

## Common Mistakes and Submission Errors for Maryland State Police Application and Affidavit to Purchase a Regulated Firearm Presented by Sgt. Thomas Heath

## **77**Rs

- What gives us the authority to require the completion of the "Maryland State Police Application and Affidavit to Purchase a Regulated Firearm", otherwise known as the 77R.
  - Public Safety Title § 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

## **77**Rs

- What is the 77R?
  - The 77R is the Maryland State Police Application and Affidavit to Purchase a Regulated Firearm
  - The 77R is used by the Firearms Registration Unit to document
    - Voluntary Registration
    - Inheritance
    - Secondary Sales
    - Dealer Sales
    - Gifts
  - Only Maryland based transactions of regulated firearms will be recorded and reported to the Maryland State Police on the 77R.

## Are you completing your 77R's correctly?

- Are you using the proper Codes on your forms ?
- Are you including all of the information that is required?
- Are you Printing your forms legibly?
- Are you Submitting the application properly?

# Codes

## Back of a current 77R2 form

### **Guidelines for completing Section 4**

- 1. Make enter full make as shown on gun frame or receiver.
- 2. Model enter model name or number as listed by the manufacturer or stamped on the firearm.
- 3. Caliber enter numeric caliber of gun being sold.
- 4. Serial # enter the firearm's serial number (not the manufacturer's stock number).
- 5. Type enter "S" for semi-automatic, "R" for revolver, "X" for assault weapon, or "O" for other.
- Finish enter "B" for blue, "N" for nickel, "S" for stainless steel, "A" for aluminum, "P" for parkerized, or "O" for other.
   Barrel Length enter length of barrel in inches.
- 8. Country of Origin enter the country where the gun was manufactured.

## Codes

We realize that the current 77R form does not include the appropriate coding. The form has been corrected and will be disseminated upon reorder.

- X- Assault Weapon
- O- Other
- A- Semi-Automatic
- S- Single Shot
- R- Revolver

## Complete all the proper fields

- Majority of the applications that we receive are completed properly and completely.
- However we do locate a small volume of problem applications on a regular basis.
- These problem applications contain two main errors.
  - Missing sections
  - Illegible handwriting

## Complete all the proper fields.

# These are the most commonly missed areas when completing the 77R2.

SECTION 4 FIREARM	I INFORMATION (Must Be Compl	eted by Dealer or Tran	sferor) Is the firearm (Circle) NEW or USED
Make:	Model:		Caliber:
Serial #:	Type: Finish:	Barrel length:	Country of Origin:
Handgun Roster: A person m handgun roster. Was t	ay not sell or offer for sale a hand he handgun manufactured after Jar red after January 1, 1985 is it listed	gun manufactured afte nuary 1, 1985?	r January 1, 1985 the state of the constant of
External Safety Lock: A deal 2002, unless the handgun is so	er may not sell, offer for sale, rent, ld, offered for sale, rented, or trans red on or before December 31, 200	or transfer a handgur	manufactured on or before December 31
device.	adgun is sold, offered for sale, rent	ed, or transferred with	ansfer a handgun manufactured on or after an approved integrated mechanical safety ale, rented, or transferred with an approved
Shell Casing: A dealer must for upon the sale, rental, or transfer shipped or transported by a ma licensed as a dealer. For applic	orward a shell casing enclosed in a er of a handgun, including a replace	sealed container to the ment handgun as deso 000 and has not been just complete the follo	e Maryland State Police Crime Laboratory cribed under 27 CFR §478.147, that was sold, rented, or transferred to a person not
Was a shell casing mailed to the		le) YES of NO	
Manufacturer Name: (Manufacturer providing shell casing	FFL # MAY be different from manufacturer of a		Date of Manufacture: / /
			anon #
	Sale 🗆 Gift 🗆 Voluntary Reg		
IDE TONS: The transferee	(purchaser), voluntary registrant or inher	itor must complete D	ans application prior to completing Part 2.
	ee the reverse side or this page for impo		
<b>SECTION 1</b> TRANSFE Driver's License ID #:	REE (PURCHASER) / VOLUNTARY	(Opti	

\_\_\_\_\_ Check if Baltimore City resident 🗆

Occupation:

County: \_\_\_\_\_ State: \_\_\_\_ Zip Code: \_\_\_\_

Middle:

Suffix:

\_\_\_\_\_ First: \_\_\_\_\_

 DOB:
 \_\_\_\_\_/
 \_\_\_\_\_\_
 Place of Birth (City & State):
 \_\_\_\_\_\_\_(Country):
 \_\_\_\_\_\_\_

 Height:
 \_\_\_\_\_\_\_
 Weight:
 \_\_\_\_\_\_\_
 Sex:
 Eyes:
 \_\_\_\_\_\_\_

Maiden Name (if applicable): \_\_\_\_\_\_ Nickname (if applicable): \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_- Work Phone: (\_\_\_\_) \_\_\_\_-

Last Name:

Street Address:

Town/City:

### Can you read these serial numbers?

### SECTION 4 GUN INFORMATION (Must Be Completed By Transferor)

External Safety Lock - A dealer may not sell, offer for sale, rent, or transfer 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. If a handgun, was it manufactured on or before December 31, 2002? (Circle) YES or NO. If the handgun was manufactured on or before December 31, 2002, was it sold, offered for sale, rented, or transferred with an external safety lock? (Circle) YES or NO.

Integrated Mechanical Safety Device - A dealer may not sell, offer for sale, rent or transfer in the State any handgun manufactured after December 31, 2002, unless the handgun has an approved integrated mechanical safety device. If a handgun, was it manufactured after December 31, 2002? (Circle) YES or NO. If the handgun was manufactured after December 31, 2002, is the handgun equipped with an approved integrated mechanical safety device? (Circle) YES or NO.

