

**REDLINE SHOWING EDITS BETWEEN THE NOTICE OF PROPOSED  
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D.C. REGISTER AND THE CURRENT REGULATIONS**

**TITLE 24 PUBLIC SPACE AND SAFETY  
CHAPTER 23 GUNS AND OTHER WEAPONS**

**2300 DISCHARGE OF WEAPONS**

- 2300.1 No gun, air gun, rifle, air rifle, pistol, revolver, or other firearm, cannon, or torpedo shall be discharged or set off in the District without a special written permit from the Chief of Police.
- 2300.2 This section shall not apply to licensed shooting galleries between 6:00 a.m. and 12:00 midnight on Monday through Saturday, or between the hours of 2:00 p.m. and 11:00 p.m. on Sundays.
- 2300.3 This section shall not apply to the discharge of firearms or explosives in a performance conducted in or at a regular licensed theater or show, or to a discharge of a registered firearm while it is being used to protect against a reasonably perceived threat of immediate harm to a person in the registrant's home.
- 2300.4 Upon application to the Mayor by the president of any private or public university, college, or other educational institution, or the president of the Board of Education of the District of Columbia, guns and rifles of small caliber may be used by the officers, instructors, and pupils of the school, upon receiving a permit for the discharge of arms from the Chief of Police.
- 2300.5 The permit issued under § 2300.4 shall state the caliber of weapons allowed under the permit.
- 2300.6 Before a permit is issued, the president of the college, university, or other educational institution, or the president of the D.C. Board of Education, shall furnish the Chief of Police the written consent of the owners of a majority of the real property within a radius of two hundred feet (200 ft.) of the boundary lines of the lot or parcel of ground upon which the arms are to be discharged, unless the discharge is within an indoor, sound-proofed range.
- 2300.7 No place shall be used under the terms of § 2300.4 until the Director of Consumer and Regulatory Affairs furnishes a certificate verifying that suitable precautions have been taken for the safety of the public and the protection of property by the erection of iron shields and other appliances that the Director may deem is necessary.

**2301 POSSESSION OF WEAPONS**

- 2301.1 No person under the age of eighteen (18) years shall carry or have in his or her possession upon any street, avenue, road, alley, park, or other public space in the

District, any gun, pistol, rifle, bean shooter, sling, projectile, dart, or other dangerous weapon of any character.

- 2301.2 Nothing in this section shall be construed as to prohibit a member of a duly authorized military organization from the proper use of the guns and other equipment used as a member of the organization.
- 2301.3 It shall not be lawful for any person to carry or have in his or her possession outside any building in the District an air rifle, air gun, air pistol, B-B gun, spring gun, blowgun, bowgun, or any similar type gun.
- 2301.4 Nothing in this section shall be construed as prohibiting the transportation of an air rifle, air gun, air pistol, B-B gun, spring gun, blowgun, or bowgun, unloaded and securely wrapped, by a person who is eighteen (18) or more years of age.
- 2301.5 Nothing in this section shall be construed as prohibiting the use of an air rifle, air gun, air pistol, B-B gun, spring gun, blowgun, bowgun, or any similar type gun, where the use of the gun is supervised by a person eighteen (18) or more years of age in connection with the following:
- (a) A theatrical performance or athletic contest;
  - (b) A licensed shooting gallery; or
  - (c) Use at other locations where the use of the guns is authorized by the Chief of Police.

## **2302 SALE OR TRANSFER OF WEAPONS**

- 2302.1 It shall unlawful for any person, firm, or corporation to sell, give, lend, rent, or otherwise transfer to any child under the age of eighteen (18) years any firearms, air rifle, air gun, air pistol, B-B gun, spring gun, blowgun, bowgun, or a similar type of gun; or ammunition, gunpowder, gun cap, cartridge primer, dynamite cap or detonator, B-B shot, pellet, projectile, dart, or other dangerous missile or explosive, in any quantity.
- 2302.2 Nothing in this section shall be construed as prohibiting the sale or other transfer of toy paper caps containing not more the twenty-five hundredths (.25) of a grain of explosive composition per cap.
- 2302.3 Nothing in this section shall be construed as prohibiting the transfer of any of the items listed in § 2302.1 where the transfer is supervised by a person eighteen (18) or more years of age in connection with the following:
- (a) A theatrical performance or athletic contest;
  - (b) A licensed shooting gallery; or
  - (c) Transfer at other locations where the use of the item is authorized by the Chief of Police.

## **2303 [REPEALED]**

## 2304 [REPEALED]

## 2305 REGISTRATION OF FIREARMS: GENERAL PROVISIONS

2305.1 The provisions of §§ 2305 through ~~2319-2326~~ are issued by the Chief of Police (the “Chief”) pursuant to ~~§ 206(b) of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code §§ 7-2501.01 et seq. 6-2316(b) (1981-2012 Repl. & 2013 Supp.))~~; referred to as (the “Act”), specifically ~~§ 206(b) of the Act,~~ to prescribe procedures for registration of firearms.

2305.2 The Director is authorized by the Act to prescribe all forms required to implement the Act. All the information called for in each form shall be furnished, as indicated by the headings on the form and the instructions that are on each form or that are issued with respect to each form.

2305.3 The Chief shall register no more than one (1) pistol per registrant during any ~~thirty-~~ (30-) day period; provided, that this restriction shall apply only to the initial registration of a pistol and not to the renewal of the registration of a pistol.

2305.4 The Chief may permit a person first becoming a District resident to register more than one (1) pistol if those pistols were lawfully owned in another jurisdiction for a period of ~~six~~ (6) months prior to the date of application.

2305.5 Under § 207a of the Act (D.C. Official Code § 7-2502.07a (2013 Supp.)), a registration certificate issued by the Chief shall be valid for three (3) years from the date of issuance and must be renewed pursuant to § 2326 of this chapter.

