



# Maryland State Police



## Licensing Division Firearm Registration Section

Last Revised: August, 2013

# Welcome

- MSP Licensing Division Command Staff
- MSP Licensing Division, Firearm Registration Unit
- MSP Licensing Division Inspection & Compliance Unit
- Bureau of Alcohol, Tobacco, Firearms and Explosives

# Topics

- Firearm Safety Act 2013 (Senate Bill 281)
- Firearm purchase Back Log
- Background Checks
- Licensing Division “Today and coming soon”
- Firearm Registration Section
- Point Of Contact for NICS
- Handgun Qualification License
- Compliance Unit
- Administrative/Inspection Unit
- Laws

# Firearm Safety Act 2013

## MD General Assembly Web Page

Web Site to locate SB 281 (enrolled)

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0281e.pdf>



Last Revised: August, 2013

# Firearm Safety Act 2013

## Weapon Types

- A person who lawfully possessed, has a purchase order for, or completed an application to purchase an assault long gun or a copycat weapon before **Oct. 1, 2013** may complete the process – LD-FRS- Advisory 13-004
- 
- A licensed Firearm Dealer may continue to possess, sell, offer for sale, or transfer an assault long gun or a copycat weapon that the licensed firearm dealer lawfully possessed on or before **Oct. 1, 2013**LD-FRS- Advisory 13-004

# LD-FRS-13004

Microsoft PowerPoint - [Statewide Seminar August 2013 SB 281]

7-29-13 Advisory - Firearms - 13-004.pdf - Adobe Reader

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Tools Sign Comment

Maryland State Police  
Licensing Division  
**ADVISORY**  
LD-FRS-13-004

July 29, 2013

**2013 FIREARMS SAFETY ACT: ASSAULT WEAPONS AND COPY CAT WEAPONS**

The Maryland State Police Licensing Division has received a number inquiries regarding the sale and transfer of assault weapons and/or copy cat weapons as it relates to the passage of the 2013 Firearms Safety Act that goes into effect on October 1, 2013. In an attempt to provide further guidance the below questions have been answered.

**Can I sell an assault weapon to a Maryland resident if the firearm is ordered from a distributor/ manufacturer prior to October 1, 2013?**

Yes, CR 4-303(b)(3) provides that, "A person who . . . has a purchase order for that resident , or completed an application to purchase an assault long gun or a copycat weapon before October 1, 2013 may: (i) possess and transport the assault long gun or copycat weapon . . ." Accordingly, a firearms dealer may sell, and a citizen may purchase and possess, an assault long gun or copycat weapon if a purchase order was issued on behalf of that citizen for the weapon before October 1, 2013, even where the dealer receives the weapon after October 1, 2013.

**Can I still sell my inventory of Assault Weapons after October 1, 2013? To whom can I sell to after October 1, 2013?**

A Maryland citizen cannot purchase (possess) an assault weapon after October 1, 2013 unless the Maryland citizen has a purchase order for that resident , or completed application to purchase an

Slide 6 of 49 Office Theme

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# Firearm Safety Act 2013

## Weapon Type

- Bans “copycat” weapons.

Criminal Law Article, Sec. 4-301 defines a copycat weapon as..

a semiautomatic, centerfire rifle that can accept a detachable magazine and has any two of the

following:

- folding stock,
- grenade launcher,
- flare launcher or
- flash suppressor

# Firearm Safety Act 2013

## Weapon Type

- A Copycat weapon is a legal long gun that has been modified into a prohibitive weapon
- They include but are not limited
  - 1) a semi automatic center fire rifle that has a fixed magazine capacity of more than 10 rounds or has an overall length of less than 29 inches,
  - 3) semi automatic pistol with a fixed magazine that can accept more than 10 rounds,
  - 4) semi automatic shotgun that has a folding stock, or shotgun with a revolving cylinder.



# Firearm Safety Act 2013

## Magazines

- Restricts the manufacture, sale, or transfer of a magazine that has a capacity of more than 10 rounds.