Handgun Roster: a person may not sell or offer for sale in Maryland a handgun manufactured after January 1, 1985, that is not listed on the handgun roster. If a handgun, was it manufactured after 1985? (Circle) YES or NO. If the handgun was manufactured after 1985, is it listed on the handgun roster? (Circle) YES or NO. Please indicate if gun is (Circle) NEW or USED.

Finish: \_\_\_\_\_Type:\_\_\_\_ Barrel length: Care 1SA Model: Country of Origin:

SECTION 4

**GUN INFORMATION (Must Be Completed By Transferor)** 

External Safety Lock - A dealer may not sell, offer for sale, rent, or transfer 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. If a handgun, was it manufactured on or before December 31, 2002? (Circle) YES or NO. If the handgun was manufactured on or before December 31, 2002, was it sold, offered for sale, rented, or transferred with an external safety lock. If a bandgun, was it sold, offered for sale, rented, or transferred with an external safety lock? (Circle) YES or NO.

Integrated Mechanical Safety Device - A dealer may not sell, offer for sale, rent or transfer in the State any handgun manufactured after December 31, 2002, unless the handgun has an approved integrated mechanical safety device. If a handgun, was it manufactured after December 31, 2002? (Circle) (ES) or NO. If the handgun was manufactured after December 31, 2002, is the handgun equipped with an approved integrated mechanical safety device? (Circle) (ES) or NO.

Handgun Roster: a person may not sell or offer for sale in Maryland a handgun manufactured after January 1, 1985, that is not listed on the handgun roster. If a Fiandgun, was it manufactured after 1985? (Circle) YES or NO. If the handgun was manufactured after 1985, is it listed on the handgun roster? (Circle) YES or NO. Please indicate if gun is (Circle) NEW or USED.

\_\_\_\_\_ Caliber: \_\_\_\_\_ Type:\_\_\_\_\_ Finish:\_\_\_\_\_ Make: \_\_\_\_\_ Barrel length:\_\_\_\_ \_\_\_\_ Country of Origin: Avgenting Serial #: 084749 Model:

If a "new" handgun as defined in Code of Maryland Regulations §29.03.01.01(B)(21), licensed dealers must complete the below section.

- Slide 1 the serial number is GTOCØ24819
- Slide 2 the serial number is D86743

Illegible writing causes:

- A delay in completing background investigations
- 77R to be voided or denied

A trooper is not present at the point of sale and cannot substitute his or her interpretation

- In an effort to help alleviate some of our phone calls and to help prevent incorrect entries use the following guidelines.
  - The letter 'O' and the number zero look similar, for a zero, we ask that you use a slash Ø.
  - The letter 'S' and five also look similar, so please print clearly and underscore the five <u>5</u> to create a distinction.
  - The letter 'I' and one look alike as well. Please use a lower case letter when completing the application and place a flag and base on your one 1.

## Proper completion of 77R for a Lower Receiver

Complete Section 4 of the 77R2 in the following way.

SECTION 4 FIREARM INFORMATION (M. Be Completed by Dealer or Transferor) Is the fire. (Circle) NEW or USED
Make: COLT 6920 Caliber:
Serial #: 0123456 Type: O Finish: B Barrel length: MA Country of Origin: US
Handgun Roster: A person may not sell or over for sale a handgun manufatured after January 1, 1985, unless it is listed on the handgun roster. Was the handgun roster data after January 1, 1977. (Circle) YES or NO
If it was manufactured after Jar (ry 1, 1985 is it listed on the V dgun roster? (Circle) YES or NO or N/A
<b>External Safety Lock:</b> A dealer may not cell, offer for sale, rent, or transferred with an approved external safety lock. 2002, unless the handgun is sold, offer for sale, rented, or transferred with an approved external safety lock. If the handgun was manufactured on before December 31, 2002, s it sold, offered for sale, rented, or transferred with an approved external safety lock? (G the) YES or NO
Integrated Mechanical Safety Device: A dealer may not sell, offer for sale, rent, or transfer a handgun manufactured on or after January 1, 2003, unless the handgun is sold, offered for sale, rented, or transferred with an approved integrated mechanical safety device. If the handgun was manufactured on or after January 1, 2003, was it sold, offered for sale, rented, or transferred with an approved integrated mechanical safety device? (Circle) YES or NO
Shell Casing: A dealer must forward a shell casing enclosed in a sealed container to the Maryland State Police Crime Laboratory upon the sale, rental, or transfer of a handgun, including a replacement handgun as described under 27 CFR §478.147, that was shipped or transported by a manufacturer on or after October 1, 2000 and has not been sold, rented, or transferred to a person not licensed as a dealer. For applicable handguns, a licensed dealer must complete the following information. Was a shell casing included in the box with the handgun? (Circle) YES or NO
Was a shell casing mailed to the Maryland State Police? (Circle) YES or NO
Manufacturer Name: FFL #: Date of Manufacture: / /
(Manufacturer providing shell casing MAY be different from manufacturer of the firearm)

## Collector

- What is a Designated Collector?
  - It is not a License
  - It is not a Permit
  - It does not require a background check
- It is a status granted by the Secretary of the Maryland State Police.
- The application is intended to be completed by a citizen.
- These are not to be faxed to MSP by the dealers. They are to be mailed by the citizen

## Collector

- If a customer advises you that they are a designated collector, they will provide you with their Designated Collectors Letter.
  - It will be on official Maryland State Police
     Letterhead.
  - It will be signed by a representative for the Maryland State Police.
  - You can call us to verify this information if you are unsure.

