

COUNCIL OF THE DISTRICT OF COLUMBIA

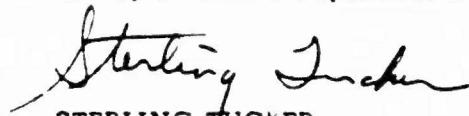
NOTICE

D.C. Law 1-85--"Firearms Control  
Regulations Act of 1975".

September 24, 1976

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, PL 93-198 (the Act), the Council of the District of Columbia adopted Bill No. 1-164 on first and amended first readings May 3, 1976 and May 18, 1976; on second readings June 15, 1976 and reconsideration of second readings on June 29, 1976. Following the signature of the Mayor on July 23, 1976, this legislation was assigned Act No. 1-142, published in the August 10, 1976, edition of the D.C. Register, and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review periods has expired and, therefore, cites the following legislation as D.C. Law 1-85, effective September 24, 1976.



STERLING TUCKER  
Chairman of the Council

(Ref. 23, D.C. Reg. 1091, August 10, 1976)

AN ACT

1-142

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA"

July 23, 1976

To protect the citizens of the District from loss of property, death, and injury, by controlling the availability of firearms in the community.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,  
That this act may be cited as the "Firearms Control  
Regulations Act of 1975".

Sec. 2. Findings and purpose.

The Council of the District of Columbia finds that in order to promote the health, safety and welfare of the people of the District of Columbia it is necessary to:

- (1) Require the registration of all firearms that are owned by private citizens;
- (2) Limit the types of weapons persons may lawfully possess;
- (3) Assure that only qualified persons are allowed to possess firearms;
- (4) Regulate deadly weapons dealers; and
- (5) Make it more difficult for firearms, destructive devices, and ammunition to move in illicit commerce within the District of Columbia.

TITLE I - DEFINITIONS

Sec. 101. As used in this act the term -

(1) "Acts of Congress" means (A) an Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons, in the District of Columbia (Dangerous Weapons Act), as amended, approved July 8, 1932 (D.C. Code, sec. 22-3201, et seq.); (B) Omnibus Crime Control and Safe Streets Act of 1968, as amended (Title VII, Unlawful Possession or Receipt of Firearms (82 Stat. 236; 18 U.S.C. Appendix)); and (C) an Act to Amend Title 18, United States Code, to Provide for Better Control of the Interstate Traffic in Firearms Act of 1968 (82 Stat. 1213; 18 U.S.C. 921, et seq.).

(2) "Ammunition" means cartridge cases, shells, projectiles (including shot), primers, bullets, propellant powder, or other devices or materials designed, redesigned, or intended for use in a firearm or destructive device.

(3) "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 (1) if such replica-

(1) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or

(ii) uses rimfire or conventional ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

(4) "Chief" means the Chief of Police of the Metropolitan Police Department of the District of Columbia or his designated agent.

(5) "Crime of Violence" means a crime of violence as defined in section 1 of the Act of July 8, 1932, as amended (D.C. Code, sec. 22-3201), committed in any jurisdiction, but does not include larceny or attempted larceny.

(6) "Dealer's license" means a license to buy or sell, repair, trade, or otherwise deal in firearms, destructive devices, or ammunition as provided for in Title IV of this Act.

(7) "Destructive device" means -  
(A) an explosive, incendiary, or poison gas bomb, grenade, rocket, missile, mine, or similar device;  
(B) any device by whatever name known which will, or is designed or redesigned, or may be readily converted or restored to expel a projectile by the action of

an explosive or other propellant through a smooth bore barrel, except a shotgun.

(C) any device containing tear gas or a chemically similar lacrimator or sternutator by whatever name known;

(D) any device designed or redesigned, made or remade, or readily converted or restored, and intended to stun or disable a person by means of electric shock;

(E) any combination of parts designed or intended for use in converting any device into any destructive device; or from which a destructive device may be readily assembled:

Provided, That the term shall not include -

(i) any pneumatic, spring, or B-B gun which expels a single projectile not exceeding .18 inch in diameter;

(ii) any device which is neither designed nor redesigned for use as a weapon;

(iii) any device originally a weapon which has been redesigned for use as a signaling, line throwing, or safety device; or,

(iv) any device which the Chief finds is not likely to be used as a weapon.

(8) "District" means District of Columbia.

(9) "Firearm" means any weapon which will, or is designed or redesigned, made or remade, readily converted or restored, and intended to, expel a projectile or projectiles by the action of an explosive; the frame or receiver of any such device; or any firearm muffler or silencer: Provided, That such term shall not include -

- (A) antique firearms; and/or
- (B) destructive devices;
- (C) any device used exclusively for line throwing, signaling, or safety, and required or recommended by the Coast Guard or Interstate Commerce Commission; or
- (D) any device used exclusively for firing explosive rivets, stud cartridges, or similar industrial ammunition and incapable for use as a weapon.