The law does not restrict the possession of higher capacity magazines

Nor does it restrict the sale of the magazine to an out of state - internet sale

# Firearm Safety Act 2013

## Report Lost or Stolen Owner

Requires the owner of a regulated firearm to report the firearm lost or stolen to local law enforcement within 72 hours after the owner first discovers the loss or theft Knowing and willful Failure to report:

1. First offense, civil violation
  2. Second offense, misdemeanor
- MSP Form 77R has been updated to include this information
  - Forms have been ordered and Dealers will be notified by the weekly advisory when and where forms will be made available

# Firearm Safety Act 2013

## Lost or Stolen Dealer

- A **Dealer** or any other person who sells or transfers a regulated firearm shall notify the purchaser or recipient of the regulated firearm at the time of purchase or transfer that the purchaser or recipient is required to report a lost or stolen regulated firearm to the local law enforcement agency as required under subsection (B) of this section.

# Firearm Safety Act 2013

## New Resident

- A person who moves into the state with the intent of becoming a resident shall register all regulated firearms with the Secretary within 90 days after establishing residency.

(\$15.00 fee to register all firearms at once)

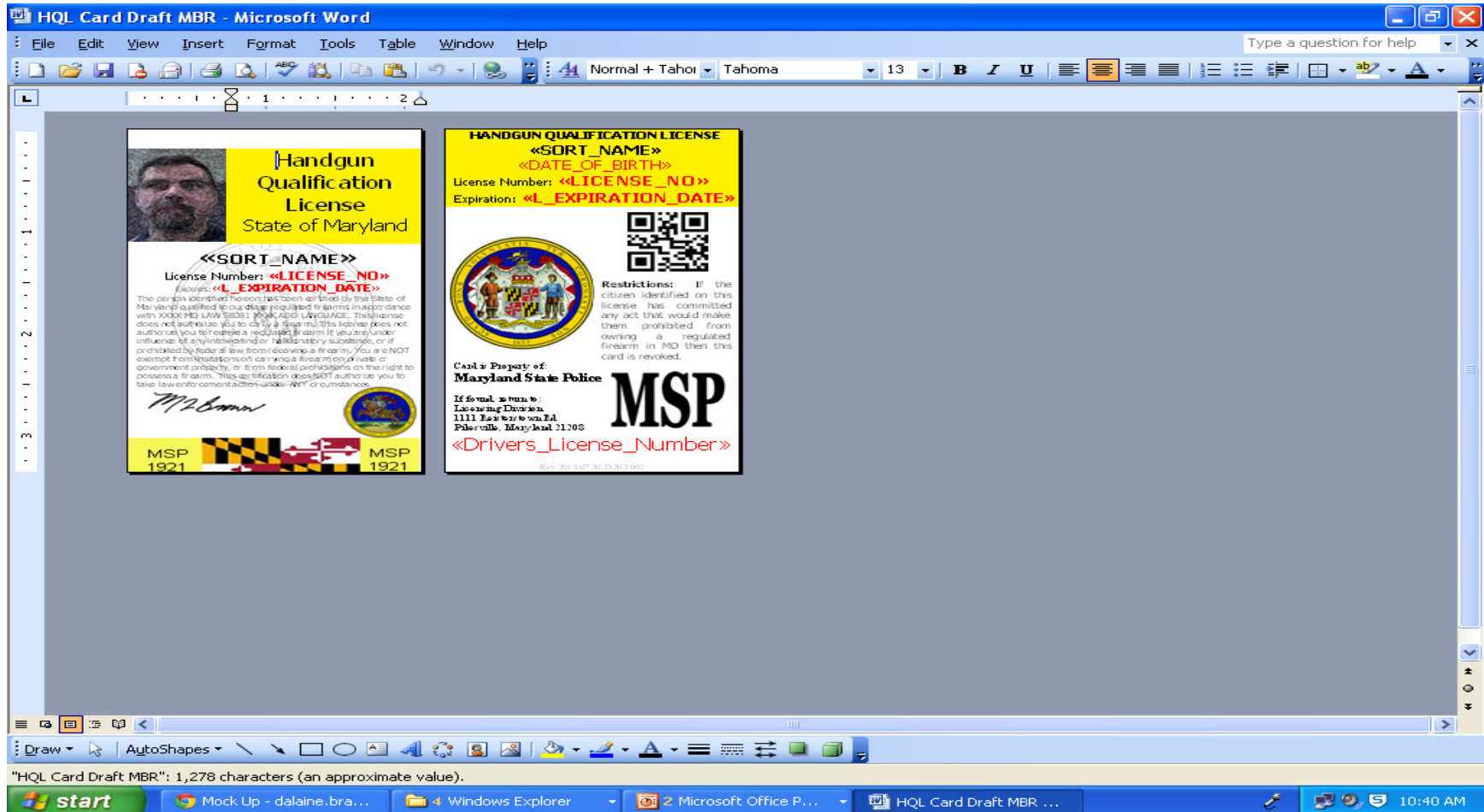
- MSP Licensing Division Website
- Automated registration process effective October 1, 2013