## Proper Submissions of Secondary Sales

- If you are conducting a Secondary Sale
  - Do not take the gun into your inventory since this will change the sale to a dealer sale.
  - Dealer sales require a NICS number, however Secondary Sales do not.
  - 77R's will continue to be faxed in but additional documentation will also be required.
  - Secondary sale payments must be submitted separate from dealer sales.

## Proper 77R Submission Order

- This information is located on Firearms Registration Section advisory
   LD-FRS – 14-001 Supplement
- All of our section advisories can be found on our website MDSP.org, under the Licensing Division section.

## Proper 77R Submission Order



Maryland State Police Licensing Division ADVISORY LD-FRS – 14-001 Supplement



March 11, 2014

#### UPDATE - New Policy and Procedures for 2014

On January 1, 2014, the Firearms Registration Section announced its intention to integrate automation into its long standing manual processing of the Maryland State Police Application and Affidavit to Purchase a Regulated Firearm (MSP 77R). This supplement is being sent in order to provide licensed firearms dealers, and those who submit the 77R for processing, an update on our progress.

To date, more than 4,000 77Rs have been received by the Maryland State Police using the enhanced process. Overall, licensed dealers have reported favorably on the process upgrades. Despite the initial success, the new system has encountered communication errors between the fax server that receives the 77R image and the tool used by the Firearms Registration Section to view the faxed image.

In order to better control these instances, the below request is being made of our licensed dealers and those who submit 77Rs for processing.

All submitted applications should be faxed to 410-486-6360 in the order listed below.

- 1. Dealer Application Fax Ledger Sheet
- 2. 77R-2
- 3. 77C (if applicable)
- 77R-1 page 1
- 5. 77R-1 page 2
- 6. 77M (if applicable)
- 7. 77R-3

N.I.C.S. re-checks and all other faxes must be faxed to <u>410-653-4036</u>. Strict adherence to this policy is required, and auditors will confirm compliance during their visits/inspections. The Firearms Registration Section is fully capable of meeting our seven-day mandate. As such, we encourage any

## **Contact Information**

Sgt. Thomas Heath Firearms Services Section Maryland State Police 1201 Reisterstown Road Pikesville, Maryland 21208 410-653-4504 (Office) Thomas.Heath@Maryland.gov

### **Cpl. Jason Edwards**

Firearms Registration Unit Supervisor Maryland State Police 1201 Reisterstown Road Pikesville, Maryland 21208 410-653-4508 (Office) Jason.Edwards@Maryland.gov STPR. Lauretta Thompson Designated Collector Supervisor Maryland State Police 1201 Reisterstown Road Pikesville, Maryland 21208 410-653-4507 (Office) Lauretta.Thompson@Maryland.gov

# Firearms Licensing Automation

AUGUST/SEPTEMBER 2014

MARYLAND STATE POLICE KATRICE HOWARD I.T.S.T.S. Agenda

Why Automate?

What's ISABL?

How Does ISABL Work?

What's Next?





# Why Automate?

- Senate Bill 281 Firearm Safety Act of 2013
- 1. Implementation of Handgun Qualification License
- 2. Required Automation of 77R



# What is ISABL?

**ISABL** stands for:

Information System for Applicant Background & Licensing

It's a software tool developed as a interim solution to simplify the background check process performed for Maryland citizens applying to conduct a regulated firearm transaction.



# Why do we need It?

In order to fully understand why the ISABL Viewer is essential you must understand some of the process prior to its inception.

VS





WITHOUT

## Firearms Registration Section With ISABL vs. Without ISABL

### WITH ISABL

- •77R application is electronic and processed at user's desktop.
- •Ability to search for application by Application Number, First Name, Last Name or Dealer Name.
- •Automated Notification to Dealers upon Final Disposition.
- •3 Levels of Quality Assurance performed.

### WITHOUT ISABL

- •FRS received 200 to 300 paper application daily processed by hand.
- Researching any application issues took some time because it was sometimes difficult to locate applications.
- •An employee would physically fax hundreds of Final Dispositions to each dealer daily.
- •One employee reviewing application for errors

# Dealer With ISABL vs. Without ISABL

### WITH ISABL

- •Guarantee NICS number when applicable
- Proper Dealer receives the final disposition.
- •Quicker response time to questions regarding applications.
- •More proficient billing system.

### WITHOUT ISABL

- May have received a fax back with missing or illegible NICS number.
- •May have received a fax back with another Dealer's applicant.
- Researching any application issues took some time because it was sometimes difficult to locate applications.
- •May have been billed incorrectly or never billed at all.



## How does ISABL work?

### **ISABL** Data Entry

Incoming Fax Exit		
Howard, Katrice Application Number: Data Update Dealer:	▼ reate Application And Begin Data Entry	Page     Rotation       *     •
77R Fax All Relevant Pages Processed	Cancel	Preview App PDF
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		MA
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Once the 77R application is faxed from the Dealer an electronic FAX image of the application goes into ISABL's incoming application work queue.

# **ISABL Quality Assurance**

What is Quality Assurance Role?

Why are Quality Assurance Reviews "Built Into" the Process?

Role: QA Quanu Type: Here QA	Jser:	Howard, Katrice				Informati	ion Sharing	for App	licant Backg	round & I	Licensing (I	ISAB&L)	
Land inger     Process       Apploation Md. 118007     App Type:       Desposition:     Rem To QA       NCS #     NCS Dea:       DHMH Number     DHMH Date:       DHMH Number     DHMH Date:       Seriel Number     DBeter Kanne:       Seriel Number     DDB.       Current Age:     45       Date:     Dester:       Seriel Number:     DDB.       Current Age:     45       Date:     Current Age:       Seriel Number:     Process Association								2 5.66				-	1
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How many times are applications reviewed for accuracy and data integrity?