(10) "Machine gun" means any firearm which shoots, is designed to shoot, or can be readily converted or restored to shoot:

- (A) automatically, more than one shot by a single function of the trigger;
- (B) semiautomatically, more than twelve shots without manual reloading.

(11) "Organization" means any partnership, company, corporation, or other business entity, or any group or

association of two or more persons united for a common purpose.

(12) "Pistol" means any firearm originally designed to be fired by use of a single hand.

(13) "Registration certificate" means a certificate validly issued pursuant to this act evincing the registration of a firearm pursuant to this act.

(14) "Rifle" means a grooved bore firearm using a fixed metallic cartridge with a single projectile and designed or redesigned, made or remade, and intended to be fired from the shoulder.

(15) "Sawed-off shotgun" means a shotgun having a barrel of less than 18 inches in length; or a firearm made from a shotgun if such firearm as modified has an overall length of less than 26 inches or any barrel of less than 18 inches in length.

(16) "Shotgun" means a smooth bore firearm using a fixed shotgun shell with either a number of ball shot or a single projectile, and designed or redesigned, made or remade, and intended to be fired from the shoulder.

(17) "Short barreled rifle" means a rifle having any barrel less than 16 inches in length, or a firearm made from a rifle if such firearm as modified has an overall length of less than 26 inches or any barrel of less than 16 inches.

(18) "Weapons offense" means any violation in any jurisdiction of any law which involves the sale, purchase, transfer in any manner, receipt, acquisition, possession, having under control, use, repair, manufacture, carrying, or transportation of any firearm, ammunition, or destructive device.

**TITLE II - FIREARMS AND DESTRUCTIVE DEVICES**

Sec. 201. Registration Required. (a) Except as otherwise provided in this act, no person or organization shall within the District receive, possess, have under his control, transfer, offer for sale, sell, give, or deliver any destructive device, and no person or organization shall, within the District possess or have under his or its control any firearm, unless such person or organization is the holder of a valid registration certificate for such firearm. In the case of an organization, a registration certificate shall be issued (1) only to an organization which has in its employ one or more commissioned special police officers or other employees licensed to carry firearms, and which arms such employees with firearms during such employees duty hours and (2) only to such organization in its own name and in the name of its president or the chief executive.

(b) Subsection (a) shall not apply to -

(1) Any law enforcement officer or agent of the District or the United States, or any law enforcement officer or agent of the government of any State or subdivision thereof, or any member of the Armed Forces of the United States, the National Guard or Organized Reserves, when such officer, agent, or member is authorized to possess such a firearm or device while on duty in the performance of official authorized functions.

(2) Any person holding a dealer's license; Provided, That the firearm or destructive device is -

(A) acquired by such person in the normal conduct of business;

(B) is kept at the place described in the dealer's license; and

(C) is not kept for such person's private use or protection, or for the protection of his business.

(3) With respect to firearms, any non-resident of the District participating in any lawful recreational firearm-related activity in the District, or on his way to or from such activity in another jurisdiction; Provided, That such person, whenever in possession of a firearm, shall upon demand of any member of the Metropolitan Police Department, or other bona fide law enforcement officer,

exhibit proof that he is on his way to or from such activity, and that his possession or control of such firearm is lawful in the jurisdiction in which he resides: Provided further, that such weapon shall be unloaded, securely wrapped, and carried in open view.

Sec. 202. Unregisterable Firearms. No registration certificate shall be issued for any of the following types of firearms:

- (a) Sawed-off shotgun;
- (b) Machine gun;
- (c) Short-barreled rifle;
- (d) Pistol not validly registered to the current registrant in the District prior to the effective date of this act; and
- (e) Pistol not possessed by the current registrant in conformity with the regulations in effect immediately prior to the effective date of this act.

Sec. 203. Prerequisites to registration; application for registration.

(a) No registration certificate shall be issued to any person (and in the case of a person between the ages of 18 and 21, to the person and his signatory parent or guardian) or organization unless the Chief determines that such person

(or the president or chief executive in the case of an organization):

(1) is twenty-one years of age or older;

Provided, That the Chief may issue to an applicant between the ages of eighteen and twenty-one years old, and who is otherwise qualified, a registration certificate if the application is accompanied by a notarized statement of the applicant's parent or guardian -

(A) that the applicant has the permission of his parent or guardian to own and use the firearm to be registered; and

(B) the parent or guardian assumes civil liability for all damages resulting from the actions of such applicant in the use of the firearm to be registered: Provided further, that such registration certificate shall expire on such person's twenty-first birthday;

(2) Has not been convicted of a crime of violence, weapons offense, or of a violation of this act;