# Firearm Safety Act 2013

## HQL Required

- \* Requires the possession of a Handgun Qualification License by a person wishing to purchase, rent or receive a regulated firearm after October 1, 2013.
- The license is not required for a person to possess a firearm; ONLY to purchase, rent or receive.
- \*A MD Resident must be issued an HQL by MSP before he/she purchases, rents or receives a regulated firearm on or after October 1, 2013
- \*backlog under review by AG/Lawmakers

# HQL Test



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# Firearm Safety Act 2013

## HQL

- A Handgun Qualification License may only be issued to a resident of the state of Maryland. The license expires every 10 years.
- \* Renewal is only required if the resident intends to purchase another handgun.
- The applicant is required to submit to a fingerprint background check and complete a firearm safety class approved by the MSP.
- renewal license is not required to take an additional firearms safety class or submit to a second fingerprint background check.

# Firearm Safety Act 2013

## HQL

### Firearm Safety Class

- Instructors are approved and registered by MSP- List of Qualified Handgun Instructors
  - ✓ MSP Website
  - ✓ Online application
- Paid for by the applicant
- 4 hour block of instruction
  
- Topics required to be addressed
  1. State Firearm Law
  2. Home Firearm Safety
  3. Handgun Mechanisms and Operation
  4. Demonstration by the applicant of the safe operation and handling of a firearm

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# Firearm Safety Act 2013

## HQL Not Required

### License Exceptions

- Active or Retired military

- \* must show valid credentials to a dealer to purchase

- Firearm Manufactures

- \* Dealers (§ 5-102(6))

### Law Enforcement

must show valid credentials to a dealer to purchase.

- Antique, curio or relic as defined in federal law

- \* Dealer Manual will provide visual examples of valid Active or Retired credentials

# HQL and Dealers

I am a dealer...do I need the HQL?

NO - The Public Safety Article 5-102(6) exempts dealers from all requirements of Title 5, Subtitle 1 of Public Safety

# Firearm Safety Act 2013

## Need HQL but NOT Training

- Lawfully owns a regulated firearm
- Completed an MSP approved certified safety course
- Completed the DNR hunter safety course
- Currently a qualified handgun instructor
- Honorably discharged member of the armed forces or national guard
- Employee of an armored car company who has a handgun permit issued by MSP.

If you already lawfully own a handgun or assault weapon you do not have to complete the training but you must still apply for the Handgun Qualification License

# Firearm Safety Act 2013

## Fees

- The applicant shall submit a fee of \$50 with the application for initial issue and \$20 for renewal license.

# Firearm Safety Act 2013

## Electronic Submission – 77R

- As of **Oct. 1, 2013** all applications must be submitted via fax. Certified mail will no longer be accepted. – LD-FRS Advisory 13-002
- If you are currently on the Fax Program you do not have to change your process.
- Licensing Division will update all dealers via the MSP Website all automation efforts and schedules.

# Firearm Safety Act 2013

## Inventory Audits

- Requires MSP to inspect the inventory and records of dealers once every two years.
- A&D Book complies with the record keeping requirement
- 77R record keeping requirement has not changed
- Secretary may suspend a dealer license if the licensee is not in compliance with the record keeping/reporting requirements of 5-145

# The Backlog



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# Back log

- Applications received to date in 2013 77,029
- Current applications to be processed 34,953
  