# **ISABL Initial Review**

Background (	Checks:			_										_		_		_		_	
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DHMH	CJIS (MD SID)		Menu (CJIS)		CCH (FBI#) (METERS)		NICS (METERS)		MVA (METERS)		Warrants (METERS)		Stolen Gun		Criminal (JIS)		Not Listed Warrants (JIS	s)	DJS		Application
N/A	N/A	1	N/A		N/A		N/A		N/A		N/A		N/A		N/A		N/A		N/A	1	N/A

Criminal Justice Information System

Judicial Information System (Courts)

Department of Health and Mental Hygiene

Motor Vehicle Administration

National Crime Information Center / NICS Index Interstate Identification Index (FBI #)

Immigration and Customs Enforcement

Department of Juvenile Services

Maryland Warrant

Stolen Gun Check

Application



Parole and Probation

# ISABL Disposition to Dealer

Applicant Name	Dealer Name	Fax: N	lumber	Sernd /	Attempts	Sent: Diate	Create Date	Fax Status	
JAMES DRESSLER	J & J Guns 06	1720 41082	23375			2/11/2014 7:06 AM	2/11/2014 658 AM	Sert	
Notific at	ion Date:	2/11/2014			Origin	al Application Dat	e: 1/5/2014		
	Dealer:	J & J Guns 06	51.			Dealer II	0: 061		
	Name:	JAMES ROBE	ERT DRESS	LEIR	_	SSN(Last 4	I): 3030		
Application	Number:	8007	Date of NI	CS:	1/6/2014	NICS	<b>#:</b> 2H6D <sup>-</sup>		
Disposit	ion Date:	2/11/2014							
Dispos	ition								
Disapprove-d	Prohibited	Disapprove	ed Other	Not D	isapproved	Pending Review	VOID		
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# What Next?

Shell Casings:

- Firearms Registration Section will be capturing all serial numbers from 77R applications and entering them into ISABL.
- Forensic Science Division (FSD) will be utilizing ISABL to log shell casings.
- FSD will be able to....

Search by Application Number, or Serial Number, Make, Model Send a Fax to Dealers if they have not received a shell casing Create real-time reports to gauge their progress



# What Next?

The Automated Licensing and Registration Tracking System (ALRTS):

- Provide Electronic Submission of the 77R as a Web Form
- Provide for Electronic Submission of Payment for Application Processing
- Provide Computerized Work Flow of Application Processing
- Allow Firearms Dealers to Register Electronically with the Maryland State Police
- Incorporate the Super Query
- Incorporate (ideally) the HQL System Currently in Production





# SUCCESS

"It is not the position where you are standing, but which direction you are going."

- Oliver Wendell Holmes

## **Contact Information**



### **Katrice Howard**

Information Technology Systems Technical Specialist Maryland State Police 1201 Reisterstown Road Pikesville, Maryland 21208 410-653-4394 (Office) 410-746-2794 (Cell)

http://www.mdsp.org



## Public Safety§ 5-131. Handgun Identification Requirements (Shell Casings)

Presented by Sgt. Kozlowski

## Why do we collect Shell Casings

- The State of Maryland collects shell casings for all new handguns that are sold in the state.
- Although short barreled rifles and short barreled shotguns are defined as handguns in Public Safety Title 5 § 101, we will not be requiring dealers to collect shell casing from these firearms.
- Public Safety Title 5 §131 requires the submission of the shell casing to the Forensic Sciences Division.
## Automation

 ISABL will change the way that MSP processes the submission and compliance audits as they relate to Handgun identification requirements.
 Dealers will not be affected by these changes.
 Dealers should continue to process 77Rs in the same manner as before.

## Handgun identification requirements

Current practice

 The Licensing Division audits submitted shell casings held by the Forensic Sciences Division against those transactions in Maryland's Automated Firearms Services System.

 Noncompliance letters are sent by Licensing Division to dealers requiring submission.

## Handgun identification requirements

#### New practice

- The Forensics Sciences Division will automatically audit shell casings submitted within ISABL.
- Dealer noncompliance notifications will be automatically sent by the Forensic Sciences Division to dealers.
- The Forensics Sciences Division will provide Licensing Division with information regarding noncompliance, and habitually noncompliant dealers for the possibility of further action.

# What data does the Forensic Sciences Division collect

#### MSP-Forensic Sciences Division Firearm Unit

#### **Required Fields for Maryland Sample Reference Database**

	FIELD NAME	FIELD DETAIL **	NOTES
1	WEAPON SERIAL NUMBER	Alphanumeric, length = 15, special characters = "-"	Available on the first screen FSD sees; FSD will be able to search for applicants by SN (once FRS begins entering SN) FSD should have the ability to edit the SN (since FRS is going from a handwritten copy, and FSD will be going from typed labels)
2	APPLICATION NUMBER	See 77R	Available on the first screen FSD sees; FSD will be able to search for applicants by AppNum
3	DEALER	See 77R	Should autopopulate upon selection of the application number
4	BARCODE	Alphanumeric	Always leads with a C, and then no more than 8 numbers (eg., C0216301)
5	MAKE	Alpha, length = 30, special characters = "&"	Should use Licensing Codes going forward and those field details are already established. (FSD needs a list of the codes) dropdown picklist of FRS codes
6	MODEL	Alphanumeric, length = 10, no special characters	Should use Licensing Codes going forward and those field details are already established. (FSD needs a list of the codes) free text entry field
7	CALIBER	Alphanumeric, length =10, no special characters	Should use Licensing Codes going forward and those field details are already established. (FSD needs a list of the codes)
8	RIFLING CHAR DIRECTION	Picklist	Right Left Polygonal
10	RIFLING CHAR NUMBER	Numeric	Numeric free text field
11	TEST FIRE DATE	Calendar Pick Tool	
12	TEST FIRE TECHNICIAN	Alpha	Alpha free text field
13	STORAGE BOX NUMBER	Numerical, length = 6, no special characters	Place field near the BARCODE field

