Virgin Islands</td>
<td>August 20, 2010, No. 7182 § 3, Sess. L. 2010</td>
</tr>
<tr>
<td>Washington</td>
<td>All legislation through the 2010 Regular and First Special Sessions</td>
</tr>
<tr>
<td>West Virginia</td>
<td>2010 Second Extraordinary Session</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>2009 Wisconsin Act 27</td>
</tr>
<tr>
<td>Wyoming</td>
<td>All 2010 Legislation</td>
</tr>
</tbody>
</table>
"READY REFERENCE" TABLE

(Providing citations to specific portions of each jurisdiction's laws; please see the endnotes and fully review the sections cited.)

<table>
<thead>
<tr>
<th>JURISDICTION NAME</th>
<th>PURCHASER WAITING PERIOD</th>
<th>LICENSE: DEALER, MANUFACTURER, ETC.</th>
<th>LOCAL GOVERNMENT LIMITS (PREEMPTION)</th>
<th>LIMITS TO INTERSTATE PURCHASE AND SALE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALABAMA</td>
<td></td>
<td>13A-11-78 [pistols]; 40-12-143 [handguns] &amp; 40-12-158 [long guns]</td>
<td>11-45-1.1; 11-80-11</td>
<td></td>
</tr>
<tr>
<td>ALASKA</td>
<td></td>
<td></td>
<td>18.65.778 [concealed handguns]; 29.35.145</td>
<td>46.4222 [importation]</td>
</tr>
<tr>
<td>AMERICAN SAMOA</td>
<td></td>
<td>46.4222 [import]; 46.4223 [sale]</td>
<td>13-3108, but see 15-341</td>
<td>13-3106 &amp; 13-3112(U)(V)(W)</td>
</tr>
<tr>
<td>ARIZONA</td>
<td></td>
<td></td>
<td>14-16-504; 14-54-1411</td>
<td>5-7-125</td>
</tr>
<tr>
<td>CALIFORNIA</td>
<td></td>
<td>Penal Code 12072(c)</td>
<td>Gov't Code 53071 &amp; 53071.5</td>
<td>Penal Code 12071(b)(8)(C); 12071(b)(3)(A); 12076</td>
</tr>
<tr>
<td>COLORADO</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CONNECTICUT</td>
<td></td>
<td>29-37a [2 weeks: long guns]</td>
<td>29-28 [handguns]</td>
<td></td>
</tr>
<tr>
<td>DELAWARE</td>
<td></td>
<td>Title 24, §§ 901 to 905</td>
<td>Title 9, §330(c); Title 22, §111</td>
<td>7-2505.02(b)(1)</td>
</tr>
<tr>
<td>DISTRICT OF COLUMBIA</td>
<td></td>
<td>22-4508 [48 hrs: pistols]</td>
<td>7-2504.01 et seq.; 22-4509 &amp; 4510</td>
<td></td>
</tr>
<tr>
<td>FLORIDA</td>
<td></td>
<td>790.0655 [3 days: handguns]</td>
<td>790.33; 790.335 [registration]</td>
<td></td>
</tr>
<tr>
<td>GEORGIA</td>
<td></td>
<td>43-16-1 et seq. [handguns &amp; arms &lt;15&quot;]</td>
<td>18-11-173</td>
<td>790.28</td>
</tr>
<tr>
<td>GUAM</td>
<td></td>
<td>60104 &amp; 60115 [register]</td>
<td></td>
<td>10-1-100 &amp; 101</td>
</tr>
<tr>
<td>HAWAII</td>
<td></td>
<td>134-2 [14 to 20 days to obtain a license to purchase any handgun]</td>
<td>134-31 et seq.</td>
<td></td>
</tr>
<tr>
<td>IDAHO</td>
<td></td>
<td></td>
<td>18-3314 &amp; 3315</td>
<td></td>
</tr>
<tr>
<td>ILLINOIS</td>
<td></td>
<td>Ch. 720, 5/24-3(A)(g) [72 hrs: concealable; 24 hrs: long guns, stinguns and tasers]</td>
<td>Ch. 430, 65/13,1 [not preempted] Ch. 720, 6/24-10 [affirmative defense]</td>
<td>Ch. 430, 65/3a</td>
</tr>
<tr>
<td>INDIANA</td>
<td></td>
<td>35-47-2-14 to 16 &amp; 21</td>
<td>35-47-11</td>
<td>35-47-5-6</td>
</tr>
<tr>
<td>IOWA</td>
<td></td>
<td>724.28</td>
<td></td>
<td></td>
</tr>
<tr>
<td>KANSAS</td>
<td></td>
<td></td>
<td>48-1901 to 1904</td>
<td></td>
</tr>
<tr>
<td>KENTUCKY</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LOUISIANA</td>
<td></td>
<td>40:1787 [register]</td>
<td>40:1796</td>
<td></td>
</tr>
<tr>
<td>MAINE</td>
<td></td>
<td>Tit. 25, §2011</td>
<td>40:1801 to 1804</td>
<td></td>
</tr>
<tr>
<td>MASSACHUSETTS</td>
<td></td>
<td>Ch. 140, §122 et seq.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MICHIGAN</td>
<td></td>
<td>123.1101 to 123.1104</td>
<td>3.111 &amp; 3.112</td>
<td></td>
</tr>
<tr>
<td>MINNESOTA</td>
<td></td>
<td>624.7132, subd. 4 [5 business days: pistols, assault weapons]</td>
<td>471.633 &amp; 634; 609.67 subd. 6; 624.7131 subd. 12; 624.7132 subd. 16; 624.717; 624.74 subd. 4</td>
<td>624.71</td>
</tr>
<tr>
<td>MISSISSIPPI</td>
<td></td>
<td>45-9-51 &amp; 53</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MISSOURI</td>
<td></td>
<td>Section Repealed</td>
<td>21.750</td>
<td>407.500 &amp; 407.505</td>
</tr>
<tr>
<td>MONTANA</td>
<td></td>
<td>45-8-351</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NEBRASKA</td>
<td></td>
<td>69-2405 [3 days; handgun]</td>
<td>69-2425 [no precondition]</td>
<td>28-1211</td>
</tr>
<tr>
<td>NEVADA</td>
<td></td>
<td>202.440 [local license]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NEW HAMPSHIRE</td>
<td></td>
<td>159.8 &amp; 159.10 [handguns]</td>
<td>159.26</td>
<td>159.8-a</td>
</tr>
<tr>
<td>NEW JERSEY</td>
<td></td>
<td>2C:58-3 [up to 30 days for permit]</td>
<td>2C:58-1 &amp; 58-2</td>
<td>2C:1-5.d.</td>
</tr>
<tr>
<td>NEW MEXICO</td>
<td></td>
<td></td>
<td>30-7-8</td>
<td></td>
</tr>
</tbody>
</table>
"READY REFERENCE" TABLE

<table>
<thead>
<tr>
<th>JURISDICTION NAME</th>
<th>PURCHASER WAITING PERIOD</th>
<th>LICENSE: DEALER, MANUFACTURER, ETC.</th>
<th>LOCAL GOVERNMENT LIMITS (PREEMPTION)</th>
<th>LIMITS TO INTERSTATE PURCHASE AND SALE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NEW YORK</td>
<td>400.00 (4.a) [up to 6 months for permit]</td>
<td>Penal Law 400.00</td>
<td>Penal Law 400.00.6 [licenses]</td>
<td>Penal Law 265.40</td>
</tr>
<tr>
<td>NORTH CAROLINA</td>
<td>14-404 [up to 30 days for handgun permit]</td>
<td>14-409.40; 14-415.23 [concealed handguns]</td>
<td>14-409.10</td>
<td></td>
</tr>
<tr>
<td>NORTH DAKOTA</td>
<td></td>
<td>62.1-01-03</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NORTHERN MARIANA IS.</td>
<td>2209; 2210; 2217</td>
<td>2227 [no preemption]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OHIO</td>
<td></td>
<td>Note after 2923.12; 2004 Ohio Laws File 53 (HB 12) §9 [concealed handguns]</td>
<td>2923.22</td>
<td></td>
</tr>
<tr>
<td>OKLAHOMA</td>
<td></td>
<td>Title 21, §1289.24</td>
<td>Title 21, §1288</td>
<td></td>
</tr>
<tr>
<td>OREGON</td>
<td></td>
<td>166.170 to 176</td>
<td>166.490</td>
<td></td>
</tr>
<tr>
<td>PENNSYLVANIA</td>
<td>6111(a) [48 hrs]</td>
<td>6112 &amp; 6113</td>
<td>6120</td>
<td>6141.1</td>
</tr>
<tr>
<td>PUERTO RICO</td>
<td></td>
<td>Tit. 25, §§ 456, 456g, 458</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SOUTH DAKOTA</td>
<td>23-7-9 [48 hrs: pistols (concealed permit holders exempt)]</td>
<td>7-18A-36; 8-5-13; 9-19-20</td>
<td>23-7-40</td>
<td></td>
</tr>
<tr>
<td>TENNESSEE</td>
<td>39-17-1316</td>
<td></td>
<td>39-17-1314</td>
<td></td>
</tr>
<tr>
<td>TEXAS</td>
<td></td>
<td>Local Gov't Code 229.001 &amp; 235.021 to 024</td>
<td>Penal Code 46.07</td>
<td></td>
</tr>
<tr>
<td>UTAH</td>
<td></td>
<td>76-10-500</td>
<td>76-10-524</td>
<td></td>
</tr>
<tr>
<td>VERMONT</td>
<td>Title 24, §2295</td>
<td></td>
<td>Title 13, §§ 4014 &amp; 4015</td>
<td></td>
</tr>
<tr>
<td>VIRGINIA</td>
<td>15.2-915 to 915.4; 15.2-1206 to 1209.1</td>
<td></td>
<td>470 [importation]</td>
<td></td>
</tr>
<tr>
<td>VIRGIN ISLANDS</td>
<td>466 [48 hrs]</td>
<td>461-462 &amp; 467-468</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEST VIRGINIA</td>
<td></td>
<td>8-12-5a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WISCONSIN</td>
<td>175.35 [48 hrs: handguns]</td>
<td>66.0409</td>
<td>175.30</td>
<td></td>
</tr>
<tr>
<td>WYOMING</td>
<td></td>
<td>6-8-401</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

ENDNOTES

(N.B.: The text of the above-cited provisions should be thoroughly examined in context to ascertain their TRUE effect.)

1. Blank spaces indicate no relevant statutes were located.
2. Jurisdictions include the 50 States, the District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands.
3. "PURCHASER WAITING PERIOD" – generally refers to the period between purchaser application for firearms and allowable receipt or delivery. Exceptions exist among the jurisdictions.
4. "LICENSE: DEALER, MANUFACTURER, ETC." – generally means the person must have BOTH a Federal and State license.
5. "LOCAL GOVERNMENT LIMITS (PREEMPTION)" – means that the jurisdiction overrides its subordinate jurisdictions in whole or in part.
6. "LIMITS TO INTERSTATE PURCHASE AND SALE" (also known as "Contiguous State Provisions") – those legislative limits to interstate purchase and sale enacted by jurisdictions based on the GCA are cited, if available.

NOTICE: For an official interpretation of a jurisdiction's law, consult the appropriate government officials of that jurisdiction.
## BRADY LAW

### STATES IN WHICH THE FBI CONDUCTS NICS CHECKS FOR ALL FIREARMS TRANSACTIONS

<table>
<thead>
<tr>
<th>State</th>
<th>State</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Kentucky</td>
<td>Ohio</td>
</tr>
<tr>
<td>Alaska</td>
<td>Louisiana</td>
<td>Oklahoma</td>
</tr>
<tr>
<td>American Samoa</td>
<td>Maine</td>
<td>Puerto Rico</td>
</tr>
<tr>
<td>Arizona</td>
<td>Massachusetts</td>
<td>Rhode Island</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Minnesota</td>
<td>South Carolina</td>
</tr>
<tr>
<td>Delaware</td>
<td>Mississippi</td>
<td>South Dakota</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Missouri</td>
<td>Texas</td>
</tr>
<tr>
<td>Georgia</td>
<td>Montana</td>
<td>Vermont</td>
</tr>
<tr>
<td>Guam</td>
<td>New Mexico</td>
<td>U.S. Virgin Islands</td>
</tr>
<tr>
<td>Idaho</td>
<td>New York</td>
<td>West Virginia</td>
</tr>
<tr>
<td>Indiana</td>
<td>North Dakota</td>
<td>Wyoming</td>
</tr>
<tr>
<td>Kansas</td>
<td>Northern Mariana Islands</td>
<td></td>
</tr>
</tbody>
</table>

### STATES THAT ACT AS THE POINT OF CONTACT (POC) FOR ALL FIREARMS TRANSACTIONS

<table>
<thead>
<tr>
<th>State</th>
<th>State</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Nevada</td>
<td>Utah</td>
</tr>
<tr>
<td>Colorado</td>
<td>New Jersey</td>
<td>Virginia</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Oregon</td>
<td></td>
</tr>
<tr>
<td>Hawaii</td>
<td>Pennsylvania</td>
<td></td>
</tr>
<tr>
<td>Illinois</td>
<td>Tennessee</td>
<td></td>
</tr>
</tbody>
</table>

### STATES THAT ACT AS A PARTIAL POINT OF CONTACT (POC) FOR NICS CHECKS

<table>
<thead>
<tr>
<th>State</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Permit POC for all firearms transactions. FBI for certain pawn transactions.</td>
</tr>
<tr>
<td>Iowa</td>
<td>Permit POC for handguns. FBI for long guns</td>
</tr>
<tr>
<td>Maryland</td>
<td>Maryland State Police for handguns and assault weapons. FBI for long guns and pawn redemptions.</td>
</tr>
<tr>
<td>Michigan</td>
<td>Permit POC for handguns. FBI for long guns</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Permit POC for handguns. FBI for long guns</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>New Hampshire Department of Safety for handguns. FBI for long guns</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Permit POC for handguns. FBI for long guns</td>
</tr>
<tr>
<td>Washington</td>
<td>Chief law enforcement officer for handguns. FBI for long guns and pawn redemptions.</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Wisconsin Department of Justice for handguns. FBI for long guns</td>
</tr>
</tbody>
</table>

The most up-to-date information regarding Point of Contact States can be found on the ATF website at: http://atf.gov/firearms/brady-law/state-lists.html
PERMANENT BRADY PERMIT CHART

Note: Notwithstanding the dates set forth below, permits qualify as alternatives to the background check requirements of the Brady law for no more than 5 years from the date of issuance. The permit must be valid under State law in order to qualify as a Brady alternative.