## 2306 DESTRUCTIVE DEVICES

2306.1 Any person may request the Director to make a determination whether a device falls within the exception to the definition of “destructive device” set forth in § 101(7)(E)(iv) of the Act (D.C. Official Code § ~~6-23027-2501.01(7)(E)(iv)~~ (1981-2013 Supp.)).

2306.2 Each request for a determination shall be in writing, state the name and address of the manufacturer(s) of the device, accurately describe the device, and give the reasons the requestor believes the device qualifies for placement on the list.

2306.3 No person requesting a determination for a device already possessed by the requestor shall be charged with a violation of the Act prior to the adoption of a final rule.

## 2307 CRIMINAL DISQUALIFICATIONS FOR REGISTRATION

2307.1 For the purposes of §§ 203(a)(2), 203(a)(3), and 203(a)(4) of the Act, the following records shall be used to determine whether there is prima facie evidence of a disqualification:

- (a) A criminal history record **information** (as defined in 28 CFR 20.3(d)) with a disposition showing a conviction or a sentence (including a suspended sentence, probation, incarceration, or a fine); or
- (b) A court record showing a conviction or a sentence.

2307.2 Only convictions rendered by the courts of the several states, territories, possessions, and federal tribunals, including those of the military, shall be considered.

2307.3 The pendency of an appeal, or of any other judicial or non-judicial review, shall not be considered until the entry of a final order setting aside the conviction. Non-judicial review includes the pardon authority of the jurisdiction where the conviction was obtained.

2307.4 The time period preceding an application for registration shall be computed by using the date of the applicant's signature on form P.D. 219 as the end of the period of time to be computed.

## **2308 MEDICAL DISQUALIFICATIONS FOR REGISTRATION**

2308.1 The records described in § 2307.1 shall also be used to establish whether a person was acquitted of a criminal charge by reason of insanity or adjudged a chronic alcoholic.

2308.2 Any official court or medical record revealing a civil judgment of chronic alcoholism or involuntary commitment to a private or public facility for chronic alcoholism shall establish the existence of that condition or disease for the purpose of disqualification imposed by § 203(a)(5) of the Act.

2308.3 Any medical certification submitted to lift the disqualification imposed by § 203(a)(5) of the Act shall meet the following criteria:

- (a) Be written on the official letterhead of the institution or physician treating the person;
- (b) Be signed by the treating physician, head of the treating physician's department, or medical director of the treating institution (signatures of non-medical administrative personnel shall not be acceptable);
- (c) Describe the condition from which the applicant has recovered, including physical manifestations of the disease, such as tremors or blackouts; and
- (d) State whether the person, in the certifying physician's opinion, is capable of the safe and responsible possession of the type of firearm for which an application has been filed.

2308.4 With respect to medical certifications to lift the disqualifier imposed by § 203(a)(6) of the Act upon persons voluntarily or involuntarily committed to a mental hospital or institution, the requirements imposed by § 2308.3 shall be applicable.

2308.5 Physical defects indicating that an applicant would not be able to safely and responsibly possess and use a firearm as required by § 203(a)(7) of the Act include

those conditions that, to the examining officer, visibly prevent or substantially interfere with the ability to hold, load, aim, fire, clean, or protect the weapon.

## 2309

## OTHER DISQUALIFICATIONS FOR REGISTRATION

2309.1

A firearm shall not be registered if the applicant meets any of the following conditions:

- (a) The entry of a judgment or consent order or decree of negligence in any civil suit concerning the discharge of a firearm resulting in death or serious injury to a human being without regard to the filing of criminal charges, or the finding by a coroner of negligent homicide, shall be considered an adjudication of negligence to establish the disqualifier in § 203 (a)(8) of the Act. For the purposes of this subsection, “serious injury” shall be deemed to have occurred where the victim remains in a hospital in excess of forty-eight (48) hours;
- (b) [RESERVED];
- (c) The existence of a record described in § 2307.1 showing a conviction which makes a person ineligible to possess a pistol under D.C. Official Code § 22-4503 (2013 Supp.), shall establish that the person is disqualified from possessing a rifle or shotgun under § 203(a)(9) of the Act;
- (d) A court record showing the applicant is a respondent in an intrafamily proceeding in which a civil protection order was issued against the applicant, unless the applicant can demonstrate by a certified court record establishing that the order has expired or has been rescinded for a period of five (5) years;
- (e) A court record showing the applicant is a respondent in which a foreign protection order (as defined in D.C. Official Code § 16-1041(2) (2012 Repl.)) was issued against the applicant, unless the applicant can demonstrate by a certified court record establishing that the order has expired or has been rescinded for a period of five (5) years;
- (f) Arrest records within the five (5) years immediately preceding the application, showing that the applicant has had a history of violent behavior. For purposes of this subsection, “history of violent behavior” includes, but is not limited to, arrests for violation of D.C. Official Code § 22-407 (2012 Repl.), regarding threats to do bodily harm, or D.C. Official Code § 22-404 (2012 Repl.), regarding assaults and threats, any crime of violence as defined in D.C. Official Code § 23-1331(4) (2013 Supp.), or any similar provision of the law of any other jurisdiction so as to indicate a likelihood to make unlawful use of a firearm;
- (g) Two (2) or more violations of D.C. Official Code 50-2201.05b (2012 Repl.) or any law in the District or another jurisdiction restricting driving under the influence of drugs or alcohol; or

(h) Any other provision enumerated in D.C. Official Code § 7-2502.03(a) (2013 Supp.).

