



**MARYLAND STATE POLICE
LICENSING DIVISION
Handgun Permit Unit
STANDARD OPERATING PROCEDURE**



**PROCESSING OF HANDGUN PERMIT APPLICATIONS – Maryland Law
Enforcement Officers – Active, Former and Retired**

Distribution:	Licensing Division	Index:	29-14-03				
Responsible Unit:	Handgun Permit Section	Rescinds:	None				
DLI Program:	DLI # N/A	MD Code:	Annotated Code of Maryland, Public Safety Article, Title 5, Sub-title 4. COMAR Title 29.03.02.00 - .14				
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.01 Purpose

To establish guidelines and policies for the processing of handgun permit applications for active, former or retired Maryland law enforcement officers and federal law enforcement officers.

.02 Policy

It is the policy of the Maryland State Police Licensing Division that it may accept as a good and substantial reason to wear, carry, or transport a handgun the fact that an applicant for a wear and carry permit is an active, retired or former Maryland law enforcement officer and as such the permit is necessary as a reasonable precaution against the apprehended danger originating from his law enforcement position. This provision is only applicable for former and retired officers so long as the law enforcement officer makes application within one year from separating in good standing from a recognized Maryland law enforcement agency/department and/or the officer has a valid Law Enforcement Officer Safety Act (LEOSA) permit/certification/identification card.

Federal law enforcement officers with valid LEOSA permit/certification/identification card are exempt from the provisions of the Public Safety Article, Title 5, Sub-title 3 and therefore not eligible to apply for a Wear and Carry Permit. All other qualified federal law enforcement officers will be processed according to the policy established for Maryland law enforcement officers.

.03 Definitions

Good Standing – A status of a current law enforcement officer who does not have any open or unresolved administrative complaints relating to his police employment. A status of a former law enforcement officer who was not dismissed from police employment for actions that violated the mission, vision and core values/code of ethics of that agency/department, or that discredited that agency/department, and who did not have any open or unresolved administrative complaints at the time he left police employment.

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Law Enforcement Officers' Safety Act (L.E.O.S.A.) - H.R. 218, enacted July 22, 2004, as Pub. L. 108-277, 118 Stat. 865 (204) and codified as 18 U.S. Code §926B and §926C recognized by the State of Maryland and implemented by the Department of State Police, Licensing Division. The Act permits the nationwide carrying of concealed handguns by qualified current and retired law enforcement officers and amends the Gun Control Act of 1968 (Pub. L. 90-618, 82 Stat. 1213) to exempt qualified current and retired law enforcement officers from state and local laws prohibiting the carry of concealed firearms.

Federal Law Enforcement Officer – defined in Maryland Annotated Code, Criminal Procedure Article, § 2-104 2-104, any officer who may (1) make an arrest with or without a warrant for violations of the United States Code; and (2) carry firearms in the performance of the officer's duties.

.04 CALEA Standards

LE: **Contact Accreditation**

TA:

CM:

.05 Responsibilities

- A. The Commander of Licensing Division, or his designee, is authorized to act on the behalf of the Secretary of the Maryland Department of State Police when administering the laws and regulations established for the processing and issuance of handgun permits.
- B. The Handgun Permit Unit personnel are authorized to act on the behalf of the Commander of Licensing Division when administering the laws and regulations established for the processing and issuance of handgun permits.

.06 Procedures

- A. Initial Handgun Permit Applications – Maryland Law Enforcement Officers – Active, Former and Retired
 - 1. Applications for a Maryland handgun permit submitted by active, retired or former Maryland and federal law enforcement officers will be forwarded to the Licensing Division Handgun Permit Unit.
 - 2. For retired or former Maryland law enforcement officers, so long as the application is submitted within one year from the date the officer either retired in good standing or separated in good standing and/or the officer has a valid LEOSA permit/certification/Identification, the Handgun Permit Unit may accept that the applicant has a good and substantial reason to wear, carry, or transport a handgun as a reasonable precaution against the apprehended danger originating from his/her law enforcement position.
 - 3. For retired or former federal law enforcement officers, who permanently reside in Maryland and who were assigned in Maryland during their employment, so long as the application is submitted within one year from the date the officer either retired in good standing or separated in good standing, the Handgun Permit Unit may accept that the applicant has a

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good and substantial reason to wear, carry, or transport a handgun as a reasonable precaution against the apprehended danger originating from his law enforcement position.

4. Retired or former federal law enforcement officers, who permanently reside in Maryland but were not assigned in Maryland during their employment, and for retired or former out-of-state law enforcement officers who permanently reside in Maryland, the Handgun Permit Unit shall require the applicant provide a good and substantial reason to wear, carry, or transport a handgun as a reasonable precaution against the apprehended danger. Should the applicant fail to produce a good and substantial reason he shall be directed to the Maryland Police & Correctional Training Commission (MPCTC) which may serve as the certifying agency for LEOSA if eligible. MPCTC applications and guidelines may be found on the MPCTC website at mdle.net.
5. For applications submitted by eligible federal, active or former Maryland law enforcement officers, all checks and/or money orders received with the application will be processed in accordance with Department policy.
6. Pursuant to Maryland's Public Safety Article 5-304 (d) no fee will be required of a retired Maryland law enforcement officer.

B. Renewal Handgun Permit Applications – Maryland Law Enforcement Officer – Active, Former and Retired

Should the applicant fail to renew his permit within one year from the date of expiration, and does not possess a valid LEOSA permit/certification/Identification specific documentation to sufficiently authenticate the applicant's good and substantial reason for a handgun permit will be required.

.07 Required Documents

- A. Federal Law Enforcement, Active, Former or Retired Maryland Law Enforcement Officer (ALLIED): The applicant is required to submit a copy of his law enforcement agency identification card and a letter from his department stating he separated, retired or are currently employed in "good standing" and that there are no open/unresolved internal investigations.
 - B. Department of State Police employees are not required to submit a letter; confirmation from the Department will be obtained by Licensing Division employees.
 - C. Eligible federal law enforcement officers will be required to confirm their service/assignment in Maryland. This confirmation may be included in the "letter of good standing" referred to in "A".
 - D. If applicable, a copy of the applicant's valid LEOSA permit/certification/Identification.
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.08 Restrictions/ Handgun Permit Categories

Providing the required documentation parameters are met, the handgun permit language will read as identified in the applicable subsection, consistent with the appropriate handgun permit category.

- A. Personal Protection: NONE (MD ONLY) (Not VALID where firearms are prohibited.)
- B. Police Officer; Active: Off Duty hours while maintaining employment as a police officer with any recognized law enforcement agency. (MD ONLY) (Not VALID where firearms are prohibited.)
- C. Police Officer; Retired: NONE (MD ONLY) (Not VALID where firearms are prohibited.)