<table>
<thead>
<tr>
<th>JURISDICTION</th>
<th>QUALIFYING PERMITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>None</td>
</tr>
<tr>
<td>Alaska</td>
<td>Concealed weapons permits marked NICS-Exempt qualify. (Set to expire October 2010.)</td>
</tr>
<tr>
<td>American Samoa</td>
<td>None</td>
</tr>
<tr>
<td>Arizona</td>
<td>Concealed weapons permits qualify.</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Concealed handgun licenses issued on or after April 1, 1999 qualify.*</td>
</tr>
<tr>
<td>California</td>
<td>Entertainment firearms permits only.</td>
</tr>
<tr>
<td>Colorado</td>
<td>None</td>
</tr>
<tr>
<td>Connecticut</td>
<td>None</td>
</tr>
<tr>
<td>Delaware</td>
<td>None*</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>None*</td>
</tr>
<tr>
<td>Florida</td>
<td>None*</td>
</tr>
<tr>
<td>Georgia</td>
<td>Georgia firearms licenses qualify.</td>
</tr>
<tr>
<td>Guam</td>
<td>None*</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Permits to acquire and licenses to carry qualify.</td>
</tr>
<tr>
<td>Idaho</td>
<td>Concealed weapons permits qualify.</td>
</tr>
<tr>
<td>Illinois</td>
<td>None</td>
</tr>
<tr>
<td>Indiana</td>
<td>None</td>
</tr>
<tr>
<td>Iowa</td>
<td>Permits to acquire and permits to carry concealed weapons qualify.</td>
</tr>
<tr>
<td>Kansas</td>
<td>Kansas licenses to carry a concealed handgun after 7/1/2010 qualify</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Concealed weapons permits issued on or after July 12, 2006 qualify.</td>
</tr>
<tr>
<td>Louisiana</td>
<td>None*</td>
</tr>
<tr>
<td>Maine</td>
<td>None*</td>
</tr>
<tr>
<td>Maryland</td>
<td>None*</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>None*</td>
</tr>
<tr>
<td>Michigan</td>
<td>Licenses to Purchase a Pistol qualify. Conceded Pistol Licenses (CPLs) issued on or after November 22, 2005, qualify as an alternative to a National Instant Criminal Background Check System (NICS) check. CPLs issued prior to November 22, 2005 and Temporary Concealed Pistol Licenses do not qualify as NICS alternative.</td>
</tr>
<tr>
<td>Minnesota</td>
<td>None*</td>
</tr>
<tr>
<td>Missouri</td>
<td>None*</td>
</tr>
</tbody>
</table>
**Montana**  Concealed weapons permits qualify.

**Nebraska**  Concealed handgun permit qualifies as an alternative. Handgun purchase certificates qualify.

**Nevada**  None

**New Hampshire**  None

**New Jersey**  None

**New Mexico**  None

**New York**  None

**Nevada**  None

**North Carolina**  Permits to purchase a handgun and concealed handgun permits qualify.

**North Dakota**  Concealed weapons permits issued on or after December 1, 1999 qualify.*

**No. Mariana Islands**  None

**Ohio**  None

**Oklahoma**  None*

**Oregon**  None*

**Pennsylvania**  None

**Puerto Rico**  None

**Rhode Island**  None

**South Carolina**  Concealed weapons permits qualify.

**South Dakota**  None*

**Tennessee**  None

**Texas**  Concealed weapons permits qualify.

**U.S. Virgin Islands**  None

**Utah**  Concealed weapons permits qualify.

**Vermont**  None

**Virginia**  None

**Virgin Islands**  None

**Washington**  None*

**West Virginia**  None

**Wisconsin**  None

**Wyoming**  Concealed weapons permits qualify.

*While certain permits issued in these states prior to November 30, 1998 were "grandfathered" as Brady alternatives, none of these grandfathered permits would still be valid under State law as of November 30, 2003.

The most up-to-date Permanent Brady Permit Chart can be found on the ATF website at:

Criminal Law Article

Title 1. General Provisions

Subtitle 1. Definitions

1-101. Definitions

(a) In general. In this article the following words have the meanings indicated.

(b) "Rifle" means a firearm that

(c) "Shotgun" means a firearm that

(d) "Firearm" means a firearm that

(e) "Law enforcement personnel" means

(f) "Parents" means

(g) "Minor." "Minor" means an individual under the age of 18 years.

Title 4. Weapon Crimes

Subtitle 2. Handguns

4-209. Regulation of weapons and ammunition

(a) State preemption. Except as otherwise provided in this section, the State preempts the right of a county, municipal corporation, or special taxing district to regulate the purchase, sale, taxation, transfer, manufacture, repair, ownership, possession, and transportation of:

(1) A handgun, rifle, or shotgun; and

(2) Ammunition for and components of a handgun, rifle, or shotgun.

(b) Exceptions.

(1) A county, municipal corporation, or special taxing district may regulate the purchase, sale, transfer, ownership, possession, and transportation of the items listed in subsection (a) of this section:

(i) With respect to minors;

(ii) With respect to law enforcement officials of the subdivision to regulate the purchase, sale, taxation, transfer, manufacture, repair, ownership, possession, and transportation of the items listed in subsection (a) of this section;

(iii) Except as provided in paragraph (2) of this subsection, within 100 yards of or in a park, church, school, public building, and other place of public assembly.

(2) A county, municipal corporation, or special taxing district may not prohibit the teaching of or training in firearms safety, or other educational or sporting use of the items listed in subsection (a) of this section.

(3) A county, municipal corporation, or special taxing district may not prohibit the transportation of an item listed in subsection (a) of this section by a person who is carrying a court order requiring the surrender of the item, if:

(i) the handgun, rifle, or shotgun is unloaded;

(ii) the person has notified the law enforcement unit, barracks, or station that the item is being transported in accordance with the court order; and

(iii) the person transports the item directly to the law enforcement unit, barracks, or station.

(4) A county, municipal corporation, or special taxing district may not prohibit the discharge of firearms at established ranges.

Subtitle 3. Assault Pistols and Detachable Magazines

4-301. "Assault pistol" defined

In this subtitle, "assault pistol" means any of the following firearms or a copy regardless of the producer or manufacturer:

(1) AA Arms AP-9 semiautomatic pistol;

(2) Bushmaster semiautomatic pistol;

(3) Clarridge HI-TEC semiautomatic pistol;

(4) D Max Industries semiautomatic pistol;

(5) Encom MK-IV, MP-9, OR MP-45 semiautomatic pistol;

(6) Heckler and Koch semiautomatic SP-89 pistol;

(7) Holmes MP-83 semiautomatic pistol;

(8) Ingram MAC 10/11 semiautomatic pistol and variations including the Partisan Avenger and the SWD Cobray;

(9) Intratec TEC-9/DC-9 semiautomatic pistol in any centerfire variation;

(10) P.A.a R.K.F. semiautomatic pistol;

(11) Skorpion semiautomatic pistol;

(12) Spectre double action semiautomatic pistol (Sile, F.I.E., Mitchell);

(13) UZI semiautomatic pistol;

(14) Weaver Arms semiautomatic Nighthawk pistol; or

(15) Wilkinson semiautomatic "Linda" pistol.

4-302. Scope of subtitle

This subtitle does not apply to:

(1) If acting within the scope of official business, personnel of the United States government or a unit of that government, members of the armed forces of the United States or of the national guard, or law enforcement personnel of the State or a local unit in the State;

(2) A firearm modified to render it permanently inoperative;

(3) Purchases, sales, and transport to or by a licensed firearms dealer or manufacturer who is:

(i) Providing or servicing an assault pistol or detachable magazine for a law enforcement unit or for personnel exempted under item (1) of this section; or

(ii) Acting to sell or transfer an assault pistol detachable magazine to a licensed firearm dealer in another state;

(4) Organizations that are required or authorized by federal law governing their specific business or activity to maintain assault pistols and applicable ammunition and detachable magazines;

(5) The receipt of an assault pistol or detachable magazine by inheritance if the decedent lawfully possessed the assault pistol; or

(6) The receipt of an assault pistol or detachable magazine by a personal representative of an estate for purposes of exercising the powers and duties of a personal representative of an estate.

4-303. Assault pistols - prohibited

(a) In general.

Except as provided in subsection (b) of this section, a person may not:

(1) transport an assault pistol into the State;

or

(2) possess, sell, offer to sell, transfer, purchase, or receive an assault pistol.

(b) Exception. A person who lawfully possessed an assault pistol before June 1, 1994, and who registered the assault pistol with the Secretary of the State Police before August 1, 1994,

(1) may continue to possess the assault pistol; or

(2) while carrying a court order requiring the surrender of the assault pistol, transport the assault pistol directly to the law enforcement unit, barracks, or station if the person has notified the law enforcement unit, barracks, or station that the person is transporting the assault pistol in accordance with a court order and the assault pistol is unloaded.

4-304. Assault pistols - seizure and disposition

A law enforcement unit may seize as contraband and dispose of according to regulation an as-sault pistol transported, sold, transferred, pur-chased, received, or possessed in violation of this subtitle.

4-305. Detachable magazines - prohibited

(a) Scope.

This section does not apply to a .22 caliber rifle with a tubular magazine.

(b) Prohibited.

A person may not manufacture, sell, offer for sale, purchase, receive, or transfer a detachable magazine that has a capacity of more than 20 rounds of ammunition for a firearm.

4-306. Penalties

(a) In general.

A person who violates this subtitle is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $5,000 or both.

(b) Use in a felony or crime of violence.

Subtitle 4. Uniform Machine Gun Act

4-401. Definitions

(a) In general.

In this subtitle the following words have the meanings indicated.

(b) "Machine gun." "Machine gun" means a loaded or unloaded weapon that is capable of automatically discharging more than one shot or bullet from a magazine by a single function of the firing device.

4-402. Possession of machine gun

(a) Evidence of possession.

The presence of a machine gun in a room, boat, or vehicle is evidence of the possession or use of the machine gun by each person occupying the room, boat, or vehicle.

(b) Exceptions.

This subtitle does not prohibit or interfere with:

(1) The manufacture, sale, and transportation of a machine gun for or to a military force or peace officer of the United States, a state, or a political subdivision of a state;

(2) The possession of a machine gun for a scientific purpose;

(3) The possession, as a curiosity, ornament, or keepsake, of a machine gun that cannot be used as a weapon; or

(4) The possession of a machine gun for a purpose that is manifestly not aggressive or offensive.

(5) The transportation of a lawfully possessed machine gun by a person who is carrying a court order requiring the surrender of the machine gun:

(i) the machine gun is unloaded;

(ii) the person has notified the law enforcement unit, barracks, or station that the machine gun is being transported in accordance with the court order; and

(iii) the person transports the machine gun directly to the law enforcement unit, barracks or station.
Registration data provided under this section shall be accompanied by a nonrefundable registration fee of $10.

4-403. Registration of machine gun

(a) Manufacturer registration.

(1) A manufacturer of a machine gun shall keep a register of each machine gun manufactured or handled by the manufacturer.

(2) The register shall contain:

(i) The method of manufacture and serial number of the machine gun;

(ii) The date of manufacture, sale, loan, gift, delivery, and receipt of the machine gun from the manufacturer;

(iii) The name, address, and occupation of the person to whom the machine gun was sold, loaned, given or delivered, or from whom the machine gun was received, and the purpose for which the machine gun was acquired.

(3) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $100.

(b) Inspection of manufacturer stock.

(1) On demand, a manufacturer of a machine gun shall allow a marshal, sheriff, or police officer to inspect the manufacturer’s entire stock of machine guns, parts, and supplies and the register required under subsection (a) of this section.

(2) A person who violates paragraph (1) of this subsection is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $100.

(c) Registration of possession.

(1) A person who acquires a machine gun shall register the machine gun with the secretary of the State Police and...

Within 24 hours after acquiring the machine gun; and

(ii) In each succeeding year during the month of May.

(2) The Secretary of the State Police shall prepare and, on request of an applicant, furnish an application form for registration under this subsection.

(3) An application for registration shall contain:

(i) The make, model, serial number, caliber, type, barrel length, finish, and country of origin of the machine gun;

(ii) The name, address, race, gender, date of birth, Maryland driver’s license number, and occupation of the person in possession of the machine gun; and

(iii) The name of the person from whom the machine gun was acquired and the purpose for acquiring the machine gun.

(4) Each application for registration filed with the Secretary of the State Police shall be accompanied by a nonrefundable registration fee of $10.

(5) Registration data provided under this section is not open to public inspection. ...

4-405. Use of machine gun for aggressive purpose.

(a) Presumption of offensive or aggressive purpose. Possession or use of a machine gun is presumed to be for an aggressive or aggressive purpose when:

(1) The machine gun:

(i) Is on premises not owned or rented for bona fide permanent residence or business occupancy by the person in whose possession the machine gun is found;

(ii) Is in the possession of, or used by, an unnaturalized foreign-born person or a person who has been convicted of a crime of violence in any state or federal court of the United States; or

(iii) Is not registered as required under § 4-403 of this subtitle; or

(2) Empty or loaded shells that have been used or are susceptible of being used in the machine gun are found in the immediate vicinity of the machine gun.

(b) Prohibited. A person may not possess or use a machine gun for an offensive or aggressive purpose.

(c) Penalty. A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 10 years.

(d) Statute of limitations and in banc review. A prosecution under this section is subject to § 5-106(b) of the Courts Article.

4-406. Uniformity. This subtitle shall include and construed as to effectuate its general purpose to make uniform the law of those states that enact it.

4-501. Definitions.