~~2309.2 Serious injury shall be deemed to have occurred where the victim remains in a hospital in excess of forty eight (48) hours.~~

~~2309.3 The existence of a record described in § 2307.1 showing a conviction which makes a person ineligible to possess a pistol under D.C. Code § 22-3203 (1981), shall establish that the person is disqualified from possessing a rifle or shotgun under § 203(a)(9) of the Act.~~

~~2309.4 A court record showing the applicant is a respondent in an intrafamily proceeding in which a civil protection order was issued against the applicant, unless the applicant can demonstrate by a certified court record establishing that the order has expired or has been rescinded for a period of 5 years.~~

~~2309.5 A court record showing the applicant is a respondent in which a foreign protection order (as defined in D.C. Official Code § 16-1041) was issued against the applicant, unless the applicant can demonstrate by a certified court record establishing that the order has expired or has been rescinded for a period of 5 years.~~

~~2309.6 Arrest records within the 5 years immediately preceding the application, showing that the applicant has had a history of violent behavior. For purposes of this subsection, "history of violent behavior" includes but is not limited to arrests for violation of D.C. Official Code § 22-407, regarding threats to do bodily harm, or D.C. Official Code § 22-404, regarding assaults and threats, any crime of violence as defined in D.C. Official Code § 23-1331, or any similar provision of the law of any other jurisdiction so as to indicate a likelihood to make unlawful use of a firearm.~~

## **2310 AGE AND VISION REQUIREMENTS**

2310.1 To establish age as required by § 203(a)(1) of the Act, a valid driver's license, birth certificate, or other government document requiring a date of birth under penalty of perjury shall be acceptable.

2310.2 A valid driver's license from any state, territory, or possession, or an international driver's license or one issued by the military shall, in the case of a new resident, be treated the same as if it had been issued by the District.

2310.3 When a District permit is obtained, the applicant shall communicate the permit number to the Firearms Registration Section.

2310.4 To establish that the applicant complies with the vision requirements of § 203(a)(11) of the Act, the applicant shall certify in writing, on a form provided by the Firearms Registration Section, that the applicant's vision is not impaired more than 20/200 visual acuity in the better eye and for whom vision cannot be improved to better than 20/200, or who has loss of vision due wholly or in part to impairment of field of vision or to other factors which affect the usefulness of vision to a like degree.

2310.5 If the Firearms Registration Section determines there are reasonable grounds to believe that the certification provided in § 2310.4 is not accurate, the Firearms Registration Section may require the applicant to obtain a certification from a licensed optometrist that the applicant meets the vision requirement of § 203(a)(11) of the Act.

## **2311 KNOWLEDGE OF FIREARMS AND TRAINING REQUIREMENTS**

2311.1 Knowledge of the laws of the District pertaining to firearms, and knowledge of the safe and responsible use of firearms, shall be tested through a written examination.

2311.2 Under compelling circumstances, an oral test may be administered in place of the written test.

2311.3 The type of test and its content shall be at the sole discretion of the Director.

2311.4 ~~[RESERVED]The written exam shall consist of no less than twenty (20) questions.~~

2311.5 ~~[RESERVED]A score of seventy five percent (75%) or better shall be a passing grade.~~

2311.6 Rifles and shotguns shall be considered the same type of firearm for the purposes of testing.

2311.7 If an applicant fails an examination, he or she shall be allowed one (1) retest without charge.

2311.8 A fee equal to that submitted with the original application may, at the discretion of the Director, ~~shall~~ be assessed for the second retest and for each subsequent retest.

2311.9 ~~An applicant shall Ccomplete a firearms training or and safety course or class provided by the Chief or submit evidence of compliance with § 203(a)(13)(B) of the Actconducted by a state certified firearms instructor or a certified military firearms instructor that provides, at a minimum a total of at least one hour of firing training at a firing range and a total of at least 4 hours of classroom instruction.~~

~~2311.10 Submit an affidavit from the certified firearms instructor who conducted or taught the course, providing the name, address, and phone number of the instructor and attesting to the successful completion of the course by the applicant shall constitute evidence of certified successful completion of the requirement imposed by section 2311.9.~~

## **2312 FINGERPRINTS AND PHOTOGRAPHS**

2312.1 Each person registering a firearm or renewing a registration pursuant to § 2326 shall be fingerprinted, unless all of the following apply:

- (a) ~~[RESERVED]The applicant has been fingerprinted by the Metropolitan Police Department within the five (5) year period immediately preceding the date the application was submitted;~~

- (b) The applicant's fingerprints on file are, in the opinion of the Director, of the required quality; and
- (c) The applicant offers sufficient identification to establish the applicant's identity as the same person whose fingerprints are already on file.

~~2312.2 Each person registering a firearm shall be photographed, at no charge, by the Director and the photograph shall be included as part of the registration application.~~

~~2312.2 An applicant shall not be required to submit new photographs with a second or subsequent application in order to meet the provisions of § 204 of the Act (D.C. Code § 6-2314(b) (1981)), unless the Director determines there is a need for new photographs.~~

## **2313 PERSONAL APPEARANCE AND FILING TIME**

2313.1 In accordance with § 203 of the Act (D.C. Code § 7-2502.04 6-2314(c) (1981) 2013 Supp.), each applicant for a registration certificate shall personally present the required form at the Firearms Registration Section, during operating hours.

2313.2 Multiple applications submitted at one (1) time shall be accepted on the basis of a single personal appearance.

2313.3 The Director may waive the requirement for a personal appearance in emergency situations, including cases where the applicant is out of the country, in the hospital, or not ambulatory; ~~p~~Provided, that the application shall be accepted for processing, but shall not be approved until the applicant appears in person.

2313.4 If the condition preventing the personal appearance is permanent or continuing in nature, the Director may, in his or her discretion, satisfy this requirement by interviewing the applicant at a place convenient to the applicant.

2313.5 When a personal appearance is not made, an appropriate notation shall be made on the application showing that fact, together with the name, address, phone number, and relationship to the applicant of the person presenting the application on the person's behalf.

2313.6 A person other than the president or chief executive of an organization may submit an application if that person presents with the application a letter on the organization's official letterhead signed by the president or chief executive of the organization, stating the name of the person appearing, that person's position within the organization, and the identity of the weapon he or she is authorized to present for registration.