# What data does the Forensic Sciences Division collect

# Benefits

- Streamlined process
- Quicker auditing
- Improved compliance rates

## Dealer noncompliance notifications (faxed by FSD to dealer)



STATE OF MARYLAND MARYLAND STATE POLICE Licensing Division 1111 Reisterstown Road Pikesville, Maryland 21208 410-653-4500



CUS L. BROWN

MARTIN O'MALLEY

ANTHONY G. BROWN February 24, 2014

Name of Licensee C/O Store Name License # Street City, State Zip

RE: Regulated Firearms Shell Casing Submission

In 2000, Maryland passed the Responsible Gun Safety Act. In part, the Act required handgun manufacturers that ship or transport handguns to the State include with the handgun a shell casing of a projectile fired from that gun. Maryland's Public Safety Article  $\S$  5-131 requires that upon receipt of a handgun from a manufacturer the licensed firearm dealer confirm to the Maryland's tate Police that the manufacturer has complied with this obligation. Therefore, upon the sale, rental, or transfer of a handgun, dealers are required to forward, in a sealed container, to the Maryland State Police Forensic Sciences Division applicable shell casings. These casings and other required information is entered into a relevant State database used in subsequent criminal investigations.

The Maryland State Police Forensic Sciences Division has not received the shell casing associated with the following regulated firearm:

Make: Model:

Caliber: Serial Number:

Please forward the shell casing, along with the blue copy of the Maryland State Police Application and Affidavit to Purchase a Regulated Firearm (77R), immediately to the Forensic Sciences Division, address below. Should you be unable to comply with this requirement, provide proper documentation proving that the shell casing was sent by registered mail, a courier service or delivered in person or is exempt because manufactured overseas. Scnd response to the following:

> Maryland State Police Forensic Sciences Division 221 Milford Mill Road Pikesville, Maryland 21208 Attention: Firearm Tool Mark Unit

Thank you for your attention to this matter. I appreciate your cooperation.

Supervisor, Firearms Registration Section Maryland Department of State Police 410-653-4500

Attachment(s)

"Maryland's Finest"

# Dealer noncompliance notification second notice



MARTIN O'MALLEY

ANTHONY G. BROWN February 24, 2014

RE: Regulated Firearms Shell Casing Submission

Name of Licensee C/O Store Name License # Street City, State Zip STATE OF MARYLAND MARYLAND STATE POLICE Licensing Division 1111 Reisterstown Road Pikesville, Maryland 21208 410-653-4500

#### Second Notice



MARCUS L. BROW

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Attachment(s)

"Maryland's Finest"

# What if you get a notification?

 If you have located the missing shell casing send it immediately to the Forensic Sciences Division.
 – 221 Milford Mill Rd. Pikesville, MD 21208

– Attn: Firearm Tool Mark Unit

 If you believe that you have received a noncompliance letter in error, please send a copy of your certified receipt and or tracking number from the US Postal Service or mail carrier service to the Forensic Sciences Division.

# What if you get a notification?

- If you are unable to locate the missing shell casing, and you do not have a receipt from the US Postal Service or tracking number from a mail courier service.
  - You will receive a letter of noncompliance.
     Subsequent or repeat offenses may result in an inability to renew your dealer's license.

# Habitually Noncompliant

• Bi annually a query will be run by the Forensic Sciences Division to complete the final reconciliation audit report. In addition the Forensic Sciences Division will also run a query on all dealers to determine which dealers have a noncompliance rate of 5% or greater. The Forensic Sciences Division will generate a habitual noncompliance letter for those dealers who meet or exceed this rate of noncompliance. If you are considered to be habitually noncompliant further action may be taken, to include audits, and the possibility of your regulated dealers license not being renewed.

# Shell casing not supplied by manufacturer



#### Maryland State Police Licensing Division ADVISORY LD-FRS-13-005



September 25, 2013

#### MARYLAND LICENSED FIREARM'S DEALERS – High Capacity Magazine Conversion and Shell Casing Submissions

As a result of our recent Statewide 2013 Firearm's Safety Act Seminars, the Maryland State Police Licensing Division has received inquiries regarding the conversion of high capacity magazines, as well as the submission of shell casings when not shipped by the manufacturer.

#### Can an FFL receive into the State a magazine with a capacity of more than 20 rounds, or more than 10 rounds on and after October 1, 2013?

Yes, an FFL MD Regulated Firearm's Dealer may receive into the State a magazine with a capacity of more than 20 rounds, or more than 10 rounds on and after October 1, 2013. However, these magazines may not be sold to a non-exempt Maryland resident in Maryland.

#### Can an FFL dispose of a magazine with a capacity of more than 20 rounds, or more than 10 rounds on and after October 1, 2013 to an out-of-state individual?

Yes, an FFL/MD Regulated Firearm's Dealer may sell and/or offer for sale a magazine with a capacity of more than 20 rounds, or more than 10 rounds on and after October 1, 2013 to an out-of-state individual as long as the sale takes place outside of Maryland.