- Weekly Updates
- Increased Staffing
- Automation



# What we are looking for....



©Hit Teen \* illustrations01.com/1095592

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# Background Check Equals

1. Criminal Justice Information System
2. Judicial Information Systems (courts)
3. Department of Health and Mental Hygiene
4. Motor Vehicle Administration
5. National Crime Information Center/NICS Index
6. Interstate Identification Index (FBI #)
7. Immigration and Customs Enforcement
8. Maryland Hot Files (warrants)
9. Stolen Gun Check
10. Department of Juvenile Services
11. Parole and Probation

# Licensing Division

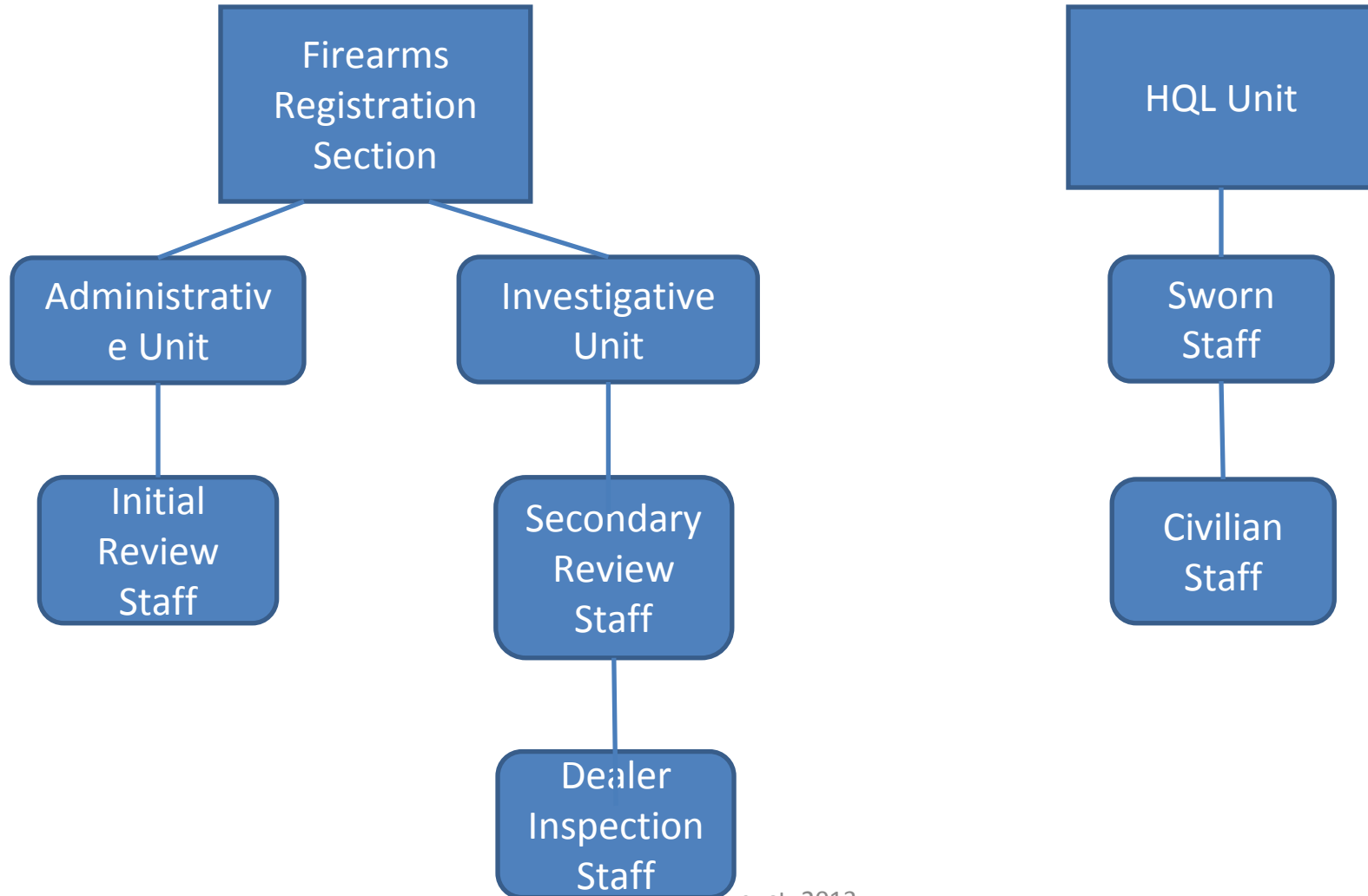
## A New Look...