(1) In general. In this subtitle the following words have the meanings indicated.

(a) Destructive device. A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 25 years or a fine not exceeding $250,000 or both.

(b) Penalty. A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 25 years or a fine not exceeding $250,000 or both.

(c) Restitution. In addition to any other penalty authorized by law, if the person convicted or found to have committed a delinquent act under this section may be separated from and consecutive to or concurrent with a sentence for a crime based on the act or acts establishing the violation of this section.

4-503. Manufacture or possession of destructive device.

(a) Prohibited. A person may not knowingly:

(1) Manufacture, transport, possess, control, store, sell, distribute, or use a destructive device; or

(2) Possess explosive material, incendiary material, or toxic material with intent to create a destructive device.

(b) Penalty. A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 25 years or a fine not exceeding $250,000 or both.

(c) Restitution. In addition to any other penalty authorized by law, if the person convicted or found to have committed a delinquent act under this section may be separated from and consecutive to or concurrent with a sentence for a crime based on the act or acts establishing the violation of this section.

4-504. Use of destructive device.

(a) Prohibited. A person may not knowingly:

(1) Manufacture, transport, possess, control, store, sell, distribute, or use a destructive device; or

(2) Possess explosive material, incendiary material, or toxic material with intent to create a destructive device.

(b) Penalty. A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 25 years or a fine not exceeding $250,000 or both.

(c) Restitution. In addition to any other penalty authorized by law, if the person convicted or found to have committed a delinquent act under this section may be separated from and consecutive to or concurrent with a sentence for a crime based on the act or acts establishing the violation of this section.

4-505. Scope of subtitle.

(1) A member of the armed forces of the United States or of the national guard or law enforcement personnel of the United States, the State, or a political subdivision of the State while acting within the scope of official duties;

(2) An officer or employee of the United States, the State, or a political subdivision of the State who is authorized to handle a destructive device within the scope of official duties and who is acting within the scope of those duties;

(3) A person authorized by law to possess explosive material, incendiary material, or toxic material who is acting within the scope of authority if the possession of the material is specifically regulated or licensed by law; or

(4) A person who possesses smokeless or black gunpowder under Title 11, Subtitle 1 of the Public Safety Article and uses the gunpowder for loading or reloading small arms ammunition, antique firearms, or replicas of antique firearms.

4-506. Incendiary material.

(a) Prohibited. A person may not knowingly:

(1) Manufacture, transport, possess, control, store, sell, distribute, or use a destructive device; or

(2) Possess explosive material, incendiary material, or toxic material with intent to create a destructive device.

(b) Penalty. A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 25 years or a fine not exceeding $250,000 or both.

(c) Restitution. In addition to any other penalty authorized by law, if the person convicted or found to have committed a delinquent act under this section may be separated from and consecutive to or concurrent with a sentence for a crime based on the act or acts establishing the violation of this section.

4-507. Destructive device.

(a) Prohibited. A person may not knowingly:

(1) Manufacture, transport, possess, control, store, sell, distribute, or use a destructive device; or

(2) Possess explosive material, incendiary material, or toxic material with intent to create a destructive device.

(b) Penalty. A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 25 years or a fine not exceeding $250,000 or both.

(c) Restitution. In addition to any other penalty authorized by law, if the person convicted or found to have committed a delinquent act under this section may be separated from and consecutive to or concurrent with a sentence for a crime based on the act or acts establishing the violation of this section.

4-508. Scope of subtitle.

(1) A member of the armed forces of the United States or of the national guard or law enforcement personnel of the United States, the State, or a political subdivision of the State while acting within the scope of official duties;

(2) An officer or employee of the United States, the State, or a political subdivision of the State who is authorized to handle a destructive device within the scope of official duties and who is acting within the scope of those duties;

(3) A person authorized by law to possess explosive material, incendiary material, or toxic material who is acting within the scope of authority if the possession of the material is specifically regulated or licensed by law; or

(4) A person who possesses smokeless or black gunpowder under Title 11, Subtitle 1 of the Public Safety Article and uses the gunpowder for loading or reloading small arms ammunition, antique firearms, or replicas of antique firearms.

4-509. Manufacture or possession of destructive device.
a minor, the court may order the minor, the minor's parent, or both to pay the restitution described in paragraph (1) of this subsection.

(ii) Except as otherwise provided in this section, the provisions of title 11, subtitle 6 of the Criminal Procedure Article apply to an order of restitution under this paragraph.

(3) This subsection does not limit the right of a person to restitution under title 11, subtitle 6 of the Criminal Procedure Article.

Family Law Article

Title 4. Spouses

Subtitle 5. Domestic Violence

Part II. Household Violence

4-505. Temporary protective orders

(a)(1) If, after a hearing on a petition, whether ex parte or otherwise, a judge finds that there are reasonable grounds to believe that a person eligible for relief has been abused, the judge may enter a temporary protective order to protect any person eligible for relief from abuse.

(2) The temporary protective order may order any or all of the following relief:

(ii) An order for the respondent to surrender to law enforcement authorities any firearm in the respondent's possession, and to refrain from possession of any firearm, for the duration of the temporary protective order if the abuse consisted of:

1. the use of a firearm by the respondent against a person eligible for relief;
2. a threat by the respondent to use a firearm against a person eligible for relief;
3. serious bodily harm to a person eligible for relief caused by the respondent; or
4. a threat by the respondent to cause serious bodily harm to a person eligible for relief.

Title 5. Controlled Dangerous Substances, Prescriptions, and Other Substances

Subtitle 6. Crimes Involving Controlled Dangerous Substances and Paraphernalia

Part III. Related and Derivative Crimes

5-622. Firearm crimes

(a) "Firearm" defined. In this section, "firearm" includes:

(1) A handgun, antique firearm, rifle, shotgun, short-barreled shotgun, and short-barreled rifle, as those words are defined in § 4-201 of this article;
(2) A machine gun, as defined in § 4-401 of this article; and
(3) A regulated firearm, as defined in § 5-101 of the Public Safety Article.

(b) Prohibited. A person may not possess, own, carry, or transport a firearm if that person has been convicted of:

(1) A felony under this title;
(2) A crime under the laws of another state or of the United States that would be a felony under this title if committed in this State;
(3) Conspiracy to commit a crime referred to in paragraphs (1) and (2) of this subsection; or
(4) An attempt to commit a crime referred to in paragraphs (1) and (2) of this subsection.

(c) Penalty. A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding $10,000 or both.

Public Safety Article

Title 5. Firearms

Subtitle 1. Regulated Firearms

5-101. Definitions

(a) In this subtitle the following words have the meanings indicated.

(b) Antique firearm. "Antique firearm" has the meaning stated in § 4-201 of the Criminal Law Article.

(c) Crime of violence. "Crime of violence" means:

(1) Abduction;
(2) Arson in the first degree;
(3) Assault in the first or second degree;
(4) Burglary in the first, second, or third degree;
(5) Carjacking and armed carjacking;
(6) Escape in the first degree;
(7) Kidnapping;
(8) Manslaughter;
(9) Maiming as previously proscribed under former Article 27, § 386 of the Code;
(10) Mayhem as previously proscribed under former Article 27, § 384 of the Code;
(11) Murder in the first or second degree;
(12) Rape in the first or second degree;
(13) Robbery;
(14) Robbery with a dangerous weapon;
(15) Sexual offense in the first, second, or third degree;
(16) An attempt to commit any of the crimes listed in items (1) through (15) of this subsection; or
(17) Assault with intent to commit any of the crimes listed in items (1) through (15) of this subsection or a crime punishable by imprisonment for more than 1 year.

(d) Dealer. "Dealer" means a person who is engaged in the business of:

(1) Selling, renting, or transferring firearms at wholesale or retail; or
(2) Repairing firearms.

(e) Dealer's license. "Dealer's license" means a State regulated firearms dealer's license.

(f) Designated law enforcement agency. "Designated law enforcement agency" means a law enforcement agency that the Secretary designates to process applications to purchase regulated firearms for secondary sales.

(g) Disqualifying crime. "Disqualifying crime" means:

(1) A crime of violence;
(2) A violation classified as a felony in the State;
(3) A violation classified as a misdemeanor in the State that carries a statutory penalty of more than 2 years.

(h) Firearm. (i) "Firearm" means:

(1) A weapon that expels, or is designed to expel, or may readily be converted to expel a projectile by the action of an explosive; or
(ii) The frame or receiver of such a weapon.

(2) "Firearm" includes a starter gun.

(i) Firearm applicant. "Firearm applicant" means a person who makes a firearm application.

(j) Firearm application. "Firearm application" means an application to purchase, rent, or transfer a regulated firearm.

(k) Fugitive from justice. "Fugitive from justice" means a person who has fled to avoid prosecution or giving testimony in a criminal proceeding.

(l) Habitual drunkard. "Habitual drunkard" means a person who has been found guilty of any three crimes under § 21-902(a), (b), or (c) of the Transportation Article, one of which occurred in the past year.

(m) Habitual user. "Habitual user" means a person who has been found guilty of two controlled dangerous substance crimes, one of which occurred in the past 5 years.

(n) Handgun. (i) "Handgun" means a firearm with a barrel less than 16 inches in length.

(2) "Handgun" includes signal, starter, and blank pistols.

(o) Licensee. "Licensee" means a person who holds a dealer's license.

(p) Regulated firearm. "Regulated firearm" means:

(1) A handgun; or
(2) A firearm that is any of the following specified assault weapons or their copies, regardless of which company produced and manufactured that assault weapon:
(i) American Arms Spectre da Semiautomatic carbine;
(ii) AK-47 in all forms;
(iii) Algimec AGM-1 type semi-auto;
(iv) AR 100 type semi-auto;
(v) AR 180 type semi-auto;
(vi) Argentine L.S.R. semi-auto;
(vii) Australian Automatic Arms SAR type semi-auto;
(viii) Auto-Ordnance Thompson M1 and 1927 semi-automatics;
(ix) Barrett light .50 cal. semi-auto;
(xi) Beretta AR70 type semi-auto;
(xii) Bushmaster semi-auto rifle;
(xiii) Calico models M-100 and M-990;
(xiv) CIS SR 88 type semi-auto;
(xv) Claridge Hi TEC C-9 carbines;
(xvi) Colt AR-15, CAR-15, and all iterations except Colt AR-15 Sporter H-BAR rifle;
(xvii) Daewoo MAX 1 and MAX 2, aka AR 100, 110C, K-1, and K-2;
(xviii) Dragunov Chinese made semi-auto;
(xix) Famas semi-auto (.223 caliber);
(xx) Feather AT-9 semi-auto;
(x) FN LAR and FN FAL assault rifle;
(xxii) FNCF semi-auto type carbine;
(xxiii) F.E./F. Franchi LA-12 and SPAS 12 assault shotgun;
(xxiv) Steyr AUG-SA semi-auto;
(xxv) Galil models AR and ARM semi-auto;
(xxvi) Heckler and Koch HK-91 A3, HK-93 A2, HK-94 A2 and A3;
(xxvii) Holmes model 88 shotgun;
(xxviii) Avtomat Kalashnikov semi-automatic rifle in any format;
(xxix) Manchester Arms "Commando" MK-45, MK-9;
(xxx) Mandelli TAC-1 semi-auto carbine;
(xxxx) Mossberg model 500 Bulップ assault shotgun;
(xxxi) Sterling Mark 6;
(xxxii) P.A.W.S. carbine;
(xxxiii) Ruger mini-14 folding stock model (.223 caliber);
(xxxiv) SIG 550/551 assault rifle (.223 caliber);
(xxxv) SKS with detachable magazine;
(xxxvi) AP-74 Commando type semi-auto;
(xxxvii) Springfield Armory BM-59, SAR-48, G3, SAR-3, M-21 sniper rifle, M1A, excluding the M1 Garand;
(xxxviii) Street sweeper assault type shotgun;
(xxxix) Stinger 12 assault shotgun in all formats;
(xl) Unique F11 semi-auto type;
devotes time, attention, and labor to deal -

firearms dealer;

(2) Secondary sale. “Secondary sale” means a sale of a regulated firearm in which neither party to the sale:

(1) is a law enforcement personnel of the State or any local agency in the State, while those personnel or members are acting within the scope of their official duties;

(5) a regulated firearm modified to render it permanently inoperative;

(6) purchases, sales, and transportation to or by a federally licensed gun manufacturer, dealer, or importer;

(7) an organization that is required or authorized by federal law governing its specific business or activity to maintain firearms;

(8) the receipt of a regulated firearm by inheritance, if the heir forwards to the Secretary a completed application to purchase or transfer that regulated firearm; or

(9) a signal pistol or other visual distress signal that the United States Coast Guard approves as a marine safety device.

5-103. Effect of subtitle This subtitle does not affect: (a) sale or transfer for bona fide resale in the ordinary course of business of a licensee; or (2) a sale, rental, transfer, or the use of a regulated firearm by a person authorized or required to do so as part of the person’s duties as a member of: (i) an official police force or other law enforcement agency;

(ii) the armed forces of the United States, including all official reserve organizations; or

(iii) the Maryland National Guard.

5-104. Preemption by State This subtitle supersedes any restriction that a local jurisdiction in the State imposes on a sale of a regulated firearm, and the State preempts the right of any local jurisdiction to regulate the sale of a regulated firearm.

5-105. Regulations The Secretary shall adopt regulations to carry out this subtitle.

5-106. Dealer’s license (a) Required. A person must lawfully possess a dealer’s license if the Secretary determines that the applicant is capable of possessing a regulated firearm without undue danger to the person.

(b) Application for dealer’s license required: (a) in general. (1) An applicant for a dealer’s license shall:

(ii) pay to the Secretary an application fee of $50, payable to the Comptroller.

(2) A refund or proration of the application fee is prohibited.