#### Can an FFL, or an FFL licensed as a Manufacturer, take an existing detachable magazine with the capacity greater than 20 rounds or greater than 10 rounds on and after October 1, 2013 and modify it to comply with the law?

Yes, a Maryland licensed dealer and/or a Maryland licensed dealer, licensed as a Manufacturer, may modify a detachable magazine, as long as once modified, the magazine is not capable of being readily converted back to its original capacity. The Bureau of Alcohol, Tobacco, Firearms & Explosives (B.A.T.F.E.) has explained that since 2005, they no longer regulate large capacity ammunition feeding devices. Therefore, a dealer/manufacturer can "pin"/"block"/"plug" magazines as this is not considered by B.A.T.F.E. as a firearm.

# Shell casing not supplied by manufacturer

LICENSING DIVISION MARYLAND LICENSED FIREARM'S DEALERS High Capacity Magazine Conversion and Shell Casing Submissions ADVISORY LD-FRS-13-005 September 25, 2013

Can an FFL, licensed by the Bureau of Alcohol, Tobacco, Firearms & Explosives (B.A.T.F.E.) as a Manufacturer, supply a shell casing for firearms approved by the Handgun Roster Board that enter the State without a shell casing?

Yes, MD Regulated Firearm's Dealers may have a Manufacturer, licensed by the B.A.T.F.E., supply the shell casing for firearms approved by the Handgun Roster Board anytime the firearm enters the State without a shell casing. The manufacturer should complete the required information on the form prior to submitting the casing to the Maryland State Police Forensic Sciences Division, as described below:

<u>Date Handgun Manufactured</u>: The MD Dealer selling the firearm shall complete this section of the 77R by inserting the date the firearm was fired by the B.A.T.F.E. licensed manufacturer who collected the shell casing.

<u>Was a shell casing included in the box with the handgun?</u> The MD Dealer selling the firearm shall complete this section of the 77R, circling YES.

<u>Name of Manufacturer</u>: The MD Dealer selling the firearm shall complete this section of the 77R by inserting the name of the B.A.T.F.E. licensed manufacturer who fired the firearm and collected the shell casing.

<u>FFL#</u>: The MD Dealer selling the firearm shall complete this section of the 77R by inserting the Federal Firearm's License number, of the B.A.T.F.E. licensed manufacturer, who fired the firearm and collected the shell casing.

# Shell casing not supplied by manufacturer

• Excerpt from advisory.

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## Contacts

#### Maryland State Police

Sgt. James Kozlowski Email: <u>James.kozlowski@maryland.gov</u> (Email is preferred) Phone: 410-653-4448

#### **Forensic Sciences Division**

Dorothy Vernoy, Firearms/Toolmarks Unit Email: <u>dorothy.vernoy@maryland.gov</u> (Email is preferred) Phone: 443-357-1300

Zach Suber, Firearms/Toolmarks Unit Email: <u>torin.suber@maryland.gov</u> Phone: 443-357-1462

(Email is preferred)

#### **QUESTIONS?**

## **Billing Guidelines and Procedures**

#### Presented by Cpl. Donald Pickle

#### Public Safety Title 5-118. Firearm Application

New processing system for 77R's - ISABL

- 77R is still faxed
- Full automation is still at least a year away
- Electronic payment is still at least a year away
- ISABL includes a billing, invoicing and reconciliation function

## Reconciliation

ISABL is not the final automation as provided for by the Firearms Safety Act of 2013.

- Currently we are comparing our previous billing system with ISABL in order to locate the unpaid bills.
  - 2013- 129,451 transactions
  - 25,000 Reconciled and 104,000 to go

Thank you for your continued patience.

#### Public Safety Article § 5-120. (C) Fees

The licensee or designated law enforcement agency shall forward the \$10 application fee with the firearm application to the Secretary.

- Licensing Division will send a monthly invoice
- May receive more than one invoice for a single month

#### **Invoice Reminders**

- Payment is due 15 days from the date of the invoice.
- These are calendar days. If you receive your invoice on 1/5/2014, your payment is due on 1/20/2014.
   Olf your due date falls on a Sunday or State recognized holiday, your due date will be extended to the following day.
   OYour payment must be postmarked by the due date.

### Penalties

- COMAR, Title 17, .01.01.07, State agencies are mandated to turn over any uncollected account to the Central Collection Unit of the Department of Budget and Management with an additional 17% collection fee added to the amount owed plus other late fees deemed necessary.
- COMAR 29.03.01.50.C(5) The Secretary shall revoke a dealer's license if the dealer: Has sold, rented, transferred, transported, delivered, or acquired a regulated firearm without complying with all applicable State laws and regulations.

## **Notification Requirements**

- First Notice
- Second Notice
- Final Notice
- Notice of Revocation

## **Notification Requirements**

Licensing Division Firearms Registration Unit 1111 Reisterstown Rd. Pikesville, MD 21208

5/15/2014

#### NOTICE OF LICENSE REVOCATION

Dealer (Licensee) Name Dealer (Store) Name and Dealer ID Number Dealer Address

Dear Dealer (Licensee) Name,

This letter is to inform you that you have violated Maryland Public Safety Article § 5-120. (c) Fees. – The licensee or designated law enforcement agency shall forward the \$10 application fee with the firearm application to the Secretary. Pursuant to COMAR 29.03.01.50.C(5) – The Secretary shall revoke a dealer's license if the dealer. Has sold, rented, transferred, transported, delivered, or acquired a regulated firearm without complying with all applicable State laws and regulations.