(3) Is not under indictment for a crime of violence or a weapons offense;

(4) Has not been convicted within five years prior to the application of any

(A) violation in any jurisdiction of any law restricting the use, possession, or sale of any narcotic or dangerous drug; or

(B) a violation of section 2 of the Act of July 16, 1912 (D.C. Code, sec. 22-507 (1973)), regarding threats to do bodily harm, or section 806 of the Act of March 3, 1901 (D.C. Code, sec. 22-504 (1973)), regarding assaults and threats, or any similar provision of the law of any other jurisdiction so as to indicate a likelihood to make unlawful use of a firearm;

(5) Within the five year period immediately preceding the application, has not been acquitted of any criminal charge by reason of insanity or has not been adjudicated a chronic alcoholic by any court, Provided, That this paragraph shall not apply if such person shall present to the Chief with the application, a medical certification indicating that the applicant has recovered from such insanity or alcoholic condition and is capable of safe and responsible possession of a firearm;

(6) Within the five years immediately preceding the application, has not been voluntary or involuntarily committed to any mental hospital or institution; Provided, That this paragraph shall not apply, if such person shall

present to the Chief with the applicant a medical certification that the applicant has recovered from whatever malady prompted such commitment;

(7) Does not appear to suffer from a physical defect which would tend to indicate that the applicant would not be able to possess and use a firearm safely and responsibly;

(8) Has not been adjudicated negligent in a firearms mishap causing death or serious injury to another human being;

(9) Is not otherwise ineligible to possess a pistol under section 3 of the Act of July 8, 1932 (D.C. Code, sec. 22-3203);

(10) Has not failed to demonstrate satisfactorily a knowledge of the laws of the District of Columbia pertaining to firearms and the safe and responsible use of the same in accordance with tests and standards prescribed by the Chief; Provided, That once this determination is made with respect to a given applicant for a particular type of firearm, it need not be made again for the same applicant with respect to a subsequent application for the same type of firearm; and

(11) Has vision better than or equal to that required to obtain a valid driver's license under the laws

of the District of Columbia; Provided, That current licensure by the District of Columbia, of the applicant to drive, shall be prima facie evidence that such applicant's vision is sufficient and, Provided further, that this determination need not be made more than once per year per applicant.

(b) Every person applying for a registration certificate shall provide on a form prescribed by the Chief:

(1) The full name or any other name by which the applicant is known.

(2) The present address and each home address where the applicant has resided during the five year period immediately preceding the application.

(3) The present business or occupation and any business or occupation in which the applicant has engaged during the five-year period immediately preceding the application and the addresses of such businesses or places of employment.

(4) The date and place of birth of the applicant.

(5) The sex of the applicant.

(6) Whether (and if so, the reasons) the District, the United States or the government of any State or subdivision of any State has denied or revoked the

applicant's license, registration certificate, or permit pertaining to any firearm.

(7) A description of the applicant's role in any mishap involving a firearm, including the date, place, time, circumstances, and the name of the person injured or killed.

(8) The intended use of the firearm.

(9) The caliber, make, model, manufacturer's identification number, serial number, and any other identifying marks on the firearm.

(10) The name and address of the person or organization from whom the firearm was obtained, and in the case of a dealer, his dealer's license number.

(11) Where the firearm will generally be kept.

(12) Whether the applicant has applied for any other registration certificates issued and outstanding.

(13) Such other information as the Chief determines is necessary to carry out the provisions of this act.

(c) Every organization applying for a registration certificate shall -

(1) with respect to the president or chief executive of such organization, comply with the requirements of subsection (b); and

(2) provide such other information as the Chief determines is necessary to carry out the provisions of this act.

Sec. 204. Fingerprinting, pictures, personal appearances.

(a) The Chief may require any person applying for a registration certificate to be fingerprinted if, in his judgment, this is necessary to conduct an efficient and adequate investigation into the matters described in section 203(a) and to effectuate the purpose of this act: Provided, That any person who has been fingerprinted by the Chief within five years prior to submitting the application need not, in the Chief's discretion, be fingerprinted again if he offers other satisfactory proof of identity.

(b) Each applicant, other than an organization, shall submit with the application two full-face photographs of himself, 1-3/4 by 1-7/8 inches in size which shall have been taken within the thirty-day period immediately preceding the filing of the application.

(c) Every applicant (or in the case of an organization, the president or chief executive, or a person authorized in writing by him), shall appear in person at a time and place prescribed by the Chief, and may be required to bring with him the firearm for which a registration

CERTIFICATE IS SOUGHT, WHICH SHALL BE UNLOADED AND SECURELY WRAPPED, AND CARRIED IN OPEN VIEW.

Sec. 205. Application under oath; fees.