(b) Required information. An application for a dealer’s license shall contain:

(i) the applicant’s name, address, Social Security number, place and date of birth, height, weight, race, eye and hair color, and signature;

(ii) a clear and recognizable photograph of the applicant, unless the photograph has been submitted with a prior year’s application;

(iii) a statement by the applicant that the applicant suffers from a mental disorder, unless the applicant is a citizen of the United States;

(iv) has never been convicted of a disqualifying crime;

(v) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;

(vi) has never been convicted of a violation classified as a felony;

(vii) is not a habitual drunkard;

(viii) is not addicted to a controlled dangerous substance or is not a habitual user; and

(ix) has never spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician’s certificate issued within 30 days before the date of application is attached to the application, certifying that the applicant is capable of possessing a regulated firearm without undue danger to the applicant or to another.

(c) Required warning. Each application for a dealer’s license shall contain the following statement: “Any false information supplied or statement made in this application is a crime which may be punished by imprisonment for a period of not more than 3 years, or a fine of not more than $5,000 or both.”

(d) Application of corporation. If an applicant is a corporation, a corporate officer who is a resident of the State shall complete and execute the application.

5-108. Criminal history records check (a) “Central Repository” defined. In this section, “Central Repository” means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(b) Application required. The Secretary shall apply to the Central Repository for a State and national criminal history records check for each applicant for a dealer’s license.

(c) Contents of application. As part of the application for a criminal history records check, the Secretary shall submit to the Central Repository:

(1) two complete sets of the applicant’s legible fingerprints taken on forms approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation; (2) the fee authorized under § 10-221(b)(7) of the Criminal Procedure Article for access to Maryland criminal history records; and

(3) the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(d) Information forwarded to applicant and State Police. In accordance with §§ 10-201 to 10-234 of the Criminal Procedure Article, the Central Repository shall forward to the applicant and the Secretary a printed statement of the applicant’s criminal history record information.

(e) Restrictions on information. Information obtained from the Central Repository under this section:

(1) is confidential and may not be disseminated; and

(2) shall be used only for the licensing purpose authorized by this section.

(f) Subject may contest contents. The subject of a criminal history records check under this section may contest the contents of the printed statement issued by the Central Repository as provided in § 10-223 of the Criminal Procedure Article.

5-109. Investigation of applicant for dealer’s license The Secretary shall conduct an investigation to determine the truth or falsity of the information supplied and the statements made in an application for a dealer’s license.

5-110. Disapproval of dealer’s license application (a) Grounds. The Secretary shall disapprove an application for a dealer’s license if:

(1) the Secretary determines that the applicant supplied false information or made a false statement;

(2) the Secretary determines that the application is not properly completed; or

(3) the Secretary receives a written notification from the applicant’s licensed attending physician that the applicant suffers from a mental disorder and is a danger to the applicant or to another.

(b) Notice. If the Secretary disapproves an application for a dealer’s license, the Secretary shall notify the applicant in writing of the disapproval.

(c) Effect of disapproval. A person whose application for a dealer’s license has been disapproved may not engage in the business of selling, renting, or transferring regulated firearms, unless the disapproval has been subsequently withdrawn by the Secretary or overruled by a court in accordance with subsection (d) of this section.

(d) Appeal. An applicant who is aggrieved because the Secretary has disapproved the application for a dealer’s license may appeal to the circuit court of the county where the applicant’s place of business is to be located.

(2) The appeal must be filed not later than 30 days after the Secretary mails notification of disapproval to the applicant.
(3) If the appeal is properly and timely filed, the court shall affirm or reverse the disapproval of the Secretary depending on whether the court finds that:
   (i) the applicant supplied false information or made a false statement; or
   (ii) the application was not properly completed.
(4) The Secretary or the applicant may appeal the decision of the circuit court to the Court of Special Appeals.

5-111. Term of dealer license
   (a) In general. Unless a dealer's license is renewed for the term as provided in this section, a dealer's license expires on the first June 30 after its effective date.
   (b) Applications for renewal.
      (1) Before a dealer's license expires, the licensee periodically may renew it for an additional 1-year term, if the licensee:
         (i) is otherwise entitled to be licensed;
         (ii) pays to the Secretary a renewal fee of $25, payable to the Comptroller; and
         (iii) submits to the Secretary a renewal application on the form that the Secretary provides.
      (2) A refund or proration of the renewal fee is prohibited.
   (c) Nontransferability of dealer's license; new place of business
      (a) Nontransferability of dealer's license. A dealer's license is not transferable.
      (b) Notice to Secretary of new place of business. Before moving a place of business, a licensee shall inform the Secretary and surrender the dealer's license on the date it is moved.
      (c) New dealer's license for new place of business. If a cause to revoke the dealer's license does not exist, the Secretary shall issue a new dealer's license without charge covering the new place of business for the rest of the term of the surrendered dealer's license.

5-113. Display of dealer's license
   (a) Required. A licensee shall display conspicuously the dealer's license and any other license required by law at the licensee's place of business.

5-114. Suspensions and revocations – Grounds; notice; effect
   (a) Suspensions. The Secretary shall suspend a dealer's license if the licensee:
      (1) is under indictment for a crime of violence; or
      (2) is arrested for a violation of this subtitle that prohibits the purchase or possession of a regulated firearm.
   (b) Revocations. The Secretary shall revoke a dealer's license if:
      (1) it is discovered that false information has been supplied or false statements have been made in an application required by this subtitle; or
      (2) the licensee:
         (i) is convicted of a disqualifying crime; or
         (ii) convicted of a violation classified as a common law crime and receives a term of imprisonment of more than 2 years;
         (iii) is a fugitive from justice;
         (iv) has purchased, rented, or transferred a regulated firearm;
         (v) is addicted to a controlled dangerous substance or is a habitual user;
         (vi) has spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless the licensee produces a physician's certificate, issued after the last institution-

5-115. Suspensions and revocations – Hearings
   (a) Right to hearing. (1) A person whose dealer's license is suspended or revoked and who is aggrieved by the action of the Secretary may request a hearing by writing to the Secretary within 30 days after the Secretary forwards notice to the applicant under § 5-114(c) of this subtitle.
      (2) The Secretary shall grant the hearing within 15 days after receiving the request.
   (b) Application of contested case provisions. The hearing shall be held in accordance with Title 10, Subtitle 2 of the State Government Article.

5-116. Judicial review
   (a) Stay of revocation. A revocation may not take effect while an appeal is pending.
   (b) Application of contested case provisions. Any subsequent judicial review shall be held in accordance with Title 10, Subtitle 2 of the State Government Article.

5-117. Application for regulated firearm required
   A person must submit a firearm application in accordance with this subtitle before the person purchases, rents, or transfers a regulated firearm.

5-118. Firearm application
   (a) In general. A firearm applicant shall:
      (1) submit to a licensee or designated law enforcement agency a firearm application on the form that the Secretary provides; and
      (2) pay to the licensee or designated law enforcement agency an application fee of $10.
   (b) Required information. A firearm application shall contain:
      (1) the firearm applicant's name, address, Social Security number, place and date of birth, height, weight, race, eye and hair color, signature, driver's or photographic identification soundex number, occupation, and regulated firearm information for each regulated firearm to be purchased, rented, or transferred;
      (2) the date and time that the firearm applicant delivered the completed firearm application to the prospective seller or transferor; and
      (3) a statement by the firearm applicant under the penalty of perjury that the firearm applicant:
         (i) is at least 21 years old;
         (ii) has never been convicted of a disqualifying crime;
         (iii) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
         (iv) is not a fugitive from justice;
         (v) is not a habitual drunkard;
         (vi) is not addicted to a controlled dangerous substance or is not a habitual user;
         (vii) has never spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician's certificate issued within 30 days before the date of application is attached to the application, certifying that the firearm applicant is capable of possessing a regulated firearm without undue danger to the firearm applicant or to another;
         (viii) is a habitual drunkard;
         (ix) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
         (x) is not addicted to a controlled dangerous substance or is not a habitual user;
         (xi) has never spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician's certificate issued within 30 days before the date of application is attached to the application, certifying that the firearm applicant is capable of possessing a regulated firearm without undue danger to the firearm applicant or to another;
         (xii) is a habitual drunkard;
         (xiii) has never spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician's certificate issued within 30 days before the date of application is attached to the application, certifying that the firearm applicant is capable of possessing a regulated firearm without undue danger to the firearm applicant or to another;
         (xiv) is a habitual drunkard;
         (xv) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
         (xvi) is not a fugitive from justice;
         (xvii) is a habitual drunkard;
         (xviii) has never spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician's certificate issued within 30 days before the date of application is attached to the application, certifying that the firearm applicant is capable of possessing a regulated firearm without undue danger to the firearm applicant or to another;
         (xix) is a habitual drunkard;
         (xx) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
         (xxi) is not a fugitive from justice;
         (xxii) is a habitual drunkard:
         (xxiii) has never spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician's certificate issued within 30 days before the date of application is attached to the application, certifying that the firearm applicant is capable of possessing a regulated firearm without undue danger to the firearm applicant or to another;
         (xxiv) is a habitual drunkard;
         (xxv) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
         (xxvi) is not a fugitive from justice;
         (xxvii) is a habitual drunkard;
         (xxviii) has never spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician's certificate issued within 30 days before the date of application is attached to the application, certifying that the firearm applicant is capable of possessing a regulated firearm without undue danger to the firearm applicant or to another;
         (xxix) is a habitual drunkard;
         (xxx) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
         (xxxi) is not a fugitive from justice;
         (xxii) is a habitual drunkard;
         (xxxiii) has never spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician's certificate issued within 30 days before the date of application is attached to the application, certifying that the firearm applicant is capable of possessing a regulated firearm without undue danger to the firearm applicant or to another;
         (xxxiv) is a habitual drunkard;
         (xxxv) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
         (xxxvi) is not a fugitive from justice;
         (xxxvii) is a habitual drunkard;
         (xxxviii) has never spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician's certificate issued within 30 days before the date of application is attached to the application, certifying that the firearm applicant is capable of possessing a regulated firearm without undue danger to the firearm applicant or to another;
         (xxxix) is a habitual drunkard;
         (xl) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
         (xli) is not a fugitive from justice;
         (xlii) is a habitual drunkard:
         (xliii) has never spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician's certificate issued within 30 days before the date of application is attached to the application, certifying that the firearm applicant is capable of possessing a regulated firearm without undue danger to the firearm applicant or to another;
         (xliii) is a habitual drunkard;
The firearm application to the Secretary shall:

(i) be billed $10 for each firearm application forwarded to the Secretary within 7 days after delivery of the regulated firearm application was stamped by the Secretary as not being disapproved, a person shall return the firearm application to the Secretary within 7 days.

(ii) be utilized and statements made in the firearm application to the Secretary within 7 days after delivery of the regulated firearm application was stamped by the Secretary as not being disapproved, a person shall return the firearm application to the Secretary within 7 days.

5-121. Investigation of firearm applicant

(a) Secretary to conduct investigation. On receipt of a firearm application, the Secretary shall conduct a criminal investigation promptly to determine the truth or falsity of the information supplied and statements made in the firearm application.

(b) Request for assistance. In conducting an investigation under this subsection, the Secretary may request the assistance of the Police Commissioner of Baltimore City, the chief of police in any county maintaining a police force, or the sheriff in a county not maintaining a police force.

5-122. Disapproval of firearm application

(a) Grounds. The Secretary shall disapprove a firearm application if:

(1) the Secretary determines that the firearm applicant supplied false information or made a false statement;

(2) the Secretary determines that the firearm application is not properly completed; or

(3) the Secretary receives written notification from the firearm applicant’s licensed attending physician that the firearm applicant suffers from a mental disorder and is a danger to the firearm applicant or to another.

(b) Notice.

(1) If the Secretary disapproves a firearm application, the Secretary shall notify the prospective seller, lessor, or transferee in writing of the disapproval within 7 days after the date that the executed firearm application is forwarded to the Secretary by certified mail or facsimile machine.

(2) After notifying the prospective seller, lessor, or transferee under paragraph (1) of this subsection, the Secretary shall notify the prospective purchaser, lessee, or transferee in writing of the disapproval.

(3) The Secretary may deny the request for a copy of the official police report or a written notification of the completed transaction to the prospective seller, lessor, or transferee.

5-123. Time for license to complete transactions

(a) Seven-day waiting period. A licensee may not sell, rent, or transfer a regulated firearm until after 7 days following the time a firearm application is executed by the firearm applicant, in triplicate, and the original is forwarded by a licensee to the Secretary.

(b) Completion required in 90 days. A person who is not a licensee may not sell, rent, or transfer a regulated firearm within 90 days after the firearm application was stamped by the Secretary as not being disapproved.

(c) Incomplete transactions.

(1) If the rate, rental, or transfer of a regulated firearm is not completed within 90 days after the firearm application was stamped by the Secretary as not being disapproved, a person shall return the firearm application to the Secretary within 7 days.

(2) The Secretary shall maintain a permanent record of all notifications received of completed sales, rentals, and transfers of regulated firearms in the State.

5-124. Secondary transactions

(a) Seven-day waiting period.

(1) A person who is not a licensee may not sell, rent, or transfer a regulated firearm if:

(i) the Secretary determines that the firearm is not completed within 90 days after the firearm application was stamped by the Secretary as not being disapproved, a licensee shall return the firearm application to the Secretary within 7 days.

(ii) the notification shall contain an identifying description of the regulated firearm, including its caliber, make, model, any manufacturer’s serial number, and any other special or peculiar characteristic or marking by which the regulated firearm may be identified.

(b) Processing fee. A firearm applicant for a secondary sale of a regulated firearm through a lessee, lessor, or transferee shall forward a copy of the written notification from the firearm applicant’s licensed attending physician that the firearm applicant suffers from a mental disorder and is a danger to the firearm applicant or to another.

(c) Venue. The hearing shall be held in the county of the legal residence of the firearm applicant.

5-126. Hearings

(a) Right to hearing.

(1) A firearm applicant who is aggrieved by the action of the Secretary may request a hearing by writing to the Secretary within 30 days after the Secretary forwards notice to the firearm applicant under § 5-122 of this subtitle.

(2) The Secretary shall grant the hearing within 15 days after receiving the request.

(b) Application of contested case provisions. The hearing shall be held in accordance with Title 10, Subtitle 2 of the State Government Article.