# Licenses, Permits and Certifications Issued by Licensing Division

1. Handgun Qualification License
2. Regulated Firearm Dealer's License
3. Wear and Carry Handgun Permit
4. Law Enforcement Officer Safety Act (LEOSA)
5. Special Police Officer Commission
6. Railroad Police Officer Commission
7. Security System's Agency License
8. Security System's Technician's License
9. Private Detective Agency's License
10. Private Detective's License
11. Security Guard Agency's License
12. Security Guard's License
13. Intercept Devices
14. K-9 Registration

# Firearms Registration Process Chart



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# Point of Contact for NICS

- Licensing Division Firearms Registration Section is currently the partial POC for obtaining NICS checks for regulated firearms
- A dealer must obtain a NICS number from the POC in order to transfer a firearm
- Unlike when the dealer obtains a NIC number, Licensing personnel do not receive a proceed from NICS

# Firearm Registration Section How it Works



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# Administrative Unit Initial Review

- Administratively processes all 77R
- Queries all data bases for background investigation
- Not Disapproves all applicants with clean records and notifies the Dealer
- Forwards any application with “hit” to the Secondary Review Section
- Each employee averages 35 applications per day



# Secondary Review

- Conducted by a State Trooper
- Detailed investigation of all applications not cleared during Initial Review
- Accounts for approximately 60% of all 77Rs
- Processes all Disapprovals
- Places 77R on Hold
- Investigates out of state charges
- Reconciles application errors

# Handgun Qualification License Unit

- Processes all HQL applications
- Conducts full background investigation
  - \* Complete NICS/NICS Index check
  - \* No State or Federal Prohibitions
  - \* No Civil orders, Warrants or Probations
  - \* Cleared through DHMH
- Monitors 10 year criminal convictions of all card holders
- Investigation completed within 30 days