2313.7 When submitting an application, an applicant shall not have the firearm to be registered in his or her possession.

2313.8 The Director may require an applicant to return with the firearm if it appears to the Director that any of the following conditions may apply:

- (a) That the person is unqualified or incapable of safe and responsible possession or use of the firearm;

- (b) That the firearm may be unregistrable, defective, or in a dangerous condition or state of disrepair; or
- (c) That the information relating to the weapon on the application is incorrect, misleading, or incomplete.

2313.9 A person shall be deemed to be in compliance with the personal notification requirements of § 206(a) of the Act ([D.C. Official Code § 7-2502.06\(a\) \(2013 Supp.\)](#)~~6-2316(a), D.C. Code, 1981 ed.~~) if he or she, immediately after bringing a firearm into the District, telephonically notifies the [Firearms Registration Section at 202-727-4275](#)~~Watch Commander of the Identification and Records Division.~~

## **2314 ISSUANCE OF REGISTRATION CERTIFICATES**

2314.1 Upon receipt of a properly completed application including photographs, fingerprints, and the required fee, the applicant shall be given a copy of the application form which indicates the fee has been paid.

2314.2 The Director shall make any inquiry and investigation as he or she shall deem necessary to determine whether the applicant is entitled and qualified to receive a registration certificate, including the following:

- (a) Inquiry and investigation of the applicant's criminal history;
- (b) Record checks;
- (c) Submission of fingerprints to the F.B.I.; and
- (d) Verification of the information supplied on the form through interviews or other investigative techniques.

2314.3 An applicant may be asked to supplement information originally submitted.

2314.4 If the Director finds the applicant eligible, the applicant shall be sent another copy of the application form which shall bear a unique registration number. This copy of the application form shall be retained by the applicant as his or her registration certificate.

## **2315 APPROVAL PERIOD**

2315.1 The sixty- (60-) day period for issuance of a certificate under § 207 of the Act (D.C. Code § ~~6-23187-2502.07~~(b) ([19812012](#))) may be extended for good cause in the event that the investigation into the applicant's qualifications has not been completed.

2315.2 Reasons that an extension may be granted for good cause shall include the following:

- (a) Non-receipt of the results of an F.B.I. fingerprint check;
- (b) Non-receipt of responses from other law enforcement agencies queried about the applicant;

- (c) Lost, mutilated, or destroyed records requiring reproduction or replacement; or
- (d) A substantial question concerning the applicant's eligibility that requires further inquiry.

- 2315.3 Any extension taken shall not exceed thirty (30) calendar days.
- 2315.4 The applicant shall be notified of the extension by letter.
- 2315.5 An application shall be automatically held in abeyance if the applicant has any other certificate pending, or becomes liable to revocation on any other certificate.
- 2315.6 An application that has been held under § 2315.5 shall be approved or denied in accordance with the time limits set forth in this section, after the termination of the revocation proceeding.
- 2315.7 Except as provided in § 2315.5, any application not expressly approved or denied within the following periods shall be deemed to be denied for the purpose of appealing to the Director:
  - (a) Within the sixty\_ (60\_) day period required in the Act, unless the period is extended for good cause shown in accordance with this section; or
  - (b) At the end of the thirty\_ (30\_) day extension period under this section.

## **2316 CORRECTION OF CERTIFICATES**

- 2316.1 Each applicant receiving a registration certificate shall immediately examine it to determine if it contains any incorrect information.
- 2316.2 If any error is found in the registration certificate, the applicant shall return it either by mail or in person to the Firearms Registration Section, together with a statement showing the error and the correct information.
- 2316.3 If the error occurred as a result of information supplied by the applicant, the applicant shall submit with the statement and certificate a fee equal to the fee paid at the time of the initial filing.
- 2316.4 If a certificate is returned without the payment of the additional fee, and it is determined to include erroneous data supplied by the applicant, the certificate shall be held at the Firearms Registration Section until the fee is paid. The applicant shall be notified of this action by mail.
- 2316.5 If the applicant fails to pay the additional fee within fifteen (15) calendar days of the notice, the certificate shall be revoked. A notice of revocation shall be sent to the applicant.
- 2316.6 Errors appearing on the certificate through inadvertence or error on the part of the Firearms Registration Section shall be corrected without charge to the applicant.
- 2316.7 If the Firearms Registration Section discovers an error, it shall notify the holder of the certificate and require the holder to return it to the Section. The procedures set forth in this section shall apply, as appropriate.

## **2317 LOST, STOLEN, OR DESTROYED CERTIFICATES**

- 2317.1 Upon discovering the loss, theft, or destruction of a registration certificate or firearm, the holder of the certificate shall immediately communicate this fact in writing or in person to the Firearms Registration Section in accordance with § 208 of the Act (D.C. Official Code § 6-23187-2502.08 (1981-2013 Supp.)).
- 2317.2 Each written communication concerning a certificate shall contain sufficient information to identify the holder.
- 2317.3 The filing of an offense report or complaint of a crime with respect to the loss, theft, or destruction of the certificate or weapon shall be deemed to be compliance with this section.
- 2317.4 The holder of a destroyed, lost, or stolen certificate shall be issued duplicate certificate without charge.
- 2317.5 The reissued certificate shall be prominently marked as a duplicate, and the issuance of the duplicate certificate shall automatically invalidate the lost, destroyed, or stolen certificate.

## **2318 MODIFICATION OF CERTIFICATES**

- 2318.1 If the information contained in the certificate is no longer accurate due to the holder's changed circumstances, the holder shall, in accordance with § 208 of the Act (D.C. Official Code § 6-23187-2502.08 (1981-2013 Supp.)), submit the certificate and a statement concerning the changes.
- 2318.2 A duplicate certificate showing the changes as reported shall be issued without charge.
- 2318.3 Issuance of the duplicate certificate shall automatically invalidate the previously held certificate.