(c) Judicial review. Any subsequent judicial review shall be held in accordance with Title 10, Subtitle 2 of the State Government Article.

5-128. Purchases within 30 days - in general.

(a) Scope of subsection. Subsection (b) of this section does not apply to:

(1) a law enforcement agency;

(2) an agency authorized to perform law enforcement duties;

(3) a State or local correctional facility;

(4) a private security company licensed to do business in the State;

(5) the purchase of an antique firearm;

(6) a purchase by a licensed collector;

(7) the exchange or replacement of a regulated firearm by a seller for a regulated firearm purchased from the seller by the person seeking the exchange or replacement within 30 days immediately before the exchange or replacement; or

(8) a person whose regulated firearm is stolen or irretrievably lost and who considers it essential that the regulated firearm be replaced immediately;

(i) the person provides the licensee with a copy of the official police report or an official summary of the report, a copy of which shall be attached to the firearm application;

(ii) the person submits a petition for contested case hearing before the person’s attempt to replace the regulated firearm; and

(iii) the loss or theft occurred within 30 days before the person’s attempt to replace the regulated firearm, as reflected by the date of loss or theft on the official police report or official summary of the report.

(b) One purchase limit. A person may not purchase more than one regulated firearm in a 30-day period.

(c) On hold and disapproved applications. A licensee or other person may not sell, rent, or transfer a regulated firearm to a firearm applicant whose firearm application is placed on hold because of an open disposition of criminal proceedings against the firearm applicant or disapproved, unless the hold or disapproval has been subsequently withdrawn by the Secretary or overruled by a court in accordance with § 5-127 of this subtitle.

(d) Penalty. A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $5,000 or both.
5-129. Purchases within 30 days - Multiple purchases allowed.

(a) Requirements. Notwithstanding § 5-128 of this subtitle, a person may purchase more than one regulated firearm in a 30-day period if:
   (1) the person applies for and the Secretary approves a temporary transfer permit for the firearm application; and
   (2) the purchase is for a purpose similar to items (i) through (iii) of this item; or
   (iv) the purchase is for other purposes similar to items (i) through (iii) of this item.

(b) Application. The applicant for a multiple purchase shall:
   (1) list the regulated firearms to be purchased;
   (2) state the purpose of the purchase of more than one regulated firearm in a 30-day period;
   (3) be witnessed by a licensee or designated law enforcement agency; and
   (4) be signed under the penalty of perjury by the firearm applicant.

(2) The application for a multiple purchase of regulated firearms shall be attached to a completed firearm application and forwarded to the Secretary by a licensee or designated law enforcement agency.

(c) Background investigation. On receipt of the firearm application and the application for a multiple purchase, the Secretary shall conduct a background investigation as required in § 5-121 of this subtitle.

(d) Penalty. A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $5,000 or both.

5-130. Gun shows

(a) "Gun show" defined. In this section, "gun show" means any organized gathering open to the public at which any firearm is displayed.

(b) Scope of section. Subsections (c) through (h) of this section do not apply to a licensee.

(c) Temporary transfer permit required. A person must obtain a temporary transfer permit issued by the Secretary before the person displays a regulated firearm for sale or transfer from a table or fixed display at a gun show.

(d) Application for temporary transfer permit. An applicant for a temporary transfer permit shall:
   (1) submit to the Secretary an application on the form that the Secretary provides; and
   (2) pay to the Secretary a fee of $10 for each calendar year.

(e) Additional temporary transfer permit during the same calendar year shall be issued without charge.

(f) Required information. The application for a temporary transfer permit shall contain any information that is necessary for the Secretary to conduct a computer background investigation.

(g) Required warning. Each application for a temporary transfer permit shall contain the following statement: "Any false information supplied or statement made in this application is a crime which may be punished by imprisonment for a period of not more than 3 years or a fine not exceeding $5,000 or both."

(h) Label and display. (1) A temporary transfer permit shall be clearly labeled "temporary" and shall include the statement: "This is not a license to engage in the business of selling firearms."

(2) The temporary transfer permit shall be placed in public view as part of any display of a regulated firearm.

(i) Five permit limit. (1) A person may not receive more than five temporary transfer permits during a single calendar year.

(2) To display a regulated firearm for sale, trade, or transfer at more than five gun shows in a calendar year, a person shall obtain a dealer’s license under this subtitle.

(j) Sale or transfer of regulated firearm. A sale or transfer of a regulated firearm from a table or fixed display at a gun show is governed by §§ 5-103, 5-104, 5-117 through 5-129, and 5-136 of this subtitle.

5-131. Handgun identification requirements

(a) Definitions. (1) In this section the following words have the meanings indicated.

(2) "Manufacturer" means a person who possesses a federal license to manufacture firearms or ammunition for sale or distribution.

(3) "Projectile" means the part of handgun ammunition that is expelled through the barrel of the handgun by an explosion.

(4) "Shell casing" means the part of handgun ammunition that contains the primer and propellant powder to discharge the projectile.

(b) Manufacturer requirements. A manufacturer that ships or transports a handgun for sale, rental, or transfer in the State shall include in the box with the handgun in a separate, sealed container:

(1) a shell casing of a projectile discharged from the handgun; and

(2) additional information that the Secretary requires to identify the type of handgun and shell casing.

(c) Actions by dealer. (1) On receipt of a handgun from a manufacturer, the dealer shall confirm to the Department of State Police that the manufacturer has complied with subsection (b) of this section.

(2) On the sale, rental, or transfer of the handgun, the dealer shall forward the sealed container to the Department of State Police Crime Laboratory.

(d) Crime Laboratory database. On receipt of a shell casing and information as required in subsection (b) of this section, the Department of State Police Crime Laboratory shall enter the information in each relevant database.

5-132. Handgun safety devices

(a) Definitions. In this section the following words have the meanings indicated.

(2) "Authorized user" means the owner of a handgun or a person authorized by the owner to possess and use the handgun.

(4) "Handgun" does not include a signal, starter, or blank pistol.

(b) Scope of section. This section does not apply to:

(1) the purchase, sale, or transportation of a handgun to or by a federally licensed gun dealer or manufacturer that provides or services a handgun; or

(2) personnel of any unit of the federal government; or

(3) members of the armed forces of the United States or the National Guard;

(4) law enforcement personnel of the State or any local law enforcement agency in the State whose functions are within the scope of their official duties; and

(5) an organization that is required by federal law governing its specific business or activity to maintain handguns and applicable ammunition; or

(6) a firearm modified to be permanently inoperable.

(c) Restriction on sale, rent, or transfer of handguns. (1) A dealer may not sell, offer for sale, rent, or transfer in the State a handgun manufactured on or before December 31, 2002, unless the handgun is sold, offered for sale, rented, or transferred with an external safety lock.

(2) On or after January 1, 2003, a dealer may not sell, offer for sale, rent, or transfer in the State a handgun manufactured on or after January 1, 2003, unless the handgun has an integrated mechanical safety device.

(d) Report. (1) The Handgun Roster Board annually shall:
(i) review the status of personalized handgun technology; and
(ii) on or before July 1, report its findings to the Governor and, in accordance with § 2-1246 of the State Government Article, to the General Assembly.

(2) In reviewing the status of personalized handgun technology under paragraph (1) of this subsection, the Handgun Roster Board shall consider:

(i) the number and variety of models and calibers of personalized handguns that are available for sale;

(ii) each study, analysis, or other evaluation of personalized handguns conducted or commissioned by:
   1. the National Institute of Justice;
   2. a federal, State, or local law enforcement laboratory; or
   3. any other entity with an expertise in handgun technology; and

(iii) any other information that the Handgun Roster Board considers relevant.

5-133. Restrictions on possession of regulated firearms

(a) Preemption by State. This section supersedes any restriction that a local jurisdiction in the State imposes on the possession by a private party of a regulated firearm, and the State preempts the right of any local jurisdiction to regulate the possession of a regulated firearm.

(b) Possession of regulated firearm prohibited. A person may not possess a regulated firearm if the person:

(1) has been convicted of a disqualifying crime;

(2) has been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;

(3) is a fugitive from justice;

(4) is a habitual drunkard;

(5) is addicted to a controlled substance or is a habitual user;

(6) suffers from a mental disorder as defined in § 10-101(1)(2) of the Health - General Article and has a history of violent behavior against the person or another, unless the person has a physician's certificate that the person is capable of possessing a regulated firearm without undue danger to the person or another;

(7) has been confined for more than 30 consecutive days to a facility as defined in § 10-101 of the Health - General Article and has a history of violent behavior against the person or another, unless the person has a physician's certificate that the person is capable of possessing a regulated firearm without undue danger to the person or another;

(8) except as provided in subsection (e) of this section, is a respondent against whom a current non ex parte civil protection order has been entered under § 10-101 of the Health - General Article, unless the person has a physician's certificate that the person is capable of possessing a regulated firearm without undue danger to the person or another;

(9) if under the age of 30 years at the time of possession, has been adjudicated delinquent by a juvenile court for an act that would be a disqualifying crime if committed by an adult;

(10) is a minor, and the minor possesses a physician's certificate that the minor is capable of possessing a regulated firearm without undue danger to the person or another;

(11) is under the age of 21 years;

(12) a person who is required to possess a regulated firearm or ammunition solely designed for a regulated firearm if the person is:

   (i) under the supervision of another who is at least 21 years old and who is not prohibited by State or federal law from possessing a firearm; and

   (ii) acting with the permission of the parent or legal guardian of the transferee or person in possession;

   (iii) the transfer of a regulated firearm or ammunition is for employment and who holds a permit under Subtitle 3 of this title; or

   (iv) the possession of a firearm or ammunition for self-defense or the defense of others against a trespasser into the residence of the person in possession or into a residence in which the person in possession is an invited guest.

(e) Transport of regulated firearms. This section does not apply to a respondent transporting a regulated firearm if the respondent is carrying a civil protective order requiring the surrender of the regulated firearm and:

(1) the regulated firearm is unloaded;

(2) the respondent has notified the law enforcement unit, barracks, or station that the regulated firearm is being transported in accordance with the civil protective order; and

(3) the respondent transports the regulated firearm directly to the law enforcement unit, barracks, or station.

5-134. Restrictions on sale, rental, or transfer of regulated firearms

(a) Preemption by State. This section supersedes any restriction that a local jurisdiction in the State imposes on the sale by a private party of a regulated firearm, and the State preempts the right of any local jurisdiction to regulate the transfer of a regulated firearm.

(b) Sale, rental or transfer of regulated firearm prohibited. A dealer or other person may not sell, rent, or transfer a regulated firearm to a purchaser, lessee, or transferee who the dealer or other person knows or has reasonable cause to believe:

(1) is under the age of 21 years;

(2) has been convicted of a disqualifying crime;

(3) has been convicted of a conspiracy to commit a felony;

(4) has been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;

(5) is a fugitive from justice;

(6) is a habitual drunkard;

(7) is addicted to a controlled dangerous substance or is a habitual user;

(8) suffers from a mental disorder as defined in § 10-101(1)(2) of the Health - General Article, and has a history of violent behavior against the purchaser, lessee, or transferee or another, unless the purchaser, lessee, or transferee possesses a physician's certificate that the recipient is capable of possessing a regulated firearm without undue danger to the purchaser, lessee, or transferee or to another;

(9) has been confined for more than 30 consecutive days to a facility as defined in § 10-101 of the Health - General Article, unless the purchaser, lessee, or transferee possesses a physician's certificate that the recipient is capable of possessing a regulated firearm without undue danger to the purchaser, lessee, or transferee or to another;

(10) is a respondent against whom a current non ex parte civil protection order has been entered under § 4-506 of the Family Law Article;

(11) if under the age of 30 years at the time of the transaction, has been adjudicated delinquent by a juvenile court for an act that would be a disqualifying crime if committed by an adult;

(12) is visibly under the influence of alcohol or drugs;

(13) is a participant in a straw purchase; or

(14) subject to subsection (c) of this section for a transaction under this subsection that is made on or after January 1, 2002, has not completed a certified firearms safety training course conducted free of charge by the Police Training Commission or that meets standards established by the Police Training Commission under § 3-207 of this article.

(c) Exemption from certified firearms training course requirement. A person is not required to complete a certified firearms safety training course under subsection (b)(14) of this section and § 5-118(b)(3)(x) of this subtitle if the person:

(1) has already completed a certified firearms safety training course required under subsection (b)(14) of this section and § 5-118(b)(3)(x) of this subtitle;

(2) is a law enforcement officer of the State or any local law enforcement agency in the State;

(3) is a member, retired member, or honorably discharged member of the armed forces of the United States or the National Guard;

(4) is a member of an organization that is required by federal law governing its specific business or activity to maintain handguns and applicable ammunition; or

(5) has been issued a permit to carry a handgun under Subtitle 3 of this title.

(d) Sale, rental, or transfer of regulated firearm to minor prohibited.

(1) A person may not sell, rent, or transfer:

(a) ammunition solely designed for a regulated firearm to a person who is under the age of 21 years;

(b) a firearm other than a regulated firearm to a minor;

(c) pepper mace, which is an aerosol propelled combination of highly disabling irritant based products and is also known as oleo-resin capsicum (O.C.) spray, to a minor; or
4. another deadly weapon to a minor.

(2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding $1,000 or both.

5-135. Regulated firearms subject to seiz-ure
A regulated firearm that is sold, rented, transferred, possessed, received, or purchased in violation of this subsection may be:
(1) seized by a law enforcement agency as contraband; and
(2) after a finding of guilt, disposed of in accordance with Title 13, Subtitle 2 of the Criminal Procedure Article.

5-136. Straw purchases
(a) Scope of section.
(1) This section does not apply to a person who purchases a regulated firearm as a gift if:
(i) the regulated firearm is a gift to a resident of the State; and
(ii) the purchaser and recipient of the gift comply with the requirements of this subsection that relate to the possession, sale, rental, receipt, transfer, or purchase of a regulated firearm; or
(2) if the gift is in the form of a gift certificate, only the recipient of the gift need comply with the requirements of this subsection that relate to the possession, sale, rental, receipt, transfer, or purchase of a regulated firearm.