(a) Each applicant (the president or chief executive in the case of an organization) shall sign an oath or affirmation attesting to the truth of all the information required by section 203.

(b) Each application required by this title shall be accompanied by a non-refundable fee to be established by the Mayor; Provided, That such fee shall, in the judgment of the Mayor, reimburse the District for the cost of services provided under this title.

Sec. 206. Filing times for new purchase and firearms entering the District; previously registered firearms.

(a) An application for a registration certificate shall be filed (and a registration certificate issued) prior to taking possession of a firearm from a licensed dealer or from any person or organization holding a registration certificates therefor. In all other cases, an application for registration shall be filed immediately after a firearm is brought into the District. It shall be deemed compliance with the preceding sentence if such person personally communicates with the Metropolitan Police Department (as

determined by the Chief to be sufficient) and provides such information as may be demanded: Provided, That such person files an application for a registration certificate within 48 hours after such communication.

- (b) Any firearm validly registered under prior regulations must be registered pursuant to this act in accordance with procedures to be promulgated by the Chief. An application to register such firearm shall be filed pursuant to this act within 60 days of the effective date of this act.

— Sec. 207. Issuance of registration certificate.

- (a) Upon receipt of a properly executed application for a registration certificate, the Chief, upon determining through inquiry, investigation, or otherwise, that the applicant is entitled and qualified under the provisions of this act, thereto, shall issue a registration certificate. Each registration certificate shall be in duplicate and bear a unique registration certificate number and such other information as the Chief determines is necessary to identify the applicant and the firearm registered. The duplicate of the registration certificate shall be delivered to the applicant and the Chief shall retain the original.

- (b) The Chief shall approve or deny an application for a registration certificate within a 60 day period beginning

on the date the Chief receives the application, unless good cause is shown, including non-receipt of information from sources outside the District government; Provided, That in the case of an application to register a firearm validly registered under prior regulations, the Chief shall have 365 days after the receipt of such application to approve or deny such application. The Chief may hold in abeyance an application where there is a revocation proceeding pending against such person or organization.

(c) Upon receipt of a registration certificate, each applicant shall examine same to ensure that the information thereon is correct. If the registration certificate is incorrect in any respect, the person or organization names thereon shall return it to the Chief with a signed statement showing the nature of the error. The Chief shall correct the error, if it occurred through administrative error. In the event the error resulted from information contained in the application, the applicant shall be required to file an amended application setting forth the correct information, and a statement explaining the error in the original application. Each amended application shall be accompanied by a fee equal to that required for the original application.

(d) In the event the Chief learns of an error in a registration certificate other than as provided in subsection (c), he may require the holder to return the registration certificate for correction. If the error resulted from information contained in the application, the person or organization named therein shall be required to file an amended application as provided in subsection (c).

(e) Each registration certificate issued by the Chief shall be accompanied by a statement setting forth the registrant's duties under this act.

Sec. 208. Additional Duties of Registrants.

Each person and organization holding a registration certificate, in addition to any other requirements imposed by this act, or the Acts of Congress, shall:

(a) notify the Chief in writing of:

(1) the loss, theft, or destruction of the registration certificate or of a registered firearm (including the circumstances, if known) immediately upon discovery of such loss, theft, or destruction;

(2) a change in any of the information appearing on the registration certificate or required by section 203 of this act;

(3) the sale, transfer or other disposition of the firearm not less than forty-eight hours prior to

delivery, pursuant to such sale, transfer or other disposition, including -

(A) identification of the registrant, the firearm and the serial number of the registration certificate;

(B) the name, residence, and business address and date of birth of the person to whom the firearm has been sold or transferred; and

(C) whether the firearm was sold or how it was otherwise transferred or disposed of.

(b) Return to the Chief, the registration certificate for any firearm which is lost, stolen, destroyed, or otherwise transferred or disposed of, at the time he notified the Chief of such loss, theft, destruction, sale, transfer, or other disposition.

(c) Have in his possession, whenever in possession of a firearm, the registration certificate for such firearm, and exhibit the same upon the demand of a member of the Metropolitan Police Department, or other law enforcement officer.

Sec. 209. Revocation.

A registration certificate shall be revoked if -

(1) any of the criteria in section 203 of this act are not currently met;

(2) the registered firearm has become an unregisterable firearm under the terms of section 202 of this act, or a destructive device;

(3) the information furnished to the Chief on the application for a registration certificate proves to be intentionally false; or

(4) there is a violation or omission of the duties, obligations or requirements imposed by section 208 of this act.

Sec. 210. Procedures for denial or revocation.

