

## State Dealer Licensing & Security Laws

## FAST FACTS

Retailers of firearms and ammunition are among the most heavily regulated businesses in the United States. Under federal law, all firearm retailers are required to obtain a license from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). On top of stringent federal regulations, many states also regulate these businesses. With restrictions ranging from licensing to background checks to recordkeeping, state regulations vary dramatically.

### Retailer Licensing Mandates

FFLs who are retailers, or dealers, face unique rules in 25 states. In fifteen states and the District of Columbia, federally-licensed firearms retailers are required to obtain state licenses as well. The following is a brief comparison of the major features of state licensing regulations.

States Requiring Firearms Retailer Licensing	
Alabama	Required only for the sale of handguns. Licenses are issued by local governments and are valid for one year. Ala. Code § 13A-11-78.
California	Required for sale of all firearms. Retailers must demonstrate possession of 1) any required local government licenses, 2) a seller's permit issued by the State Board of Equalization and 3) a state Department of Justice certificate of eligibility. The state Department of Justice maintains a list of all licensees. Licenses must be renewed annually. Cal. Penal Code § 26500.
Connecticut	Required for everyone that sells ten or more handguns per year. Permits to sell are issued by the chief of police, warden of a borough or first selectman of a town in accordance with local zoning requirements. Conn. Gen. Stat. § 29-28(a).
Delaware	Required for the sale of pistols, revolvers or "other deadly weapons made especially for the defense of one's person" Del. Code Ann. tit. 24, § 901.
District of Columbia	Required for sale of all firearms. The license is issued by the Chief of Police and is valid for one year, subject to numerous location restrictions. D.C. Code Ann. § 7-2504.02.
Hawaii	Required for sale of all firearms. The state license must be renewed annually and may be revoked in cases of national emergencies, failure to comply with laws including allowing physical inspection of the retailer's firearms by the local chief of police. Haw. Rev. Stat. Ann. § 134-31.
Indiana	Required for sale of handguns. The license is issued by the state police after an investigation into the retailer's "character and reputation" by the local sheriff. Ind. Code Ann. § 35-47-2-14, 35-47-2-15(a), (b).
Maryland	Required for certain specified firearms including handguns and certain modern sporting rifles. The license is issued by the Secretary of State Police and must be renewed annually. Retailers must be inspected by the state police at least once every two years. Md. Code Ann., Pub. Safety § 5-106(a).
Massachusetts	Required for sale of all firearms. The license is issued by a city or town police department after an investigation into the retailer's criminal history. Retailers are not allowed to operate out of a residence. The licensing authority must conduct one records and inventory inspection of each retailer annually. A separate license is required to sell ammunition. Both types of licenses expire after three years. Mass. Gen. Laws ch. 140, §§ 122, 128.
New Hampshire	Required for sale of handguns. The license is issued by the selectman of a town or chief of police of a city and is valid for three years. N.H. Rev. Stat. Ann. § 159:8.

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New Jersey	Required for sale of all firearms. Before a license is issued, the Superintendent of the New Jersey State Police investigates the retailer, then forwards the application to a superior court judge in the retailer's county for a decision. Licenses are valid for three years. N.J. Stat. Ann. § 2C:58-2 and N.J. Admin. Code §§ 13:54-3.3, 13:54-3.4, and 13:54-3.7
New York	Required for certain specified firearms including all handguns, certain modern sporting rifles, and high capacity magazines. The license is issued by the city or county where the retailer is located and is valid for three years. N.Y. Penal Law §§ 265.00(9), 400.00.
Pennsylvania	Required for sale of all firearms. The license is issued by the chief law enforcement official and is valid for three years. 18 Pa. Cons. Stat. Ann. § 6113(a)
Rhode Island	While state law requires a license for all firearms retailers, the law only provides a mechanism for the licensing of retailers selling handguns. The state license is valid for up to one year. R.I. Gen. Laws §§ 11-47-38 and 11-47-39.
Washington	Required for sale of all firearms and ammunition. Licenses are issued by state and local licensing authorities and are valid for one year. Wash. Rev. Code Ann. § 9.41.110
Wisconsin	Although no state license or permit is required, all retailers selling handguns must register with the state Department of Justice. Wis. Admin. Code Jus § 10.04(1)

### Retailer Security Requirements

Security is always a top priority for firearms and ammunition retailers. Facing lost or stolen inventory is a concern for any business. When the business is a firearms retailer, the issue becomes paramount. The National Shooting Sports Foundation encourages retailers to use best practices when it comes to securing their products. Additionally, eight states and the District of Columbia have enacted laws with specific one-sized-fits-all measures retailers must follow, regardless of the individual needs and situations of the retailers in these states.

States Requiring Firearm Retailer Security Measures	
California	When the retailer is not open for business, firearms must be secured and stored on the business's premises in accordance with detailed state regulations. Ammunition must also be kept inaccessible to customers without assistance of the retailer. Retailers are prohibited from displaying a handgun (or an imitation handgun) or an advertisement of a handgun for sale where it may be seen from outside of the premises. Local governments may impose additional requirements. Cal. Penal Code § 26890.
Connecticut	Retailers must have alarm systems installed which connect directly to the local law enforcement agency or a monitoring company. Conn. Gen. Stat. § 29-37d.
District of Columbia	Retailers are prohibited from displaying any firearm or ammunition where it may be seen from outside of the premises. All firearms and ammunition must be kept securely locked and "affixed" to the premises unless it is being shown to a customer or being repaired. D.C. Code Ann. § 7-2504.07(a).
Massachusetts	Retailers are prohibited from displaying any firearm where it may be seen from outside of the premises. Mass. Gen. Laws ch. 140, § 123 (Fourth).
Minnesota	Outside of business hours, retailers that display 50 handguns or less at a time are required to lock all handguns in anchored safes, steel gun cabinets or with a steel cable through all trigger guards. The state Commissioner of Public Safety sets minimum security requirements for all retailers including alarm systems. Minn. Stat. § 624.7161, subd. 2. And Minn. R. 7504.0200—7504.0500.

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States Requiring Firearm Retailer Security Measures	
New Jersey	Retailers are prohibited from displaying a firearm, imitation firearm, or ammunition where it may be seen from outside the premises. It is also mandatory to install a system “for the prevention and detection of the theft of firearms or ammunition,” after submitting the planned security system to the State Police for approval. Retailers are also required to implement security and storage measures for firearms and ammunition within the premises. N.J. Admin. Code §§ 13:54.
Pennsylvania	Retailers are prohibited from displaying a firearm where it may be seen from outside of the premises. Under the discretion of the Pennsylvania State Police, when there is a clear danger to public safety, retailers are required to follow specified storage regulations for firearms and ammunition outside of business hours. 37 Pa. Code §§ 31.101-31.106.
Rhode Island	Retailers are prohibited from displaying a handgun, imitation handgun, or handgun advertising where it may be seen from outside the premises. R.I. Gen. Laws § 11-47-40(b).
West Virginia	Retailers are prohibited from displaying a firearm or ammunition where it may be seen from outside the premises. W. Va. Code § 61-7-10(a)(1).