(b) Waiver of requirements.
(1) If the regulated firearm is a gift to the purchaser's spouse, parent, grandparent, grandchild, sibling, or child, the recipient shall:
(i) complete an application to purchase or transfer a regulated firearm; and
(ii) forward the application to the Secretary within 5 days after receipt of the regulated firearm.

(3) The Secretary shall waive the $10 application fee required under § 5-118(a)(2) of this subtitle for a gift purchased in accordance with this subsection.

(b) Prohibited.
A person may not knowingly or willfully participate in a straw purchase of a regulated firearm.

5-137. Out-of-state purchases
(a) Requirements for purchase.
A person who seeks to own a regulated firearm and purchases the regulated firearm from an out-of-state federal licensed gun importer, manufacturer, or dealer shall:
(1) have the federally licensed importer, manufacturer, or dealer ship the regulated firearm to a licensee for processing; and
(2) comply with §§ 5-103, 5-104, 5-117 through 5-129, and 5-136 of this subtitle.

(b) Waiver of requirements.
If a person purchases a regulated firearm for use within the scope of the person's official duties, the Secretary may waive the 7-day waiting period under § 5-124 of this subsection for:
(1) law enforcement personnel of any unit of the federal government;
(2) members of the armed forces of the United States or the National Guard; or
(3) law enforcement personnel of the State or any local agency in the State.

5-138. Sale, transfer, or disposal of stolen regulated firearm prohibited
A person may not possess, sell, transfer, or otherwise dispose of a stolen regulated firearm if the person knows or has reasonable cause to believe that the regulated firearm has been stolen.

5-139. False information or misstatement in application
(a) Prohibited.
A person may not knowingly give false information or make a material mis-
statement in a firearm application or in an application for a dealer's license.

(b) Penalty.
A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $5,000 or both.

5-140. Possession of short-barreled rifle or short-barreled shotgun
(a) Prohibited.
A person may not possess a short-barreled rifle or short-barreled shotgun unless:
(1) the person, while on official business is:
(i) a member of the law enforcement personnel of the federal government, the State, or a political subdivision of the State; or
(ii) a member of the armed forces of the United States or the National Guard while on duty or traveling to or from duty;
(2) a warrant or correctional officer of a correctional facility in the State; or
(v) a sheriff or a temporary or full-time deputy sheriff;
(2) the short-barreled shotgun or short-barreled rifle has been registered with the federal government in accordance with federal law.

(b) Burden of proof.
In a prosecution under this section, the defendant has the burden of proving the lawful registration of the short-barreled shotgun or short-barreled rifle.

(c) Penalty.
A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding $25,000 or both.

5-204. Purchasers of rifles and shotguns
(a) "Adjacent state" defined.
In this section, "adjacent state" means Delaware, Pennsylvania, Virginia, or West Virginia.

(b) Resident of this State in adjacent state.
If a resident of this State is eligible to purchase a rifle or shotgun under the laws of an adjacent state, the resident may purchase a rifle or shotgun from a federally licensed gun dealer in the adjacent state.

(c) Resident of adjacent state in this State.
If a resident of an adjacent state is eligible to purchase a rifle or shotgun under the laws of this State, the resident may purchase a rifle or shotgun from a federally licensed gun dealer in this State.

5-205. Possession by person with mental disorder
(a) Prohibited.
Unless the person possesses a physician's certificate that the person is capable of possessing a rifle or shotgun without undue danger to the person or to another, a person may not possess a rifle or shotgun if the person:
(1) suffers from a mental disorder as defined in § 10-101(1)(f)(2) of the Health - General Article and has a history of violent behavior against the person or another; or
(2) has been committed for more than 30 consecutive days in a facility as defined in § 10-101 of the Health - General Article.

(b) Penalty.
A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $1,000 or both.

Subtitle 2. Rifles and Shotguns
5-201. Definitions
(a) In general.
In this subtitle the following words have the meanings indicated.

(b) Rifle.
"Rifle" has the meaning stated in § 4-201 of the Criminal Law Article.

(c) Short-barreled rifle.
"Short-barreled rifle" has the meaning stated in § 4-201 of the Criminal Law Article.

(d) Short-barreled shotgun.
"Short-barreled shotgun" has the meaning stated in § 4-201 of the Criminal Law Article.

(e) Shotgun.
"Shotgun" has the meaning stated in § 4-201 of the Criminal Law Article.

5-202. Scope of subtitle.
This subtitle does not apply to a short-barreled rifle or short-barreled shotgun that is:
(1) an antique firearm as defined in § 4-201 of the Criminal Law Article;
(2) a device designed or redesigned for use other than as a weapon; or
(3) a device designed or redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; or
(4) a firearm that cannot:
(i) discharge a projectile by an explosive; and
(ii) be readily restored to a firing condition.

5-401. Definitions
(a) In general.
In this subtitle the following words have the meanings indicated.

(b) Board.
"Board" means the Handgun Roster Board.
(c) Handgun. "Handgun" has the meaning stated in § 4-201 of the Criminal Law Article.

(d) Handgun roster. "Handgun roster" means the roster of authorized handguns compiled by the Board under § 5-405 of this subtitle.

(e) Secretary. "Secretary" means the Secretary of State Police or his designee.

5-402. Application of subtitle
(a) Manufacture and sale of weapons. This subtitle does not affect a person’s right to:
   (1) manufacture, sell, or offer to sell a rifle or other weapon that is not defined as a handgun in § 4-201 of the Criminal Law Article;
   (2) manufacture a prototype handgun model required for design, development, testing, and approval by the Board; and
   (3) manufacture in this State a handgun that is not on the handgun roster by a federally licensed gun manufacturer who is also licensed as a regulated firearms dealer in this State for direct sale to a unit of:
      (i) the federal government;
      (ii) a state other than this State;
      (iii) a local government in a state other than this State; or
   (iv) a law enforcement agency in a state other than this State.
(b) Strict liability.
   (1) A person is not strictly liable for damages for injuries to another that result from the criminal use of a firearm by a third person.
   (2) Paragraph (1) of this subsection does not apply if the person conspired with the third person to commit the criminal act in which the firearm was used or willfully aided, abetted, or caused the commission of the criminal act in which the firearm was used.
(c) Explosives.
   The petitioner may request a hearing with-in 15 days after receipt of a petition to place a handgun on the handgun roster, the Board shall:
   (i) deny the petition in writing, stating the reasons for denial; or
   (ii) approve the petition and publish a description of the handgun in the Maryland Register, including notice that any objection to the handgun’s inclusion on the handgun roster shall be filed with the Board within 30 days.
(d) Action of Board on petition.
   (1) Within 45 days after receipt of a petition to place a handgun on the handgun roster, the Board shall:
      (i) deny the petition in writing, stating the reasons for denial; or
      (ii) approve the petition and publish a description of the handgun in the Maryland Register, including notice that any objection to the handgun’s inclusion on the handgun roster shall be filed with the Board within 30 days.
   (2) If the Board fails to deny or approve a petition within the time required under paragraph (1) of this subsection, the petition shall be considered denied.
(e) Notice of denial; hearing; appeal.
   (1) If the Board denies a petition to place a handgun on the handgun roster, the Board shall notify the petitioner by certified mail, return receipt requested.
   (2) The petitioner may request a hearing within 15 days after the date that the Board’s denial letter is received.
   (3)(i) If the petitioner requests a hearing under paragraph (2) of this subsection, within a reasonable time not to exceed 90 days after receiving the request, the Board shall:
      1. hold a hearing on the petition; and
      2. issue a decision on the petition.
      (ii) The Board shall provide notice of the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.
   (iii) At a hearing held under this paragraph, the petitioner has the burden of proving to the Board that the handgun should be placed on the handgun roster because the handgun is useful for legitimate sporting activities, self-protection, or law enforcement purposes.
   (4) Any party of record who is aggrieved may appeal within 30 days after a final decision of the Board in accordance with Title 10, Subtitle 2 of the State Government Article.
(f) Effect of section. This section does not require the Board to test any handgun or have any handgun tested at the expense of the Board.

5-406. Manufacture or sale of handguns.
(a) Prohibitions
   (1) Except as provided in § 5-402 of this subtitle, a person may not manufacture for distribution or sale a handgun that is not included on the handgun roster in the State.
   (2) A person may not sell or offer for sale in the State a handgun manufactured after January 1, 1985, that is not included on the handgun roster.
(b) Injunction authorized. The Secretary may seek an order from a circuit court to permanently or temporarily enjoin the willful and continuous manufacture, sale, or offer for sale, in violation of this section, of a handgun that is not included on the handgun roster.
(c) Penalties.
   (1) A person who manufactures a handgun for distribution or sale in violation of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $10,000 for each violation.
   (2) A person who sells or offers to sell a handgun in violation of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $2,500 for each violation.
   (3) For purposes of paragraphs (1) and (2), each handgun manufactured, sold, or offered for sale in violation of this subsection is a separate violation.

Title 11 Explosives
Subtitle 1. Licenses to Engage in Business as Manufacturer or Dealer or to Possess Explosives
11-101. Definitions
(a) In general. In this subtitle the following words have the meanings indicated.
(b) Dealer.
   (1) “Dealer” means a person who is engaged in the business of buying or selling explosives.
   (2) “Dealer” does not include a manufacturer.
(c) Explosives.
   (1) “Explosives” means gunpowder, powders for blasting, high explosives, blasting materials, fuses other than electric circuit breakers, detonators and other detonating agents, smokeless powder, and any chemical compound or mechanical mixture that contains oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that ignition by fire, friction, concussion, percussion, or detonation of any part of the compound or mixture may be intended to cause an explosion.
   (2) “Explosives” includes bombs and destructive devices designed to operate by chemical, mechanical, or explosive action.
(d) Explosives for use in firearms. “Explosives for use in firearms” means:
   (1) smokeless powder for loading or reloading small arms ammunition; or
   (2) black powder for loading or reloading small arms ammunition, antique arms, or replicas of antique arms.
(e) Local licensing authority. “Local licensing authority” means the sheriff or chief of police of the county or community where the applicant for a license resides or has a regular place of business.
(f) Manufacturer. “Manufacturer” means a person who manufactures or otherwise produces explosives.
11-102. Scope of subtitle
(a) Transportation of explosives. This subtitle does not apply to explosives while being

Page 226
transported on vessels, vehicles, or railroad cars, or while being held for delivery, if the transportation or delivery is subject to and conforms with regulations adopted by the United States Department of Transportation or United States Coast Guard.

(b) Seller or manufacturer. This subtitle does not apply to the receipt, possession, and use of signals required for the safe operation of vessels, motor vehicles, railroad cars, or aircraft by their operators.

11-105. License required; exceptions

(1) A person shall obtain a license to engage in business as a dealer under this subtitle before the person engages in business as a manufacturer or dealer, possesses explosives other than explosives for use in firearms, or possesses or stores explosives for use in firearms in the State.

(b) License to engage in business as dealer required.

(1) A person shall obtain a license to engage in business as a dealer under this subtitle before the person engages in the business of loading or reloading small arms ammunition in the State.

(c) Exceptions - Armed forces and others handling explosives. This section does not apply to the armed forces of the United States, the National Guard, the State Guard, or officers or employees of the United States, the State, or a local subdivision of the State who are authorized to handle explosives in the performance of their duties.

(d) Exceptions - Possession of explosives for use in firearms.

(1) Subject to paragraph (2) of this subsection, a person need not obtain a license to possess or store up to 5 pounds of smokeless powder for the loading or reloading of small arms ammunition, and up to 5 pounds of black powder for the loading or reloading of small arms ammunition or for use in the loading of antique arms or replicas of antique arms, if the smokeless powder and black powder are stored in their original shipping containers and are possessed only for personal use in firearms.

(2) A person may not possess or store explosives for use in firearms in any quantity in multi-family dwellings, apartments, dormitories, hotels, schools, or other buildings or structures open for public use.

(3) Notwithstanding paragraph (2) of this subsection, the State Fire Marshal may issue a permit to allow temporary possession of explosives for use in firearms in a building or structure open for public use.

(4) Records and reports of manufacturers and dealers

(a) Records.

(1) Each manufacturer and each dealer shall keep, for all explosives shipped, purchased, or sold, a record that includes:

(i) the name and address of each consignee, buyer, or seller of the explosives;

(ii) the date of each shipment, purchase, or sale; and

(iii) the amount and description of the explosives.

(2) Each record kept under this subsection shall at all times be open for inspection by agents of the licensing authority and by federal, State, and local law enforcement officers.

(b) Subject to subparagraph (ii) of this paragraph, each manufacturer and each dealer shall provide a copy of each record kept under this subsection to the State Fire Marshal in the form that the State Fire Marshal requires.

(ii) A record kept under this subsection shall be provided on request, but need not be filed more than once in each calendar month.

(b) Reports to licensing authorities.

(1) Subject to paragraph (2) of this subsection, each manufacturer shall file with the licensing authority of each state, other than this State, to which explosives have been shipped by the manufacturer, a report that includes:

(i) the name of each buyer to whom explosives have been shipped in that state; and

(ii) the amount and description of the explosives.

11-113. Reports of theft of explosives

(1) A report required under paragraph (1) of this subsection shall be filed on request, but need not be filed more than once in each calendar month.

(2) In like manner, each manufacturer shall file with the State Fire Marshal a report that includes:

(i) the name of each buyer of explosives in this State; and

(ii) the amount and description of the explosives.

11-113. Reports of theft of explosives

(1) Each theft or other unauthorized taking of explosives from a licensee under this subtitle shall be reported by the licensee to the State Fire Marshal:

(i) immediately by telephone; and

(ii) by a written report in the form required by the State Fire Marshal.

11-114. Prohibited acts; penalty - In general

(a) Engaging in business as manufacturer or dealer without license prohibited. Except as otherwise provided in this subtitle, a person may not engage in business as a manufacturer or dealer in the State unless the person is licensed under this subtitle.

(b) Possession of explosives other than explosives for use in firearms without license prohibited. Except as otherwise provided in this subtitle, a person may not possess explosives other than explosives for use in firearms in the State unless the person is licensed under this subtitle.