(a) If it appears to the Chief that an application for a registration certificate should be denied or that a registration certificate should be revoked, the Chief shall notify the applicant or registrant of the proposed denial or revocation, briefly stating the reason or reasons therefor. Service may be made by delivering a copy of the notice to the applicant or registrant personally, or by leaving a copy thereof at the place of residence identified on the application or registration with some person of suitable age and discretion then residing therein, or by mailing a copy of the notice by certified mail to the residence address identified on the application or certificate, in which case service shall be complete as of the date the return receipt was signed. In the case of an organization, service may be

made upon the president, chief executive, or other officer, managing agent or person authorized by appointment or law to receive such notice as described in the preceding sentence at the business address of the organization identified in the application or registration certificate. The person serving the notice shall make proof thereof with the chief in a manner prescribed by him. In the case of service by certified mail, the signed return receipt shall be filed with the Chief together with a signed statement showing the date such notice was mailed; and if the return receipt does not purport to be signed by the person named in the notice, then specific facts from which the Chief can determine that the person who signed the receipt meets the appropriate qualifications for receipt of such notice set out in this subsection. The applicant or registrant shall have 15 days from the date the notice is served in which to submit further evidence in support of the application or qualifications to continue to hold a registration certificate, as the case may be: Provided, that if the applicant does not make such a submission within fifteen days from the date of service, the applicant or registrant shall be deemed to have conceded the validity of the reason or reasons stated in the notice, and the denial or revocation shall become final.

(b) Within ten days of the date upon which the Chief receives such a submission, he shall serve upon the applicant or registrant in the manner specified in subsection (a) notice of his final decision. The Chief's decision shall become effective at the expiration of the time within which to file a notice of appeal pursuant to the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1501, et seq.) or, if such a notice of appeal is filed, at the time the final order or judgment of the District of Columbia Court of Appeals becomes effective.

(c) Within seven days of a decision unfavorable to the applicant or registrant becoming final, the applicants or registrant shall (1) peaceably surrender to the Chief the firearm for which the registration certificate was revoked in the manner provided in section 704, or (2) lawfully remove such firearm from the District for so long as he has an interest in such firearm, or, (3) otherwise lawfully dispose of his interest in such firearm.

Sec. 211. Certain information not to be used as evidence.

No information obtained from a person under this title or retained by a person in order to comply with any section of this title, shall be used as evidence against such person in any criminal proceeding with respect to a violation of

this act, occurring prior to or concurrently with the filing of the information required by this title: Provided, That this section shall not apply to any violation of section 858 of the Act of March 3, 1901 (D.C. Code, sec. 22.2501), or section 703 of this act.

TITLE III - ESTATES CONTAINING FIREARMS

Sec. 301. Rights and responsibilities of executors and administrators.

(a) The executor or administrator of an estate containing a firearm shall notify the Chief of the death of the decedent within thirty days of his appointment or qualification, whichever is earlier.

(b) Until the lawful distribution of such firearm to an heir or legatee or the lawful sale, transfer, or disposition of the firearm by the estate; the executor or administrator of such estate shall be charged with the duties and obligations which would have been imposed by this act upon the decedent, if the decedent were still alive: Provided, That such executor or administrator shall not be liable to the criminal penalties of section 705.

TITLE IV - LICENSING OF FIREARMS BUSINESSES

Sec. 401. Prohibitions, exceptions.

(a) No person or organization shall manufacture any firearm, destructive device or parts thereof, or ammunition, within the District; Provided, That persons holding registration certificates may engage in hand loading, reloading, or custom loading ammunition for his registered firearms; Provided further, that such persons may not hand load, reload, or custom load ammunition for others.

(b) No person or organization shall engage in the business of selling, purchasing, or repairing any firearm, destructive device, parts therefor, or ammunition, without first obtaining a dealer's license, and no licensee shall engage in the business of selling, purchasing, or repairing firearms which are unregisterable under section 202 of this act, destructive devices, or parts therefor, except pursuant to a valid work or purchase order, for those persons specified in section 201(b) (1) of this act.

Sec. 402. Eligibility for dealer's license;  
application for same; fee.

(a) Any person eligible to register a firearm under this act, and who, if a registrant, has not previously failed to perform any of the duties imposed by this act; and, any person eligible under the Acts of Congress to engage in such business, may obtain a dealer's license, or a renewal thereof, which shall be valid for a period of not

more than one year from the date of issuance. The license required by this act, shall be in addition to any other license or licensing procedure required by law.

(b) Each application for a dealer's license and each application for renewal thereof shall be made on a form prescribed by the Chief, shall be sworn to or affirmed by the applicant, and shall contain -

- (1) the information required by section 203(a);
  - (2) the address where the applicant conducts or intends to conduct his business;
  - (3) whether the applicant, prior to the effective date of this act, held a license to deal in deadly weapons in the District; and
  - (4) such other information as the chief may require, including fingerprints and photographs of the applicant, to carry out the purposes of this act.
- (c) Each application for a dealer's license, or renewal shall be accompanied by a fee established by the Mayor; Provided, That such fee shall in the judgment of the Mayor, reimburse the District for the cost of services provided under this title.