## **2319 EXECUTORS AND ADMINISTRATORS**

- 2319.1 The executor or administrator of any estate in the District of Columbia containing a firearm shall notify the Firearm Registration Section Director of his or her appointment or qualification, as the case may be, not later than thirty (30) days after the appointment or qualification and, until the lawful distribution of any such firearm, shall be subject to § 301(b) of the Act.
- 2319.2 The notice required under § 2319.1 shall include the following:
- (a) The name, mailing address, and telephone number of the executor or administrator;
  - (b) The registration number of the firearm, if available, or Aa description of the gun-firearm including, the make, mode, and serial number; and
  - (c) The name and; address and telephone number of the decedent.

- 2319.3 Persons qualified to file a petition for distribution or for waiver of administration under ~~e~~Chapter 7 of Title 20 of the D.C. Official Code, shall be considered to be executor or administrator of the small estate for the purposes of this section.
- 2319.4 If the Director determines that the firearm was not registered or was otherwise possessed in violation of the Act, the Director ~~he or she~~ shall so notify the executor or administration in writing.
- 2319.5 If the executor or administrator receives a notification issued under § 2319.4, he or she ~~If the firearm in question is a pistol, the executor or administrator~~ shall, within seven (7) days of receiving the notification, ~~do the following:~~
- (a) Surrender the ~~pistol~~ firearm to the Firearm Registration Section;
  - (b) Lawfully remove the ~~pistol~~ firearm from the District;
  - (c) Lawfully dispose of the ~~pistol~~ firearm; or
  - (d) Submit a written appeal to the Director of the determination issued under § 2319.4 ~~Appeal the decision to the Director.~~
- 2319.6 The executor or administrator shall not distribute any firearm in an estate to an heir or legatee that resides in the District ~~No firearm shall be distributed~~ unless the person to inherit or receive the firearm has first obtained a valid registration certification for the firearm. The registration application shall include a statement by the applicant that he or she seeks to gain possession of a firearm which is part of an estate and shall include the information required under § 2319.2.
- 2319.7 For an heir or legatee that resides outside the District, the executor or administrator shall notify the Firearm Registration Section, in writing, that the firearm in the estate has been distributed to a person living outside the District.

## **2320 PROCEDURES AND REQUIREMENTS FOR REGISTRATION OF A PISTOL FOR THE PURPOSE OF SELF-DEFENSE WITHIN APPLICANT'S HOME**

- 2320.1 In addition to satisfying all other firearms registration requirements in this chapter ~~Chapter 23 of this Title~~, an applicant for a registration certificate for a pistol to be used for the purpose of self-defense within that person's home shall comply with all the procedures and requirements of this section. In the event of any irreconcilable conflict between this section and any other regulations regarding the registration of a pistol, this section shall control.
- 2320.2 The Director may register a pistol so long as the pistol is not an assault weapon, or a machine gun as those terms are defined in section § 101(3A) and § (10) of the Act ~~Firearms Control Act of 1975 (D.C. Law 1-85; (D.C. Official Code § 7-2501.01(3A) & (10) 2013 Supp.)~~, or an unsafe firearm prohibited under § 504 of the Act (D.C. Official Code § 7-2504.04 (2012 Repl.) ~~Firearms Registration-Emergency Amendment Act of 2008.~~
- 2320.3 An applicant seeking to register a pistol he or she will purchase from a firearms dealer pursuant to this section shall:

- (a) Acquire the ~~F~~firearm ~~R~~egistration application (PD 219) either from any licensed firearms dealer in the District of Columbia, or in person at the Firearms Registration Section at the Metropolitan Police Department (MPD) headquarters, or by mailing a request with a self-addressed, stamped envelope to Firearms Registration Section, Metropolitan Police Department, 300 Indiana Avenue, NW, Washington, D.C. 20001;
- (b) Obtain assistance necessary to complete the application by presenting the ~~F~~firearm ~~R~~egistration application to a firearms dealer licensed under federal law either:
  - (1) Located inside the District if the firearm is purchased within the District; or
  - (2) Located outside the District if the firearm is purchased outside the District;
- (c) Appear in person at MPD headquarters to take these steps:
  - (1) Report to the Firearms Registration Section with the completed ~~F~~firearm ~~R~~egistration application, ~~acquire two fingerprint cards,~~ and provide the following:
    - (A) ~~[RESERVED] Two passport-sized facial photos;~~
    - (B) A valid driver's license or a letter from a physician attesting that the applicant has vision as least as good as that required for a driver's license; and
    - (C) Residency verification, such as a District of Columbia driver's license or identification card, a current rental agreement, or a deed to property that includes a home;
  - (2) Complete a ~~F~~firearm ~~R~~egistration test ~~with at least a 75% proficiency;~~
  - (3) If successful on the test, pay all applicable ~~and reasonable~~ fees ~~required by the Chief~~ at the MPD cashier, including thirty-five dollars (\$35) for fingerprinting and thirteen dollars (\$13) for a firearm registration; and
  - (4) Present a fee receipt ~~and the two fingerprint cards to the MPD fingerprint examiner,~~ and submit to fingerprinting; ~~and~~
  - ~~(5) Return to the Firearms Registration Section with one fingerprint card for the office file and the other for submission to the Federal Bureau of Investigation (FBI) for fingerprint analysis for the purpose of a criminal record check;~~
- (d) Await notification from the Firearms Registration Section via by-mail, telephone, or other electronic communication to the address on the Firearm Registration application of on whether all statutory and regulatory requirements for registration have been satisfied;