(c) Sale to unlicensed persons prohibited. Except as otherwise provided in this subtitle, a dealer may not sell, barter, give, or dispose of explosives other than explosives for use in firearms to any one person at any one time unless the person is licensed under this subtitle.

(f) Violation of regulations prohibited. A person may not violate a regulation adopted under this subtitle.

Penalty. Except as otherwise provided in § 11-116 of this subtitle, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding $5,000 or both.

11-115. Prohibited acts - Explosives for use in firearms

(1) A person may not possess at any time or store in any one place more than 5 pounds of smokeless powder or more than 5 pounds of black powder for use in firearms unless the person is licensed under this subtitle.

(2) A person may not engage in the business of loading or reloading small arms ammunition unless the person is licensed to engage in business as a dealer under this subtitle.

(c) Exceptions - Authorized use.

(1) A person may not fail to file a report of theft of explosives required under § 11-113 of this subtitle.

(2) Paragraph (1) of this subsection does not apply to a person who neither intended to use nor used the explosives involved in violation of:

(i) Title 3, Subtitle 1 or Subtitle 5, Title 5, Subtitle 1, Subtitle 2, Subtitle 3, or Subtitle 4, § 6-602, § 7-402, or § 2-701 of this article;

(ii) Title 3, Subtitle 1, Subtitle 7, or § 4-123.1 of the Agriculture Article;

(iii) Title 19, Subtitle 2 or Subtitle 3 of this Business Regulation Article;

(iv) Title 14, Subtitle 29, § 11-810, or § 14-1317 of the Commercial Law Article;

(v) § 3-218, § 3-305(c)(2), § 3-409(a) or (c), § 8-803(b), § 8-807(c), § 8-809(d), § 8-801, § 8-802, § 9-602(e), § 11-702(d)(8), § 11-703(d)(5)(ii), § 11-706(b)(8), § 11-708(d)(7)(ii), § 11-711(h)(2), § 11-712(c)(6)(ii), § 11-714(c)(6), § 11-715(g)(2), § 11-716(b)(2), or § 11-723(b)(8), or § 11-726 of the Correctional Services Article;

(vi) the Criminal Law Article other than Title 8, Subtitle 50, or § 10-614;

(vii) Title 5, Subtitle 10A of the Environment Article;

(viii) § 5-503 of the Family Law Article;

(ix) Title 20, Subtitle 7 or § 21-259.1 of the Health-General Article;

(x) § 8-713.1, § 8-724.1, § 8-725.5, § 8-725.6, § 8-726.1, § 8-726.3, § 8-740.1, or § 10-411(a) or (d), as it relates to Harford County, of the Natural Resources Article;

(xi) § 14-127 of the Real Property Article;

(xii) Article 2B, Title 22 or § 18-104 of the Code;

(xiii) Article 24, § 11-512, § 11-513, or § 11-516 of the Code;

(xiv) § 109 of the Code of Public Local Laws of Caroline County;

(xv) § 4-103 of the Code of Public Local Laws of Carroll County; or

(xvi) § 8A-1 of the Code of Public Local Laws of Talbot County.

For violation of § 11-114(c) or conspiracy to violate § 11-114(b)

(b)(1) Except as otherwise provided in paragraph (2) of this subsection, a person who violated § 11-114(c) of this subtitle or who conspires to violate § 11-114(b) of this subtitle is guilty of a felony and on conviction is subject to
imprisonment not exceeding 20 years or a fine not exceeding $10,000 or both.

(2) Paragraph (1) of this subsection does not apply to a person who had probable cause to believe that the explosives involved would be used for a purpose other than the violation of:
(i) Title 3, Subtitle 1 or Subtitle 5, Title 5, Subtitle 1, Subtitle 2, Subtitle 3, or Subtitle 4, § 6-602, § 7-402, or § 12-701 of this article;
(ii) Title 1, Subtitle 3, Title 3, Subtitle 7, or § 4-123.1 of the Agriculture Article;
(iii) Title 19, Subtitle 2 or Subtitle 3 of the Business Regulation Article;
(iv) Title 6, Subtitle 1, § 11-810, or § 14-1317 of the Commercial Law Article;
(v) § 3-218, § 3-305(c)(2), § 3-409(a) or (c), § 3-803(b), § 3-807(i), § 3-808(d), § 3-811(c), § 8-801, § 8-802, § 9-602(e), § 11-702(d)(8), § 11-703(d)(1)(ii), § 11-706(b)(8), § 11-708(d)(1)(ii), § 11-711(h)(2), § 11-712(c)(6)(ii), § 11-714(c)(6), § 11-715(g)(2), § 11-716(h)(2), § 11-723(b)(8), or § 11-726 of the Correctional Services Article;
(vi) the Criminal Law Article other than Title 8, Subtitle 2, Part II or § 10-614;
(vii) Title 5, Subtitle 10A of the Environment Article;
(viii) § 5-503 of the Family Law Article;
(ix) Subtitle 2, Title 7 or § 21-259.1 of the Health-General Article;
(x) § 8-713.1, § 8-724.1, § 8-725.5, § 8-725.6, § 8-726.1, § 8-738.1, § 8-740.1, or § 10-411(a) or (d), as it relates to Harford County, of the Natural Resources Article;
(xi) § 14-127 of the Real Property Article;
(xii) Article 2B, Title 22 or § 18-104 of the Code;
(xiii) Article 24, § 11-512, § 11-513, or § 11-514 of the Code;
(xiv) § 109 of the Code of Public Local Laws of Caroline County;
(xv) § 4-103 of the Code of Public Local Laws of Carroll County; or
(xvi) § 3-101 of the Code of Public Local Laws of Talbot County

[Current through all acts of the 2010 Regular Session]

Anne Arundel County Code

Article 9. Crimes and Civil Offenses, and Fines

Title 1. Crimes

Subtitle 6. Weapons

9-1.604. Explosives.
(a) Except in a place for blasting or in the course of transportation, a person may not store or possess more than 100 pounds of gunpowder or any quantity of dynamite, nitroglycerine, or other explosive in the County.
(b) A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $300. If a corporation violates any provision of this section, the president of the corporation or any officer or member of its board of directors may be prosecuted for the violation.

Article 18. Zoning

Title 10. Requirements for Conditional Uses

18-10-119. Home occupations.
A home occupation shall comply with all of the following requirements:
(1) A home occupation shall be located and conducted entirely in a principal dwelling unit and shall be incidental and secondary to the use of the structure as a dwelling.
(2) A home occupation may not change the character of the dwelling unit and may not exceed 25% of the total floor area.
(3) Home occupations are limited to the following: ...
(4) The operator of a home occupation shall be a resident of the dwelling unit in which the occupation is located.
(5) No more than one nonresident may be employed in the home occupation.
(6) The sale or rental of goods or products other than those produced on the premises by the home occupation is prohibited.
(7) Outside storage is prohibited.

Baltimore City Code

Article 19. Police Ordinances

Subtitle 59. Weapons

Part 1. Firearms - In General

59-4. Toy cartridge pistols.
(a) Sale, etc., prohibited. It shall not be lawful for any person or persons to sell, give away, or dispose of in any manner, what is known as "the toy cartridge pistol" within the limits of the City of Baltimore under a penalty of $10 for each and every offense, the same to be collected as other fines and penalties are collected.

Part 2. Firearms - Access by Minors

(a) In general. In this Part, the following terms have the meanings indicated.
(b) Ammunition. "Ammunition" means any cartridge, shell, or other device that contains explosive or incendiary material and is designed or intended for use in any firearm.
(c) Child safety lock. "Child safety lock" means:
(1) A device that, when locked in place, prevents the trigger from being moved and can itself be removed only by using a key or combination; or
(2) any other device that:
(i) when locked in place, otherwise renders the firearm inoperable and can itself be removed only by using a key or combination; and
(ii) has been approved for this purpose by the Police Commissioner.
(d) Firearm. "Firearm" means any pistol, revolver, rifle, shotgun, short-barreled rifle, short-barreled shotgun, or other firearm, except an inoperable antique firearm.
(e) Minor. "Minor" means any person under the age of 18.

(a) Prohibited conduct. Except as provided in subsection (b) of this section, a person may not leave a loaded firearm, or an unloaded firearm that is in close proximity to ammunition, in any location where the person knows or reasonably should know that an unsupervised minor might gain access to the firearm.
(b) Exceptions. Subsection (a) of this section does not apply if:
(1) the minor’s access to the firearm is supervised by a person 21 years old or older;
(2) the firearm is in a locked gun cabinet or similar locked location;
(3) the firearm is secured with a child safety lock;
(4) the minor obtained access to the firearm as the result of an unlawful entry to the premises;
(5) the firearm is in the possession or control of a law enforcement officer while the officer is engaged in official duties.

(a) Dealers must provide.
(1) A licensed firearm dealer may not sell, lease, or otherwise transfer a firearm without an accompanying child safety lock suitable for that firearm.
The statements required under subsection (a) of this section have been filed with the Police Department.

(c) Limitation. This section does not apply to antique or unserviceable firearms sold, transferred, or held as curios or museum pieces.

(d) Serial numbers not required. This section may not be construed to require the registration or listing of firearms by serial number or in any other manner.


The statements required under this section have been filed with the Police Department.

(b) Notices. (1) A licensed firearm dealer who sells, leases, or otherwise transfers a firearm must post conspicuously in the dealer’s place of business:

(i) a notice of the prohibition in § 59-12 of this Part against leaving a firearm where an unattended minor can obtain access to it; and

(ii) a notice of the prohibition in subsection (a) of this Part against the transfer of a firearm without an accompanying child safety lock.

(2) If the transaction occurs outside the dealer’s place of business, or if the dealer does not maintain a place of business in a commercial establishment, the dealer must provide the required notices in writing when transferring the firearm.

59-14. Rules and regulations. The Police Commissioner may adopt rules and regulations to carry out this Part, including but not limited to rules or regulations governing the wording, size, and placement of the notices required by this Part.

59-16. Penalties. Any person who violates any provision of this Part or of a rule or regulation adopted under this Part is guilty of a misdemeanor and, on conviction, is subject to a fine of $1,000 or to imprisonment for 1 year or both.

[A] Baltimore City Code current through August 31, 2009

Baltimore County Code

Article 17. Miscellaneous Provisions and Offenses

Title 2. Firearms and Weapons


(a) Prohibited - Purchase of firearm. (1) A minor may not purchase, trade, acquire in any manner, use, possess, or attempt to use or possess a gun, pistol, rifle, shotgun, or any other type of firearm, unless the minor has filed a statement of possession or use with the Police Department.

(2) The statement of possession or use shall be retained by the Police Department.

(i) The statement of possession or use shall be endorsed by the parents or guardians of the minor, attesting to the knowledge of the parents or guardians of the acquisition, use, possession, or prospective acquisition, use or possession of any firearms.

(ii) The endorsement executed by the parents or guardians of a minor shall provide clearly and without exception or qualification that:

1. Any negligence of the minor in the use or possession of a firearm shall be imputed to the parents or guardians; and

2. The parents or guardians shall be jointly and severally liable with the minor for any civil damages caused by the minor's negligence in the use or possession of a firearm.

(4) The statements required under this section shall be signed and sworn to before a person authorized to administer oaths.

(b) Prohibited - Sale of firearm. A person may not sell, give, or transfer a firearm to a minor unless the statements required under subsection (a) of this section have been filed with the Police Department.

(c) Limitation. This section does not apply to antique or unserviceable firearms sold, transferred, or held as curios or museum pieces.

(d) Serial numbers not required. This section may not be construed to require the registration or listing of firearms by serial number or in any other manner.


[A] Baltimore County Code current through Bill No. 38-09

Montgomery County Code

Chapter 57. Weapons

57-1. Definitions. In this Chapter, the following words and phrases have the following meanings:

Child safety handgun box: A secure, lockable box designed to hold the handgun being transferred that:

1. requires a key or combination to remove;

2. renders the handgun inoperable when locked; and

3. is approved by Executive regulation under method (2).

Child safety handgun device: A child safety handgun lock or child safety handgun box.

Child safety handgun lock: A device that when locked in place prevents movement of the trigger of the handgun being transferred without first removing the lock by use of a key or combination.

"Child safety handgun lock" also includes any other device that can be attached to a handgun and:

1. requires a key or combination to remove;

2. renders the handgun inoperable when locked in place; and

3. is approved by Executive regulation under method (2).

Firearm dealer: A person required by State or federal law to obtain a:

1. regulated firearms dealer’s license; or

2. temporary transfer permit to display a regulated firearm at a gun show.

Fixed ammunition: Any ammunition composed of a projectile or projectiles, a casing, an explosive charge and a primer, all of which shall be contained as one (1) unit. Cartridges designed, made and intended to be used exclusively (i) in a device for signaling and safety purposes required or recommended by the United States Coast Guard or (ii) for industrial purposes, shall not be considered fixed ammunition. Curios or relics, as defined in regulations promulgated by the United States Secretary of the Treasury pursuant to 18 United States Code, section 921(42)(A)(13), shall not be considered fixed ammunition.

Fugitive from justice: Any person for whom a warrant has been issued, who has fled from a sheriff or other peace officer within this state, or who has fled from any state, territory, District of Columbia or possession of the United States, to avoid prosecution for crime of violence or to avoid giving testimony in any criminal proceeding involving a felony or treason.

Gun or firearm: Any rifle, shotgun, revolver, pistol, air gun, and any similar mechanism by whatever name known which is designed to expel a projectile through a gun barrel by the action of any explosive, gas, compressed air, spring or elastic.

(1) The term “antique firearm” means (a) any firearm (including any firearm with a match-lock, flintlock, percussion cap or any similar type of ignition system) manufactured in or before 1898; and (b) any replica of any firearm described in subparagraph (a) if such replica (i) is not designed or redesigned or using rimfire or conventional centerfire fixed ammunition, or (ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

(2) “Handgun” means any pistol, revolver or other firearm capable of being concealed on the person, including a short-barreled shotgun and a short-barreled rifle as these terms are defined below. “Handgun” does not include a shotgun, rifle, or antique firearm.