Sec. 403. Issuance of a dealer's license, procedure.

- (a) Upon receipt of a properly executed application for a dealer's license, or renewal thereof, the Chief, upon

determining through further inquiry, investigation, or otherwise, that the applicant is entitled and qualified under the provisions of this act thereto, shall issue a dealer's license. Each dealer's license shall be in duplicate and bear a unique dealer's license number, and such other information as the Chief determines is necessary to identify the applicant and premises. The duplicate of the dealer's license shall be delivered to the applicant and the Chief shall retain the original.

(b) The Chief shall approve or deny an application for a registration certificate within a 60-day period beginning on the date the Chief receives the application, unless good cause is shown, including non-receipt of information from sources outside the District Government. The Chief may hold in abeyance an application where there is any firearms revocation proceeding pending against such person.

(c) Upon receipt of a dealer's license, each applicant shall examine the same to ensure that the information thereon is correct. If the dealer's license is incorrect in any respect, the person named thereon shall return the same to the Chief with a signed statement showing the nature of the error. The Chief shall correct the error, if it occurred through administrative error. In the event the error resulted from information contained in the

application, the applicant shall be required to file an amended application explaining the error in the original application. Each amended application shall be accompanied by a fee equal to that required for the original application.

(d) In the event the Chief learns of an error in a dealer's license, other than as provided in subsection (c), he may require the holder to return the dealer's license for correction. If the error resulted from information contained in the application, the person named therein shall be required to file an amended application as provided in subsection (c).

(e) Each dealer's license issued by the Chief shall be accompanied by a statement setting forth a dealer's duties under this act.

Sec. 404. Duties of licensed dealers; records, reports.

(a) Each person holding a dealer's license, in addition to any other requirements imposed by this act, the Acts of Congress, and other law, shall -

(1) display the dealer's license in a conspicuous place on the premises;

(2) notify the Chief in writing -

(A) of the loss, theft, or destruction of the dealer's license (including the circumstances, if known) immediately upon the discovery of such loss, theft, or destruction;

(B) of a change in any of the information appearing on the dealer's license or required by section 402 of this act immediately upon the occurrence of any such change;

(3) keep at the premises identified in the dealer's license a true and current record in book form of

(A) the name, address, home phone, and date of birth of each employee handling firearms, ammunition, or destructive devices;

(B) each firearm or destructive device received into inventory or for repair including the -

(i) serial number, caliter, make, model, manufacturer's number (if any), dealer's identification number (if any), registration certificate number (if any) of the firearm, and similar descriptive information for destructive devices;

(ii) name, address, and dealer's license number (if any) of the person or organization

from whom the firearm or destructive device was purchased or otherwise received;

(iii) consideration given for the firearm or destructive device, if any;

(iv) date and time received by the licensee and in the case of repair, returned to the person holding the registration certificate; and

(v) nature of the repairs made.

(C) each firearm or destructive device sold or transferred including the -

(i) serial number, caliber, make, model, manufacturer's number or dealer's identification number, and registration certificate number (if any) of the firearm or similar information for destructive devices;

(ii) name, address, registration certificate number or license number (if any) of the person or organization to whom transferred;

(iii) the consideration for transfer; and,

(iv) time and date of delivery of the firearm or destructive device to the transferee;

(D) ammunition received into inventory including the -

- (i) brand and number of rounds of each caliber or gauge;
- (ii) name, address, and dealer's license or registration number (if any) of the person or organization from whom received;
- (iii) consideration given for the ammunition; and
- (iv) date and time of the receipt of the ammunition;
- (E) ammunition sold or transferred including -
- (i) brand and number of rounds of each caliber or gauge;
- (ii) name, address and dealer's license number (if any) of the person or organization to whom sold or transferred;
- (iii) if the purchaser or transferee is not a licensee, the registration certificate number of the firearm for which the ammunition was sold or transferred;
- (iv) the consideration for the sale and transfer; and
- (v) the date and time of sale or transfer;

(b) The records required by subsection (a) shall upon demand be exhibited during normal business hours to any member of the Metropolitan Police Department.

(c) Each person holding a dealer's license shall, when required by the Chief in writing, submit on a form and for the periods of time specified, any record information required to be maintained by subsection (a), and any other information reasonably obtainable therefrom.

Sec. 405. Revocation.

A dealer's license shall be revoked if -

(a) any of the criteria in section 404 of this act is not currently met, or

(b) the information furnished to the Chief on the application for a dealer's license proves to be intentionally false; or

(c) there is a violation or omission of the duties, obligations, or requirements imposed by section 404 of this act.