Despite 3 attempts over the last 90 days to collect your outstanding balance, we have yet to receive your payment. Your outstanding balance dated 1/1/2014 through 1/31/2014 in the amount of \$00.00 is past due. Effective (*date 5 days from letter date*), your Firearms Dealer's License will be <u>REVOKED</u> and you will no longer be able to conduct business in the State of Maryland.

Contact me at **410-653-4560** or <u>donald.pickle@maryland.gov</u> or Christy Fair at **410-653-4584** or <u>christy.fair@maryland.gov</u> should you have any questions related to this matter.

Sincerely,

Donald R. Fickle, Jr.

Corporal Donald R. Pickle, Jr. Regulatory Compliance Supervisor

## **Backlog and Billing**

- Backlog Phase 1
   Application Processing
   Completed
- Backlog Phase 2
  - Firearms transferred in MAFSS
  - Quality assurance
    - Nearing completion

## **Backlog and Billing**

- Backlog Phase 3
  - Comparing each completed application to our billing system and invoicing
    - You may see multiple bills for the same month
    - These are not "failure to pay" notifications

## **Reconciliation of 2013**

Reconciliation of 2013 can not be completed until all applications received in 2013 are verified in our billing system.
Invoices will be sent as we reconcile
Invoices may be for a single application or for multiple months

### Secondary Sales through Dealers

 Procedures O Will continue to be faxed in Oltems required to be submitted with application: Photocopy of buyer's identification (photographic) Photocopy of seller's identification (photographic) Photocopy of HQL (if applicable) Either a photocopy of the check or money order used to complete the transaction

### Secondary Sales through Dealers

- Secondary sale payments *must be submitted* separate from dealer sales
- After the completion of the secondary sale, payment must accompany the MSP 77R hard copy



### **Common Errors**

- Failing to send invoice with payment
- Failing to send payment on time
- Sending partial payments
- Outstanding payment amount crossed out
- Failing to update phone / fax numbers
- Faxing correspondences into the 77R fax number
  - 410-486-6360 77Rs only
  - 410-653-4036 All other correspondences

# **Contact Information**

**Cpl. Donald Pickle** Supervisor of Regulatory Compliance Unit Maryland State Police 1201 Reisterstown Road Pikesville, Maryland 21208 410-653-4560 (Office) Donald.Pickle@Maryland.gov

#### **Christy Fair**

Fiscal Accounts Clerk Maryland State Police 1201 Reisterstown Road Pikesville, Maryland 21208 410-653-4584 (Office) Christy.Fair@Maryland.gov Cpl. Joseph Durkee Assistant Supervisor of Firearms Registration Maryland State Police 1201 Reisterstown Road Pikesville, Maryland 21208 410-653- 4560(Office) 410-865-3927 (Surge) Joseph.Durkee@Maryland.gov

Nicole Stoddart Office Service Clerk Maryland State Police 1201 Reisterstown Road Pikesville, Maryland 21208 410-653-4596 (Office) Nicole.Stoddardt@Maryland.gov

# Handgun Qualification License

Presented by Cpl. William Rasinski

# **HQL** Status

HQL YTD	Total of All Applications Submitted	Applications R eady for Review	Denied / Withdrawn Applications	Applications Approved	Total Mailed
HQL Standard	4290	210	96	3984	
HQL Permit Exempt	2461	10	46	2405	
HQL Training					
Exempt	8849	253	63	8533	
Totals	15600	473	205	14922	14831

# Public Safety § 5-117.1. Handgun Qualification License.

- The Maryland State Police is granted authority to enforce the Handgun Qualification License under Public Safety Article 5-117.1(b)
  - A dealer or any other person may not sell, rent, or transfer a handgun to a purchaser, lessee, or transferee unless the purchaser, lessee, or transferee presents to the dealer or other person a valid handgun qualification license issued to the purchaser, lessee, or transferee by the Secretary under this section.

# Who Needs an HQL

- Anyone who is purchasing a handgun needs a Handgun Qualification License unless you meet one of the exemptions
  - You are retired or active duty United States Military
  - You are a retired in good standing, or active police officer for this State or a Federal agency
  - You are a regulated firearms dealer and a sole proprietor
  - You are a firearms manufacturer
  - You are purchasing a Curio and Relic handgun

# Who qualifies retired military?

- The following link lists the various types of military ID cards that are issued, and why they are issued.
- This link is also located on the MDSP.org website.
  - <u>http://www.cac.mil/uniformed-services-id-card/</u>

# Who qualifies as retired military?

CARD TYPE		RECIPIENTS
AND LOCAL OF DELIVER LATE WARDEN	<b>DD Form 2 (Reserve)</b> Armed Forces of the United States Geneva Conventions Identification Card	<ul> <li>Members of the Individual Ready Reserves and Inactive National Guard</li> </ul>
AND TATEL INFORMATION SECOND	DD Form 2 (Retired) United States Uniformed Services Identification Card	<ul> <li>Retired members entitled to retired pay</li> <li>Members on the Temporary Disability Retired List (TDRL)</li> <li>Members on the Permanent Disability Retired List (PDRL)</li> </ul>
THE PART AND THE P	DD Form 2 (Reserve Retired) United States Uniformed Services Identification Card	<ul> <li>Retired members of the Reserves and National Guard under the age of 60</li> </ul>
# Who qualifies as retired military?