- (e) Upon notification that all statutory and regulatory requirements for registration have been satisfied, an applicant shall either:
- (1) Return to the Firearms Registration Section to complete the registration process and obtain the approved an MPD seal on the completed Ffirearms Rregistration certificate; or
  - (2) Choose to receive the completed firearms registration certificate by mail; and
- (f) Present the approved Ffirearm Rregistration application to the dealer licensed under federal law ~~and take delivery of the applicant's pistol pending completion of a ballistic identification procedure~~ or, if federal law such as 18 U.S.C. § 922 prohibits the dealer from delivering the pistol to the applicant because the dealer is not within the District of Columbia, have that firearms dealer transport the pistol to a dealer located within the District, where the applicant will take delivery of the pistol ~~pending completion of a ballistic identification procedure;~~
- ~~(g) Transport the pistol to the Firearms Registration Section for completion of a ballistic identification procedure between the hours of 9:00 AM through 5:00 PM, Monday through Friday, pay a ballistic identification fee of twelve dollars (\$ 12); and~~
- ~~(h) Retrieve the registered pistol from the Firearms Registration Section and transport it to the applicant's home.~~

2320.4 ~~Up until March 22, 2009, an applicant seeking to register an unregistered pistol already in his or her possession pursuant to this section shall follow the procedure laid out in paragraphs (g), (a), (c), (d), (e), and (h) of section 2320.3, in that order[RESERVED].~~

2320.5 An applicant seeking to register a pistol legally possessed in another jurisdiction pursuant to this section shall follow the procedure laid out in ~~p~~Paragraphs ~~(g), (a), (c), (d), and (e), and (h)~~ of ~~section §~~ 2320.3, in that order. If the applicant does not transport the pistol immediately to the Firearms Registration Section upon bringing it into the District, the applicant shall contact the Firearms Registration Section by calling 202-727-4275, providing notification that a pistol from another jurisdiction has been brought into the District, and then begin the application process within forty-eight (48) hours of such notification.

2320.6 ~~Failure to comply with the requirement to bring the pistol for a ballistics identification procedure will result in the denial of the registration application or revocation of the registration for that pistol and may subject the owner of the pistol to possible criminal charges[RESERVED].~~

2320.7 In the event of the loss, theft, or destruction of the registration certificate or of a registered pistol, a registrant shall immediately file a police report and shall also:

- (a) Immediately notify the Firearms Registration Section in writing of the loss, theft, or destruction of the registration certificate or of the registered pistol

(including the circumstances, if known) upon discovery of such loss, theft, or destruction; and

- (b) Immediately return to the Firearms Registration Section the registration certificate for any ~~firearm-pistol~~ which is lost, stolen, or destroyed.

2320.8 ~~[RESERVED]. When permitted under this section to transport a pistol between two places, a registrant must go directly between those places without deviation.~~

2320.9 When permitted under this section to transport a pistol, the ~~firearm-pistol~~ shall be unloaded, and neither the ~~firearm-pistol~~ nor any ammunition being transported shall be readily accessible or directly accessible from the passenger compartment of the transporting vehicle.

2320.10 If the transporting vehicle does not have a compartment separate from the driver's compartment, the ~~firearm-pistol~~ or ammunition shall be contained in a locked container other than the glove compartment or console, and the ~~firearm-pistol~~ shall be unloaded.

2320.11 If the transportation is in a manner other than in a vehicle, the ~~firearm-pistol~~ shall be:

- (a) Unloaded;
- (b) Inside a locked container; and
- (c) Separate from any ammunition.

## **2321 QUALIFICATIONS AND PROCEDURES TO OBTAIN A FIREARMS DEALER'S LICENSE**

2321.1 A person is eligible to become a licensed dealer of firearms if that person:

- (a) Is eligible to register a firearm under this ~~C~~chapter;
- (b) Is eligible under federal law to engage in such business; and
- (c) Has not previously violated any statutory duty of a licensed dealer if that person earlier was a licensed dealer.

2321.2 The license issued to a firearms dealer shall be valid for a period of not more than one (1) year from the date of issuance.

2321.3 To deal firearms lawfully, the holder of a firearms dealer's license must also comply with any other license or zoning procedures required by law, including having a certificate of occupancy and a basic business license issued by the Department of Consumer and Regulatory Affairs in accordance with applicable provisions in the District of Columbia Municipal Regulations.

2321.4 Prior to applying to the Firearms Registration Section for a firearm dealer's license, an applicant must first obtain a Federal Firearms Dealer's License issued by the Bureau of Alcohol, Tobacco, and Firearms.

2321.5 Each application for a dealer's license and renewal shall be made on a form prescribed by the Chief, shall be sworn to or affirmed by the applicant, and shall contain:

- (a) All information required by ~~section § 203 of the Firearms Control Act of 1975 (D.C. Law 1-85;~~ D.C. Official Code § 7-2502.03 (2013 Supp.);
- (b) The address where the applicant conducts or intends to conduct his/her business;
- (c) Whether the applicant, prior to September 24, 1976, held a license to deal in deadly weapons in the District; and
- (d) Such other information as the Chief may require including, but not limited to, fingerprints and photographs of the applicant.

**2322 [RESERVED]**

**2323 DISTRICT ROSTER OF HANDGUNS DETERMINED NOT TO BE UNSAFE**

2323.1 The Metropolitan Police Department shall establish the District Roster of Handguns Determined Not to be Unsafe (District Roster). Pursuant to ~~subsections § 504(e)(4) and 504(f) of the Firearms Regulations Control Act of 1975 (Act), effective March 31, 2009~~ (D.C. Official Code § 7-2505.04 (e)(4) & (f)~~Law 17-0372; 56 DCR 1365~~), the District Roster shall constitute the roster of pistols that may be manufactured, sold, given, loaned, exposed for sale, transferred, or imported into the District of Columbia notwithstanding ~~subsection § 504(a) of the Act, and that may be owned or possessed within the District of Columbia notwithstanding subsection § 504(b) of the Act.~~