Sec. 406. Procedures for denial and revocation.

(a) If it appears to the Chief that an application for a dealer's license should be denied or that a dealer's license should be revoked, the Chief shall notify the applicant or registrant of the proposed denial or revocation briefly stating the reason or reasons therefor. Service may

be made as provided for in section 210(a) of this act. The applicant or dealer shall have fifteen days from the date of service in which to submit further evidence in support of the application or qualifications to continue to hold a dealer's license, as the case may be:

Provided, That if the applicant or dealer does not make such a submission within 15 days from the date of service, the applicant or dealer shall be deemed to have conceded the validity of the reason or reasons stated in the notice, and the denial or revocation shall become final.

(b) Within 10 days of the date upon which the Chief receives such a submission, the Chief shall serve upon the applicant or registrant in the manner provided in section 210(a) of this act notice of his final decision. The Chief's decision shall become effective at the expiration of the time within which to file a notice of appeal pursuant to the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1501, et seq.) or, if such a notice of appeal is filed, at the time the final order or judgment of the District of Columbia Court of Appeals becomes effective.

(c) Within 45 days of a decision becoming effective, which is unfavorable to a licensee or to an applicant for a dealer's license, the licensee or applicant shall -

(1) if he is eligible to register firearms pursuant to this act, register such firearms in his inventory as are capable of registration pursuant to this act;

(2) peaceably surrender to the Chief any firearms in his inventory which he does not register, and all destructive devices in his inventory in the manner provided for in section 604;

(3) lawfully remove from the District any firearm in his inventory which he does not register and all destructive devices and ammunition in his inventory for so long as he has an interest in them; or

(4) otherwise lawfully dispose of any firearms in his inventory which he does not register and all destructive devices and ammunition in his inventory.

Sec. 407. Displays, employees.

(a) No licensed dealer shall display any firearm or ammunition in windows visible from a street or sidewalk. All firearms, destructive devices, and ammunition shall be kept at all times in a securely locked place affixed to the premises except when being shown to a customer, being repaired, or otherwise being worked on.

(b) No licensee shall knowingly employ any person in his establishment if such person would not be eligible to register a firearm under this act.

Sec. 408. Firearm markings.

No licensee shall sell or offer for sale any firearm which does not have imbedded into the metal portion of such firearm a unique manufacturer's identification number or serial number, unless the licensee shall have imbedded into the metal portion of such firearm a unique dealer's identification number.

Sec. 409. Certain information not to be used as evidence.

No information obtained from or retained by a licensed dealer to comply with this title shall be used as evidence against such licensed dealer in any criminal proceeding with respect to a violation of this act occurring prior to or concurrently with the filing of such information; Provided, That this section shall not apply to any violation of section 858 of the Act of March 3, 1901 (D.C. Code, sec. 22-2501), or of section 703 of this act.

TITLE V - SALE AND TRANSFER OF FIREARMS, DESTRUCTIVE  
DEVICES, AND AMMUNITION

Sec. 501. Prohibition.

No person or organization shall sell, transfer or otherwise dispose of any firearm, destructive device or

ammunition in the District except as provided in sections 502 or 604 of this act.

Sec. 502. Permissible sales and transfers.

(a) Any person or organization eligible to register a firearm may sell or otherwise transfer ammunition or any firearm, except those which are unregisterable under section 202 of this act, to a licensed dealer.

(b) Any licensed dealer may sell or otherwise transfer ammunition and any firearm or destructive device which is lawfully a part of such licensee's inventory to -

(1) any nonresident person or business licensed under the Acts of Congress and the jurisdiction where such person resides or conducts such business;

(2) any other licensed dealer;

(3) any law enforcement officer or agent of the District or the United States when such officer or agent is on duty, and acting within the scope of his duties when acquiring such firearm, ammunition, or destructive device, if the officer or agent has in his possession a statement from the head of his agency stating that the item is to be used in such officer's or agent's official duties.

(c) Any licensed dealer may sell or otherwise transfer a firearm except those which are unregisterable under section 202 of this act, to any person or organization

possessing a registration certificate for such firearm;  
Provided, That if the Chief denies a registration  
certificate, he shall so advise the licensee who shall  
thereupon (1) withhold delivery until such time as a  
registration certificate is issued, or, at the option of the  
purchaser, (2) declare the contract null and void, in which  
case consideration paid to the licensee shall be returned to  
the purchaser; Provided further that this subsection shall  
not apply to persons covered by subsection (b).