#### **DD Form 2765**

Department of Defense/Uniformed Services Identification and Privilege Card

- Medal of Honor recipients
- 100% disabled veterans
- Former members in receipt of retired pay
- Transitional Health Care Member (TAMP)
- Area Executives, Center Directors, and Assistant Directors of the USO when Serving OCONUS
- United Seaman's Service (USS) Personnel OCONUS
- Officers and Crews of MSC Vessels deployed to foreign countries
- Select Employer Support of the Guard and Reserve (ESGR) personnel
- Other benefits-eligible categories as described in DoD policy

### Who is exempt?

- If the individual is issued:
  - A DD 2 qualify as exempt
  - A DD 2765 qualify as exempt

# Dependents do not qualify as retired military



#### DD Form 1173

United States Uniformed Services Identification and Privilege Card

- Dependents of: active-duty servicemembers of the regular components; Reserve component servicemembers on active duty for more than 30 days; retirees; Medal of Honor recipients; former members in receipt of retired pay; Transitional Health Care Members (TAMP); 100% Disabled Veterans (DAV); and Ship's Officers and Crewmembers of NOAA Vessels
- Surviving dependents of: active-duty and retired military members; Medal of Honor recipients; and 100% Disabled Veterans (DAV)
- Accompanying family members of authorized civilian personnel overseas or in CONUS, HI, or AK when required to reside on a military installation
- Eligible dependents of foreign military
- Other benefits-eligible categories as described in DoD policy



#### DD Form 1173-1

United States Uniformed Services Identification and Privilege Card (Guard and Reserve family member)

- Dependents of: Reserve members not on Active Duty or in receipt of retired pay; former members not in receipt of retired pay; Reserve servicemembers who die after receipt of NOE
- Other benefits-eligible categories as described in DoD policy

# Are retired police officers exempt?

- The exemption only count towards
  - Police officers who were employed by a Maryland law enforcement agency or were employed by a Federal Agency.
  - The officer must have retired in good standing from their agency.
    - They must have carried a weapon for duty purposes
    - Enforced State or Federal laws
    - Been able to conduct a warrantless arrest
  - If the applicant only meets a portion of these requirements they are not exempt.

### Dealers

- While conducting the duties and course of business a HQL is not needed by the regulated firearms dealer.
- If the Dealer is a sole proprietor they are also exempt from needing a HQL while conducting personal transactions.
- However if the Dealer is anything but a sole proprietor they will need an HQL for personal firearm transaction

### Manufacturer

• The federal designation of manufacturer that is given to FFLs will also make an individual exempt.

#### HQL exempt weapons

- Long guns- since they are not regulated by the State and they are not handguns.
- Lower receivers- they are not handguns
- Curio and Relics- [<u>18 U.S.C 27 CFR 478.11</u>]

### **Curio and Relics**

- Firearm curios or relics include firearms which have special value to collectors because they possess some qualities not ordinarily associated with firearms intended for sporting use or as offensive or defensive weapons. To be recognized as curios or relics, firearms must fall within one of the following categories:
  - Have been manufactured at least 50 years prior to the current date, but not including replicas thereof; or
  - Be certified by the curator of a municipal, State, or Federal museum which exhibits firearms to be curios or relics of museum interest; or
  - Derive a substantial part of their monetary value from the fact that they are novel, rare, bizarre, or from the fact of their association with some historical figure, period, or event.

# The HQL

- If you are performing the sale of a handgun and an HQL is required
  - The applicant must have the card present.
  - You can not complete any paperwork without the HQL being physically present or the applicant being exempt at the time of the transaction
  - Layaways and deposits, do not constitute a sale or a transfer
  - An HQL is not required to rent a firearm for use at a range
  - An HQL is not required to look at or handle a firearm at a gun store

### Rentals

- Many people have contacted the Licensing Division to ask about the term "rent" in the law.
  - Rent is defined under Public Safety Title 5§101(s)
  - "Rent" means the temporary transfer for consideration of a regulated firearm that is taken from the property of the owner of the regulated firearm

#### Transfers that are HQL exempt

- Voluntary registrations
  - The HQL is required when an individual participates in a transfer of a handgun, and they are not exempt or the handgun is not exempt. Individuals who already owned the weapon prior to the Firearms Safety Act of 2013 can participate in a voluntary registration. Since the applicant already owns the handgun they do not need an HQL.

#### Transfers that are HQL exempt

- Inheritances
  - This type of application will occur after the Firearms Safety Act of 2013, and the applicant did not already own the firearm.
  - However this type of transfer is listed as an exemption under Public Safety § 5-102(8) so no HQL is needed.

# Qualified Handgun Instructor

- Qualified Handgun Instructors are processed by the Handgun Qualification License unit
- Qualified Handgun Instructors are individuals who are recognized by the State as meeting the criteria that is necessary to teach handgun courses.
- If an individual in recognized as a Qualified Handgun Instructor they are able to teach any firearms course that is mandated in the law by the State.
  - Handgun Permit Initial application
  - Handgun Permit Renewal application
  - Handgun Qualification License

### **Qualified Handgun Instructors**

- A list of active Qualified Handgun Instructors can be found on our website at <u>www.mdsp.org</u>
- Currently we have:
  - Qualified Handgun Instructor Certificate- 387
  - Qualified Handgun Instructor License- 223

#### **Contact Information**

#### **Cpl. William Rasinski** Handgun Qualification License Supervisor Maryland State Police 1201 Reisterstown Road Pikesville, Maryland 21208 410-653-4465 (Office) <u>William.Rasinski@Maryland.gov</u>

#### Cpl. Raymond Hale

Handgun Qualification Investigator Maryland State Police 1201 Reisterstown Road Pikesville, Maryland 21208 410-653-4466 (Office) Raymond.Hale@Maryland.gov **Cpl. Michael Smith** Handgun Qualification Assistant Supervisor Maryland State Police 1201 Reisterstown Road Pikesville, Maryland 21208 410-653-4563 (Office) <u>Michaela.Smith@Maryland.gov</u>