# What is HQL ?

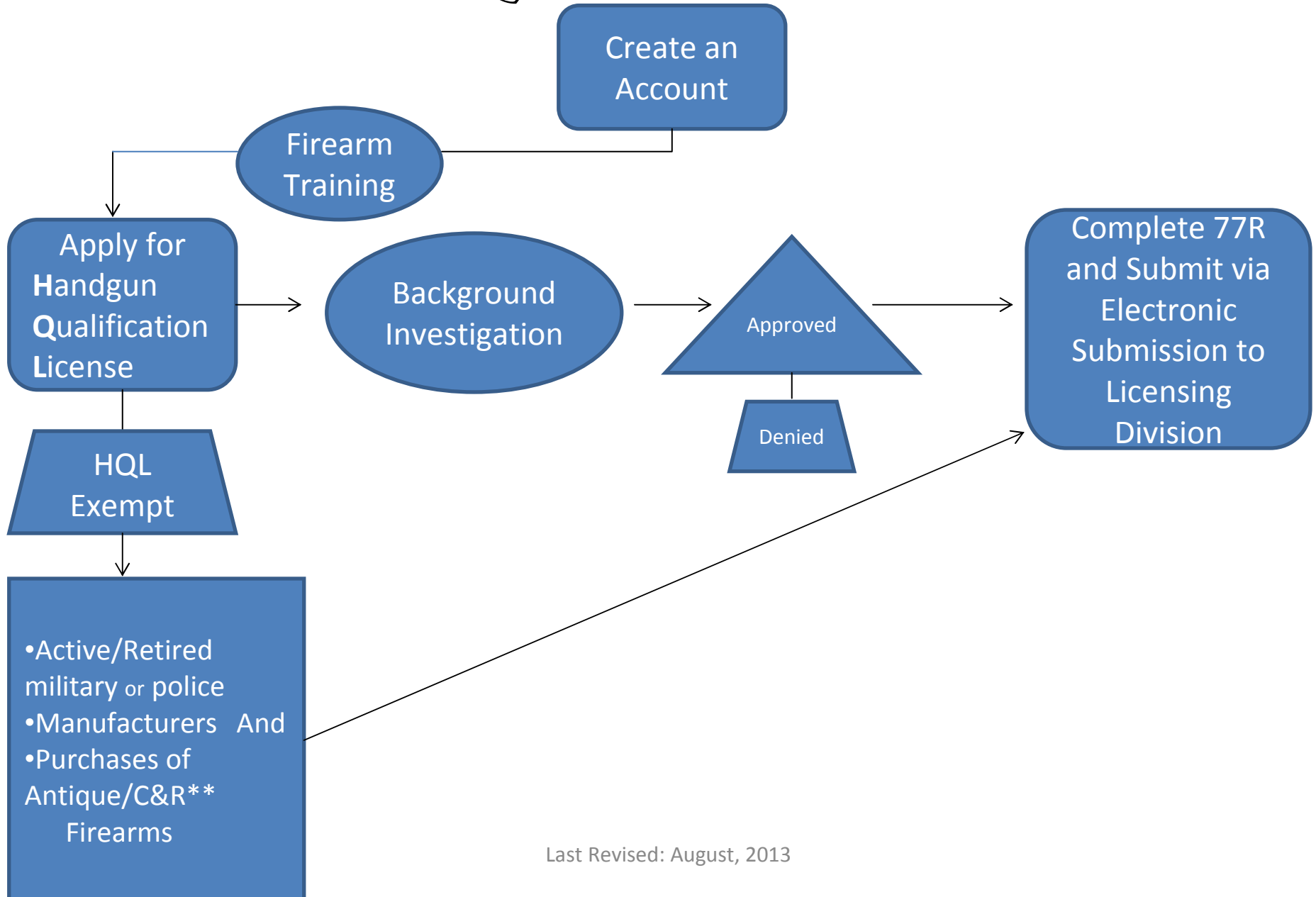


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# HQL Requirements

- Must be 21 years of age
- Is a resident of the State
- Electronic Fingerprint submission
- Is not prohibited by Federal or State law from purchasing or possessing firearms
- Has completed a 4 hour Firearm Safety Training Course approved by the MSP unless exempt
- License valid for 10 years

# HQL Process



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# ATF Baltimore Field Division Industry Operations

Firearms Inspection Best Practices



# Complaints/Inspections and Compliance



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# Duties and Responsibilities

- Compliance/Inspections/Audits
  - 1) Answers questions pertaining to compliance
  - 2) Conducts Dealer inspections
  - 3) Reports repeat deficiencies to the Investigative Unit
  
- Administrative Investigation Unit
  - 1) Investigates complaints referred by the Compliance Unit
  - 2) Conducts background investigations



# Provide Dealer Orientation

- On line resources  
(mdsp.org)
- On line Dealer Manual
- Update Bulletins



# Preparation

- Have all required licenses/permits posted and accessible
- Have the required record of all firearms acquired or transferred, including firearm information and date and time of acquisition or sale readily available for review (A&D book is acceptable)
- Have required dealer copies of the 77R readily available and properly filed chronologically (alphabetically/numerically)

# Dealer Compliance Unit

- Cpl Edwards  
jason.edwards@maryland.gov
- John Porea                      410-653-4434
- Bart McCully                    410-653-4591

We will help you prepare for an Inspection

- ✓ Answering administrative questions
- ✓ Providing Dealer manual
- ✓ On site walk through/pre-inspection

# Inspections

- Require an inspection of 77R applications for proper filing, completeness and legibility.
- These applications require a comparison with our MAFSS print out of recorded transfers
- Provide evidence dealer is notifying buyers of their responsibility to report lost or stolen firearms to law enforcement.
- Providing access to A&D book or similar firearm log and the maintaining of records for 3 years.