2323.2 The District Roster shall include:

- (a) Any pistol that is on the California Roster of Handguns Certified for Sale (also known as the California Roster of Handguns Determined Not to be Unsafe) (California Roster), pursuant to California Penal Code § 12131, as of January 1, 2009, unless such pistol is an unregistrable firearm pursuant to ~~section § 202 of the Firearms Regulations Control Act of 1975, effective March 31, 2009~~ (D.C. Official Code § 7-2502.02 (2013 Supp.)~~Law 17-0372; 56 DCR 1365~~);
- (b) Any pistol that was listed on the California Roster prior to January 1, 2009, which was, or is subsequently, removed from the California Roster for any reason not related to the pistol's safety;
- (c) Any pistol listed on the January 1, 2009, Maryland Department of State Police Official Handgun Roster, as of January 1, 2009, published as Attachment A to this section, unless such pistol is an unregistrable firearm pursuant to ~~section § 202 of the Firearms Regulations Control Act of 1975, effective March 31, 2009~~ (D.C. Official Code § 7-2502.02 (2013 Supp.)~~Law 17-0372; 56 DCR 1365~~); and

- (d) Any pistol listed on the Commonwealth of Massachusetts Executive Office of Public Safety and Security Approved Firearms Roster, as of April 2, 2009, published as Attachment B to this section, unless such pistol is an unregisterable firearm pursuant to ~~section § 202 of the Firearms Regulations Control Act of 1975, effective March 31, 2009~~ (D.C. Official Code § 7-2502.02 (2013 Supp.)~~Law 17-0372; 56 DCR 1365~~).

2323.3

A pistol shall be deemed to be included on the District Roster if another pistol made by the same manufacturer is already listed and the unlisted pistol differs from the listed firearm only in one (1) or more of the following features:

- (a) Finish, including, but not limited to, bluing, chrome-plating, oiling, or engraving.
- (b) The material from which the grips are made.
- (c) The shape or texture of the grips, so long as the difference in grip shape or texture does not in any way alter the dimensions, material, linkage, or functioning of the magazine well, the barrel, the chamber, or any of the components of the firing mechanism of the pistol.
- (d) Any other purely cosmetic feature that does not in any way alter the dimensions, material, linkage, or functioning of the magazine well, the barrel, the chamber, or any of the components of the firing mechanism of the pistol.

2323.4

Any applicant seeking to have a pistol registered under ~~subsection §~~ 2323.3 shall provide to the Chief all of the following:

- (a) The model designation of the listed firearm.
- (b) The model designation of each firearm that the applicant seeks to have registered under this section.
- (c) A statement, under oath, that each unlisted pistol for which registration is sought differs from the listed pistol only in one (1) or more of the ways identified in § 2323.3 subdivision (a) and is in all other respects identical to the listed pistol.

2323.5

Any decision refusing registration pursuant to this section may be appealed to the Chief pursuant to ~~section § 210 of the Firearms Regulations Control Act of 1975, effective March 31, 2009~~ (D.C. Official Code § 7-2502.10 (2012 Repl.)~~Law 17-0372; 56 DCR 1365~~), and thereafter to the Office of Administrative Adjudication and Hearings, pursuant to D.C. Official Code § 2-1831.03(b-2) (2012 Repl.)~~subsection (b-2) of section 6 of the Office of Administrative Hearings Establishment Act of 2001, effective March 31, 2009 (D.C. Law 17-0372; 56 DCR 1365)~~. In any such appeal, the applicant shall bear the burden of demonstrating that the Chief's decision should be reversed and registration permitted.

2323.6

The make and model of any pistol registered pursuant to §§ 2323.3 through 2323.5 shall be recorded by the Metropolitan Police Department in such a manner to allow the Chief to waive the requirements of § 2323.4 in the event an additional applicant seeks registration for an identical pistol.

## 2324 INTERPRETATION OF ASSAULT WEAPONS DEFINITION

2324.1 Section 101 paragraph 3A of the ~~Firearms Regulations Control Act of 1975 (Act), effective March 31, 2009~~ (D.C. Official Code § 7-2501.01(3A) (2013 Supp. Law 17-0372; 56 DCR 1365.)), defined the term “assault weapon”; and ~~section § 202(a)(6) of the Act (D.C. Official Code § 7-2502.02(a)(6) (2013 Supp.))~~ declared that an “assault weapons” may not be registered in the District.

2324.2 In those instances where the definition of “assault weapon” refers to a firearms manufacturer or description without including a specific model reference, the term “assault weapon” shall be interpreted to include only those firearms produced by such manufacturer, or possessing such description, that share characteristics similar to the firearms enumerated ~~other enumerated firearms~~ in ~~section § 101 p~~Paragraph 3A(A)(i)(I) through (III) of the Act (D.C. Official Code § 7-2501.01(3A)(A)(i)(I) through (III) (2013 Supp.)), or possess any of the enumerated characteristics listed in ~~section § 101 p~~Paragraph 3A(A)(i)(IV) through (VIII) and 3A(A)(ii) through (iii) of the Act (D.C. Official Code § 7-2501.01(3A)(A)(i)(IV) through (VIII) and (3A)(A)(ii) through (iii) (2013 Supp.)).

2324.3 A firearm that is produced by a manufacturer or possesses a description that is included in the definition of “assault weapon” referred to in § 2324.1, but which does not share characteristics similar to the enumerated firearms, or the enumerated characteristics described in § 2324.2, may be registered; provided, that the firearm is not otherwise prohibited from registration under District or Federal law or regulation.

## 2325 PRE-1985 PISTOLS

2325.1 Any pistol with a single action firing mechanism manufactured prior to 1985 shall be exempt from the application of ~~section § 504 of the Firearms Regulations Control Act of 1975, effective March 31, 2009~~ (D.C. Official Code § 7-2505.04 (2012) Law 17-0372; 56 DCR 1365).

2325.2 Any pistol manufactured prior to 1985, not subject to § 2325.1, shall be deemed included on the District Roster established pursuant to § 2323.

## 2326 ~~[RESERVED]~~ RENEWAL OF FIREARMS REGISTRATION

2326.1 Pursuant to § 207a of the Act, a registration certificate shall expire three (3) years after the date of issuance, unless renewed in accordance with the Act and this section or otherwise stated in law or regulation.