(d) Except as provided in subsections (b) and (f), no  
licensed dealer shall sell or otherwise transfer ammunition  
unless -

(1) the sale or transfer is made in person; and  
(2) the purchaser exhibits, at the time of sale  
or other transfer, a valid registration certificate, or, in  
the case of a nonresident, proof that the weapon is lawfully  
possessed in the jurisdiction where such person resides;

(3) the ammunition to be sold or transferred is  
of the same caliber or gauge as the firearm described in the  
registration certificate, or other proof in the case of  
nonresident; and

(4) the purchaser signs a receipt for the  
ammunition which (in addition to the other records required

under this act) shall be maintained by the licensed dealer for a period of one year from the date of sale.

(e) Any licensed dealer may sell ammunition to any person holding an ammunition collector's certificate on the effective date of this act; Provided, That the collector's certificate shall be exhibited to the licensed dealer whenever the collector purchases ammunition for his collection. Provided further that the collector shall sign a receipt for the ammunition, which shall be treated in the same manner as that required under subsection (f)(4) of this section.

#### TITLE VI - POSSESSION OF AMMUNITION

Sec. 601. No person shall possess ammunition in the District of Columbia unless:

(a) He is a licensed dealer pursuant to Title IV of this act.

(b) He is an officer, agent, or employee of the District of Columbia or the United States of America, on duty and acting within the scope of his duties when possessing such ammunition.

(c) He is the holder of a valid registration certificate for a firearm of the same gauge or caliber as the ammunition he possesses.

(d) He holds an ammunition collector's certificate on the effective date of this act.

TITLE VII - GENERAL PROVISIONS

Sec. 701. Pledges and loans.

(a) No firearm, destructive device, or ammunition shall be security for, or be taken or received by way of any mortgage, deposit, pledge, or pawn.

(b) No person may loan, borrow, give, or rent to or from another person, any firearm, destructive device, or ammunition.

Sec. 702. Except for law enforcement personnel described in section 201(b)(1), each registrant shall keep any firearm in his possession unloaded and disassembled or bound by a trigger lock or similar device unless such firearm is kept at his place of business, or while being used for lawful recreational purposes within the District of Columbia.

Sec. 703. Firing ranges.

Any person operating a firing range in the District, shall in addition to any other requirement imposed by law, register with the Chief, on a form prescribed by him, which shall include the business name of the range, the location, the names and home addresses of the owners and principal officers, the types of weapons fired there, the number and

types of weapons normally stored there, the days and hours of operation, and such other information as the Chief shall require.

Sec. 704. False information, forgery, alteration.

(a) It shall be unlawful for any person purchasing any firearm or ammunition, or applying for any registration certificate or dealer's license under this act, or in giving any information pursuant to the requirements of this act, to knowingly give false information or offer false evidence of identity.

(b) It shall be unlawful for anyone to forge or alter any application, registration certificate, or dealer's license submitted, retained or issued under this act.

Sec. 705. Voluntary surrender; immunity.

(a) If a person or organization within the District voluntarily and peaceably delivers and abandons to the Chief any firearm, destructive device or ammunition at any time, such delivery shall preclude the arrest and prosecution of such person on a charge of violating any provision of this act with respect to the firearm, destructive device, or ammunition voluntarily delivered. Delivery under this section may be made at any police district, station, or central headquarters, or by summoning a police officer to the person's residence or place of business. Every firearm

Sec. 707. Public education program.

The Chief shall carry on a suitable publicity program designed to inform the citizens of the District of the provisions of this act and the rights and obligations created by it.

Sec. 708. Repealers.

(a) District of Columbia Regulations Nos. 68-15 and 69-7 (Articles 50 to 55 inclusive of the Police Regulations of the District of Columbia) are hereby repealed.

(b) Regulation 74-33 approved December 1, 1974, (relating to bounty payments for the turning in of firearms) is repealed.

(c) Article 4 of the Police Regulations of the District of Columbia is repealed to the extent such article is in conflict with the provisions of this act.

Sec. 709. Conflict with Federal law.

Nothing in this act shall be construed, or applied to necessarily require, or excuse noncompliance with any provision of any Federal Law. This act and the penalties prescribed in section 605 of this act, for violations of this act, shall not supersede but shall supplement all statutes of the District and the United States in which similar conduct is prohibited or regulated.

Sec. 710. Applicability of District of Columbia  
Administrative Procedure Act.

The provisions of the District of Columbia  
Administrative Procedure Act (D.C. Code, sec. 1-1501 et  
seq.) shall apply to each proceeding, decision, or other  
administrative action specified in this act, unless  
otherwise specifically provided.

Sec. 711. Savings clause.

If any provision of this act or the application thereof  
to any person or circumstance is held invalid, the remainder  
of this act and the application of such provision to other  
persons not similarly situated or to other circumstances  
shall not be affected thereby.

Sec. 712. Effective date.

This act shall take effect pursuant to the provisions  
of section 602(c)(1) of the District of Columbia Self-  
Government and Governmental Reorganization Act.