# Administrative Investigation Unit

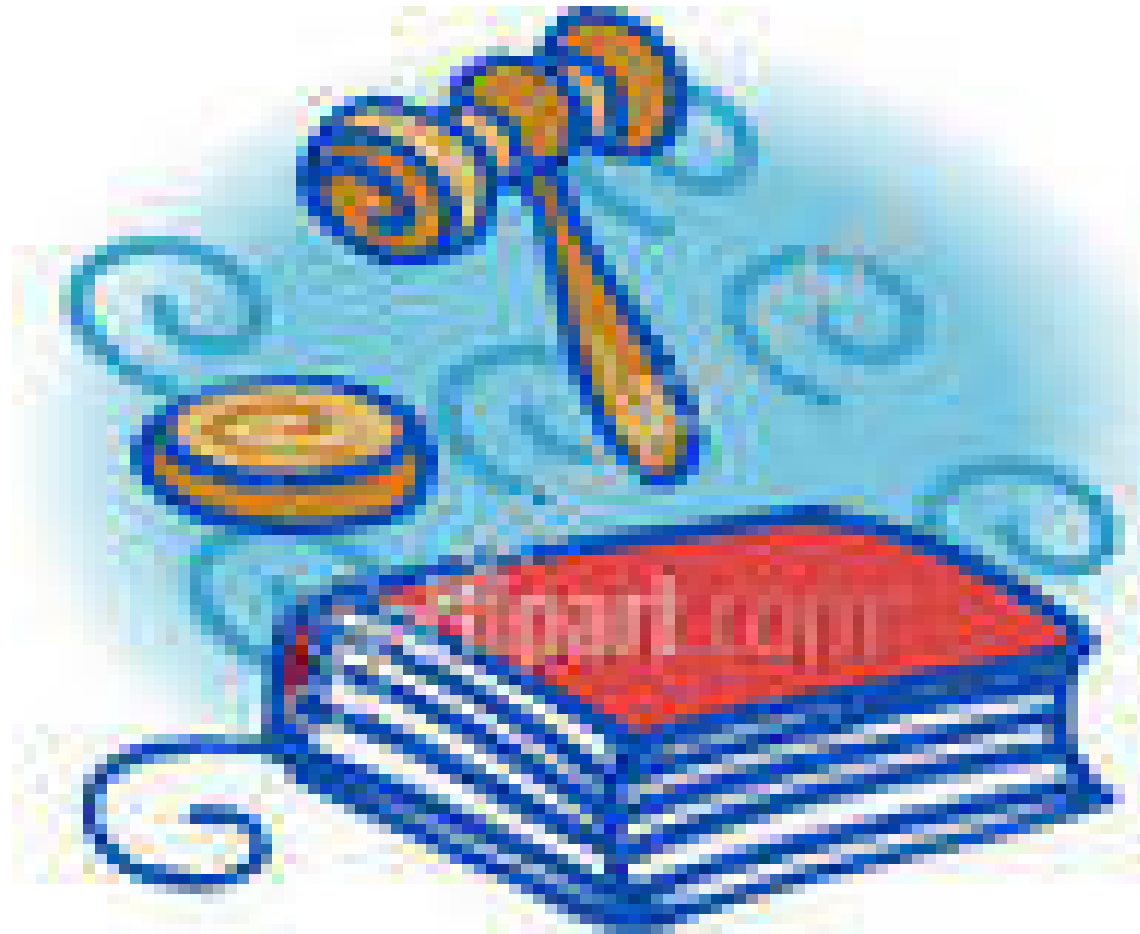
Regional Investigators Assigned to Licensing  
Division

Respond to complaints filed with Licensing  
Division

Sgt Mike Jones      [michaela.jones@maryland.gov](mailto:michaela.jones@maryland.gov)

410-653-4445

It's the Law; You are responsible..



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# Maryland Law

- Public Safety Title 5

<http://www.lexisnexis.com/hottopics/mdcode/>

- Criminal Law Article Title 4

<http://www.lexisnexis.com/hottopics/mdcode/>

- Code of Maryland Regulations Title 29.03

<http://www.dsd.state.md.us/comar/SearchAll.aspx>

- Health-General Article Title 10

<http://www.lexisnexis.com/hottopics/mdcode/>

# Automation

## Short term

- ✓ OnLine Advisories and Updated FAQs ([mdsp.org](http://mdsp.org))
- ✓ Applying for Handgun Qualification License (EGov)
- ✓ Electronic Submission of Applications (Fax Program)

## Long term

- Full Web based application and submission  
Process for Firearm Transfers
- Complete Electronic Billing and Tracking  
System
- Full System Integration with Entire Division



# Thank You for attending the 2013 Dealer Seminar

- Maryland State Police Web Site

<http://mdsp.org/>

- Firearm Registration Email

[msp.firearmsregistration@maryland.gov](mailto:msp.firearmsregistration@maryland.gov)