2326.2 Firearms registered before January 1, 2011 shall be renewed as follows:

(a) A registrant shall appear in person at the Firearms Registration Section and submit an attestation containing the following information:

(1) Confirmation that the registrant continues to possess the firearm or firearms that were previously registered;

- (2) The registrant's current residential address; and
- (3) Confirmation that the registrant is compliant with each of the registration requirements under § 203(a) of the Act (D.C. Official Code § 7-2502.03(a) (2013 Supp.)).

(b) A registrant shall also submit to being fingerprinted.

2326.3 Registrants subject to § 2326.2 shall be required to renew their registration pursuant to the following schedule based on the registrant's date of birth:

- (a) If born between January 1 and February 15, the renewal period is between January 1, 2014 and March 31, 2014;
- (b) If born between February 16 and March 31, the renewal period is between April 1, 2014 and June 30, 2014;
- (c) If born between April 1 and May 15, the renewal period is between July 1, 2014 and September 30, 2014;
- (d) If born between May 16 and June 30, the renewal period is between October 1, 2014 and December 31, 2014;
- (e) If born between July 1 and August 15, the renewal period is between January 1, 2015 and March 31, 2015;
- (f) If born between August 16 and September 30, the renewal period is between April 1, 2015 and June 30, 2015;
- (g) If born between October 1 and November 15, the renewal period is between July 1, 2015 and September 30, 2015; and
- (h) If born between November 16 and December 31, the renewal period is between October 1, 2015 and December 31, 2015.

2326.4 If a registrant fails to renew his or her registration during the renewal period listed in § 2326.3, the registrant shall be subject to the following:

- (a) If the registrant fails to renew within thirty (30) days of the end of renewal period listed in § 2326.3, the renewal shall be processed as if submitted on time;
- (b) If the registrant fails to renew more than thirty (30) days but fewer than ninety (90) days after the end of the renewal period listed in § 2326.3, the registrant shall pay twice the amount of the firearm registration fee listed in § 2331.1; and
- (c) If the registrant fails to renew ninety (90) days or more after the end of the renewal period listed in § 2326.3:
  - (1) The registrant's registration shall be cancelled;
  - (2) The registrant shall be treated as a new registrant subject to §§ 2305 through 2313; and
  - (3) The firearm shall be subject to § 202 of the Act.

2327 [RESERVED]

2328 [RESERVED]

2329 [RESERVED]

2330 [RESERVED]

## 2331 FEES

2331.1 The following fees shall be charged in connection with the services provided under this chapter:

- (a) Accident reports - \$ ~~23~~.00;
- (b) Arrest records - ~~57~~.00;
- (c) Fingerprints ~~— \$35.00~~~~2.50~~;
- (d) Firearm registration - ~~1340~~.00;
- (e) ~~[RESERVED]Photographs—2.50~~; and
- (f) Transcript of records - ~~23~~.00.

## 2399 DEFINITIONS

2399.1 When used in this chapter, and in forms prescribed under this chapter, where not otherwise distinctly expressed or manifestly incompatible with the intent of the Act or this chapter, the following terms shall have the meanings ascribed:

~~**Act** – the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code §§ 7-2501.01 *et seq.* (2012 Repl. and 2013 Supp.)).~~

~~**Ballistics identification procedure** – a process, approved by the Chief, undertaken to identify markings unique to a particular firearm or the ammunition used by the firearm.~~

~~**Business premises** – the property on which a licensed, deadly weapons dealer’s business is or will be conducted.~~

~~**Certified firearms instructor** – any person certified as a firearms instructor by the military or a state authority.~~

**Chief** - the Chief of the Metropolitan Police Department.

**Dealer** - any person engaged in the business of buying, selling, or otherwise dealing in firearms, ammunition, or destructive devices at wholesale or retail; any person engaged in the business of repairing, testing, or analyzing firearms; any person engaged in the business of making or fitting special barrels, stocks, or trigger mechanisms for firearms or destructive devices; or any person repairing, testing, analyzing, or making any destructive device or ammunition.

**Director** - the commanding officer or acting commanding officer of the Police Business Services Division of the Metropolitan Police Department or their delegates.

**Explosive or explosives** - any chemical compound or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportion, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonator, or any part of the compound or mixture, may cause a sudden generation of highly heated gasses that results in gaseous pressures capable of producing destructive effects on contiguous objects or of destroying life or limb. (Art. 9, § 3 of the Police Regulations)

**Firearms Registration Section** - a part of the Police Business Services Division of the Metropolitan Police Department, located in 300 Indiana Avenue, N.W., Washington, D.C. 20001

**Home** - the principal place of residence of an individual in the District and limited to the interior of a house, condominium unit, cooperative unit, apartment, houseboat, or a mobile home, so long as that structure is not capable of unassisted movement. The term home does not include any common areas of any condominium unit, cooperative unit, or apartment.

**Intrafamily offense**- shall have the same meaning as provided in D.C. Official Code § 16-1001(8) (2012 Repl.).

~~**Law enforcement officer**— any person authorized by a unit of government to carry a firearm on public space and who is responsible for, and under a duty to, detect crimes and apprehend offenders. A law enforcement officer is not a commissioned special police officer or the equivalent.~~

**Licensed dealer**- a deadly weapons dealer licensed under the Act and this chapter.

**Machine gun**- means any firearm which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term “machine gun” shall also include the frame or receiver of any such firearm, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a firearm into a machine gun, and any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person.

**Pistol** - any firearm originally designed to be fired by use of a single hand or with a barrel less than 12 inches in length.

~~**Place of business**— means a business that is located in an immovable structure at a fixed location and that is operated and owned entirely, or in substantial part, by the firearm registrant.~~

**Supervisor** - the person in charge of the Firearms Registration Section.