(3) “Rifle” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(4) The term “short-barreled rifle” means a firearm having one (1) or more barrels less than sixteen (16) inches in length and any weapon made from a rifle (whether by alteration, modification or otherwise) if such weapon, as modified, has an overall length of less than twenty-six (26) inches.

(5) The term “short-barreled shotgun” means a shotgun having one (1) or more barrels less than eighteen (18) inches in length and any weapon made from a shotgun (whether by alteration, modification or otherwise) if such weapon as modified has an overall length of less than twenty-six (26) inches.

(6) “Shotgun” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of balls or one single projectile for each single pull of the trigger.

Gun shop: An establishment where a handgun, rifle, or shotgun, or ammunition or major component of these guns is sold or transferred. “Gun shop” does not include an area of an establishment that is separated by a secure, physical barrier from all areas where any of these items is located.

Gun show: Any organized gathering where a gun is displayed for sale.

Minor: An individual younger than 18 years old.

Pistol or revolver: Any gun with a barrel less than twelve (12) inches in length that uses fixed ammunition.

Place of public assembly: A “place of public assembly” is a government owned park identified by the Maryland-National Capital Park and Planning Commission; place of worship; elementary or secondary school; public library; government owned or operated recreational facility;
or multipurpose exhibition facility, such as a fairgrounds or conference center. A place of public assembly includes all property associated with the place, such as a parking lot or grounds of a building.

Sell or purchase: Such terms and the various derivatives thereof shall be construed to include letting on hire, giving, lending, borrowing or otherwise transferring.

Sporting use: "Sporting use" of a firearm and ammunition means hunting or target shooting in compliance with all federal, State, and local laws. Sporting use includes:
(a) participation in a regulated hunt sponsored by a government agency; and
(b) the sale or other transfer of ammunition by a sporting club for immediate, on-site use at the club.

Vehicle: Any motor vehicle, as defined in the Transportation Article of the Annotated Code of Maryland, aircraft and vessels.

57-7. Access to guns by minors.

(a) A person must not give, sell, rent, lend, or otherwise transfer any rifle or shotgun or any ammunition or major component for these guns in the County to a minor. This subsection does not apply when the transferor is at least 18 years old and is the parent, guardian, or instructor of the minor when the minor is in the gun shop.

(b) An owner, employee, or agent of a gun shop must not allow a minor to, and a minor must not, enter the gun shop unless the minor is accompanied by a parent or other legal guardian at all times when the minor is in the gun shop.

(c) This section must be construed as broadly as possible within the limits of State law to protect minors.


(a) Findings...
(b) Child safety handgun device.
(1) A firearm dealer who sells, leases, or otherwise transfers a handgun in the County must provide to the recipient of the handgun a child safety handgun device for the handgun at the time of the transfer. The dealer may charge for the child safety handgun device.

(2) A person who purchases or otherwise receives a handgun from a firearm dealer (or any transferee who would be a firearm dealer if the transfer occurred in the State) after October 8, 1997 must obtain a child safety handgun device for the handgun:
(A) at the time of a transfer in the County; or
(B) before entering the County with the handgun if the transfer occurred outside the County and the transferee resides in the County.

(c) Notices.
(1) A firearm dealer who sells, leases, or otherwise transfers a handgun must post conspicuously in the dealer’s place of business a notice of:
(A) the requirement in subsection (b) for a child safety handgun device; and
(B) the prohibition in State law of storing or leaving a loaded firearm in a location where an unsupervised child can gain access to the firearm.

(2) If the firearm dealer transferring a handgun does not maintain a place of business in a commercial establishment, the dealer must provide the notice required by paragraph (1) in writing when transferring the handgun.

(d) Enforcement. The Department of Health and Human Services and any other department designated by the County Executive enforces this section.

(f) Regulations. The Executive may adopt regulations under method (2) to implement this Section.

57-9. Unlawful ownership or possession of firearms.

(a) A person must not possess, exercise control over, use, carry, transport, or keep a rifle, shotgun, or pistol, if the person:
(1) is an unlawful user of, addicted to, or is under treatment for an addiction to, marijuana or any depressant or stimulant drug or narcotic drug (as defined in Maryland Criminal Law Code Annotated, sections 1-101, 5-401, 5-404, and 5-604); or
(2) has been convicted in any court of a crime of violence, trafficking in narcotics, a criminal violation of any of the provisions of Maryland Public Safety Code Annotated, sections 5-101 to 5-138, 5-142, or any federal firearms control law; or
(3) is a fugitive from justice; or
(4) has been confined to any hospital or institution for treatment of a mental disorder or for mental illness unless a licensed physician has by affidavit stated that the physician is familiar with the person's history of mental illness and that, in the physician's opinion, the person is no longer suffering from a disability in such a manner which should prevent the person from possessing a rifle or a shotgun; or
(5) has been confined to any hospital or institution for treatment of alcoholism unless a licensed physician has by affidavit stated that the physician is familiar with the person's history of alcoholism and that, in the physician's opinion, the person is no longer suffering from a disability in such a manner which should prevent the person from possessing a rifle or a shotgun.

(b) The Executive may adopt regulations for the purpose of implementing this section by more than 10 percent, or expand the type of guns (handgun, rifle, or shotgun) or ammunition offered for sale since January 1, 1997; has secure locks on all doors and windows; or
(3) physically secures all ammunition and each firearm in the gun shop (such as in a locked box or case, in a locked rack, or with a trigger lock);
(4) has adequate security lighting;
(5) has a functioning alarm system connected to a central station that notifies the police; and
(6) has liability insurance coverage of at least $1,000,000.

57-12. Sale of fixed ammunition.

(a) Legislative intent. The purpose of this section is to provide support to state and local law enforcement officials in their efforts against crime and violence by placing controls on the flow of dangerous ammunition, in addition to those provided by federal law, and to encourage compliance with the state police department's program of voluntary firearm registration. It is not the purpose of this section to place any undue or unnecessary restrictions on or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection, or any other lawful activity, or to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes. It is not the purpose of this section to create, nor does it permit the creation of, any separate system of county registration of firearms or ammunition, or the levying of any county fee in connection with any registration of firearms or ammunition. It is specifically not the intent of this section to serve as a revenue generating measure.
(b) Registration of ammunition dealers. Any ammunition dealer (as defined in 18 United States Code, section 921 et seq.) who conducts business in Montgomery County is required to register with the Montgomery County department of police by maintaining on file with that department, at all times, a valid, current copy of his federal ammunition dealer’s license.

(c) Conditions for sale. No ammunition dealer may sell fixed ammunition to any other person, unless:

1. The sale is made in person;
2. The purchaser exhibits, at the time of sale, a valid registration certificate for the firearm or nonresident, proof that the firearm is lawfully possessed in the jurisdiction where the purchaser resides;
3. The fixed ammunition to be sold is of the same caliber or gauge as the firearm described in the registration certificate, or other proof in the case of a nonresident; and
4. The purchaser signs a receipt for the ammunition which shall be maintained by the licensed dealer for a period of one (1) year from the date of sale.

(d) Exceptions. The provisions of this section shall not apply to the sale of fixed ammunition:

1. When sold to the use of a law enforcement officer, department or agency of the United States, or of any law enforcement officer, department or agency of another jurisdiction.
2. To any law enforcement officer federal, state, local or any other governmental entity, if the officer has in his possession a statement from the head of his agency stating that the fixed ammunition is to be used in the officer’s official duties.

(e) Penalties. Any ammunition dealer who sells fixed ammunition in violation of the provisions of this section shall be guilty of a class C violation, pursuant to section 1-19 of the Montgomery County Code, punishable only by a civil penalty in the amount of fifteen dollars ($15.00).

(f) Exception for incorporated municipalities. This section shall not be effective in any incorporated municipality which by law has authority to enact a law on the same subject. If any such incorporated municipality adopts this section and requests the county to enforce the adopted provisions thereof within its corporate limits, the county may thereafter administer and enforce the same within the incorporated municipality. The county executive is authorized to enter into agreements with incorporated municipalities to enforce and administer the provisions so adopted and to collect the administrative costs of implementation from such municipalities.

Code of the Town of Cheverly

Sec. 20-5. Supplying firearm materials or dangerous weapons to underage persons. It shall be unlawful for any person, licensed dealer or otherwise, to sell, barter or give away shotguns, rifles, or any long guns whatsoever, or any ammunition, powder, shot or shells for any dangerous weapon, covered by section 20-4 preceding, to any person under the age of eighteen (18) years. It shall be unlawful for any person, licensed dealer or otherwise, to sell, barter or give away handguns of all types except those classified as antiques to any person under the age of twenty-one (21) years.

Sec. 20-6. Explosive and combustible material. It shall be unlawful for any person or persons to store gunpowder, oil or any other explosive or combustible material within the town, except for small quantities used to service personal or home equipment when such material is kept in safe containers.

Code of the Town of La Plata

143-5 Weapons. No pawnbroker, swap shop or secondhand dealer shall receive as a pledge or purchase any revolver, pistol, blackjack or sawed-off shotgun, and no pawnbroker shall display in his window or shop any such weapons for sale.

Charter and Code Takoma Park

14.16.010 Exemption from County weapons law.

Pursuant to the authority conferred by Article 23A, Section 2B of the Annotated Code of Maryland and by Section 1-203 of the Montgomery County Code, the City exempts itself from the provisions of Chapter 57, Weapons, Section 57-5A, Child Safety Handgun Devices and Handguns, and Section 57-7A, Firearms In or Near Places of Public Assembly, of the Montgomery County Code.

14.16.020 Definitions.

"Child safety handgun box" means a secure, lockable box designed to hold the handgun being transferred that:

1. Requires a key or combination to remove; and
2. Renders the handgun inaccessible when locked.

"Child safety handgun device" means a child safety handgun lock, child safety handgun box, or integrated mechanical or electronic device.

"Child safety handgun lock" means a device that when locked in place prevents movement of the trigger of the handgun being transferred without first removing the lock by use of a key or combination. "Child safety handgun lock" also includes any other external device that is:

1. Attached to a handgun with a key or combination lock; and
2. Designed to prevent a handgun from being discharged unless the device has been deactivated or removed.

"Gun" or "firearm" means a handgun, rifle, shotgun, short-barreled rifle, short-barreled shotgun, or any other firearm, whether loaded or unloaded, except it does not include an antique firearm.

1. Antique firearm" means:
   a. Any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; and
   b. Any replica of any firearm described in subparagraph (a), if such replica:
      i. Is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or
      ii. Uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

2. "Handgun" means any pistol, revolver, or other firearm capable of being concealed on the person, including a short-barreled shotgun and a short-barreled rifle. "Handgun" does not include a shotgun, rifle, or antique firearm.

3. "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

4. "Short-barreled rifle" means a rifle having one or more barrels less than 16" in length and any weapon made from a rifle (whether by alteration, modification or otherwise) if such weapon as modified has an overall length of less than 26".

5. "Short-barreled shotgun" means a shotgun having one or more barrels less than 18" in length...
length and any weapon made from a shotgun (whether by alteration, modification or otherwise) if such weapon as modified has an overall length of less than 26”.

6. “Shotgun” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

“Integrated mechanical safety device” means a disabling or locking device that is built into a handgun and is designed to prevent the handgun from being discharged unless the device has been deactivated.

“Law enforcement officer” means:
1. A duly appointed member of a police force or other agency of the United States, of a State or the District of Columbia, or of a County, municipality, or other political subdivision, who is responsible for the prevention and detection of crime and the enforcement of the laws of the United States, a State or the District of Columbia, or a County, municipality, or other political subdivision;
2. Any military or militia personnel directed by the appropriate authority to keep law and order.

“Minor” means an individual younger than 18 years old.

“Place of public assembly” means:
1. A place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose, but is not limited to a place devoted solely to the uses of a public building, including its grounds and curtilage.
2. A place of public assembly includes, but is not limited to:
   a. A public park or other public grounds;
   b. A place of worship;
   c. A school;
   d. A public building, including its grounds and curtilage;
   e. The front or immediate area or parking lot of any store, shop, restaurant, tavern, shopping center, or other place of business; and
   f. A public parking lot.
3. A place of public assembly includes all property associated with the place and located within 100 yards of the place.

14.16.040 Child safety handgun devices.
A. Findings. The unintentional discharge of handguns often causes accidental death or injury to children. Additional safeguards are needed to protect children from injury or death from the unintentional discharge of loaded and unlocked handguns. Requiring all handguns in the City to have and use handgun safety devices can prevent unintentional injuries and fatalities to children.
B. It is unlawful for any person, other than a law enforcement officer, to carry, transport or keep a handgun in the City without a child safety handgun device installed on the handgun.

14.16.050 Prohibition of firearms in residences that run programs for minors.
A. Except as provided in this section, no person shall use, carry, transport, keep or leave any firearm in any location where the person knows or reasonably should know that a minor could gain access to the firearm in a residence that is used for programs or activities primarily serving minors during the times in which such activities or programs meet. “Programs or activities primarily serving minors” include day care, child care, recreation programs, sports programs, day camps, club meetings, tutoring programs, and other organized and regular educational activities.
B. This section does not:
1. Apply to a law enforcement officer; or
2. Apply to a security guard licensed to carry a firearm when the security guard is in the course of his or her employment or is traveling to or from the place of employment;
3. Apply to the possession of firearms or ammunition in a person's own home;
4. Apply to the possession of one firearm, and ammunition for the firearm at a business by either the owner or an authorized employee of the business;
5. Apply to the possession of a handgun by a person who has received a permit to carry the handgun under State law; or
6. Apply to separate ammunition or an unloaded firearm:
   a. Transported in an enclosed case or in a locked firearms rack on a motor vehicle; or
   b. Being surrendered in connection with a gun turn-in or similar program approved by a law enforcement agency.

14.16.070 Penalty.
Any violation of this chapter is a Class A misdemeanor offense, and on conviction is subject to a fine of $1,000.00 or a term of imprisonment of not more than 180 days, or both.

[Current through Ordinance No. 2010-39, passed July 26, 2010]