

MARYLAND STATE POLICE LICENSING DIVISION FREQUENTLY ASKED QUESTIONS

THE SUBSEQUENT PAGES OF FREQUENTLY ASKED QUESTIONS INCLUDES TOPICS OF LICENSING SERVICES (Security Guard/Agency, Private Detective/Agency, Special and Railroad Police Commissions, Security Systems Registrant/Agency, etc.) HANDGUN PERMITS AND FIREARMS REGULATIONS.

Q: Where can I get an application to apply for various security and investigative licenses, a handgun permit and authorization to purchase of body armor?

A: You can go to any Maryland State Police barrack or the Maryland State Police Website (www.mdsp.org) and obtain a copy of an application for the following: (Left click on "DOWNLOADS," then left click on "General Downloads," then scroll through the list to the Licensing Application.)

- Private Detective Agency License
- Security Guard Agency License
- Private Detective Registrant
- Security Guard Certification
- Security Systems Agency License
- Security Systems Registrant
- Agency Firm Member
- Special Police Commission
- Railroad Police Commission
- Handgun Permit To Carry a Concealed Handgun

LICENSING SERVICES QUESTIONS

Q: What is my current status for my license or permit?

A: You will need to contact your agency. Agency personnel will need to provide Licensing Division with the following information:

- Name
- Date of Birth
- Social Security Number

The agency can fax the information on business letterhead to (410) 653-5441.

Q: Where would I receive my Clearance Identification Card?

A: All Clearance Identification Cards are mailed to the applicant's current agency of employment.

CONTINUED, FAQ'S; LICENSING SERVICES

Q: What are the qualifications for my license or permit?

A: You can go to the below listed websites to find out the current laws and qualifications for your license or permit. Qualifications for licenses/certifications vary per certification. The qualifications can be reviewed by visiting the following websites *and searching the genre of employment/business*:

www.mlis.state.md.us

www.michie.com

www.lib.umd.edu

www.atf.gov

The following website will take you directly to a website where you will have to enter the statute you are searching:

http://mlis.state.md.us/asp/web_statutes.asp

<http://198.187.128.12/maryland/lpext.dll?f=templates&fn=fs-main.htm&2.0>

Q: Who do I call in order to complain about an agency licensed by the Maryland State Police?

A: You can file a complaint about an agency with the Maryland State Police Licensing Division (410) 653-4500. Ask to speak to personnel assigned to the Audit Unit.

Q: Where do I go to be finger printed?

A: You can call any Maryland State Police barrack and ask the Duty Officer the schedule (dates and times) for fingerprinting at that particular barrack. You may also call local law enforcement agencies in your county of residence and ascertain their finger printing schedule, or you may contact the Maryland Criminal Justice Information Services (CJIS) at (410) 764-4501 or visit them at 6776 Reisterstown Road (West side of Reisterstown Road Plaza Mall) Suite 102 (first floor) Baltimore, MD 21215.

You may also visit the Maryland State Police website at www.mdsp.org and click on the "State Police Barracks" link to view the barracks by county.

Q: How long is the process for a license or permit?

A: The process varies depending upon the investigation and the number of licenses or permits. Typically, applications are completely processed within 90 days from the submission of the application, providing that all of the criteria in the application process has been met.

CONTINUED, FAQ'S; LICENSING SERVICES

Q: How much does a license certification or a handgun permit cost?

A: The costs for licenses and permits vary. The required fees for initial and renewal certifications are listed on the Licensing Application which can be accessed through the Maryland State Police website. (Go to www.mdsp.org, left click on "DOWNLOADS," then left click on "General Downloads," then scroll through the list to the Licensing Application.) Information may also be obtained from visiting the following web sites *and searching the genre of employment/business*:

www.mlis.state.md.us

www.michie.com

www.lib.umd.edu

You can also search the specific statute text at the following websites:

http://mlis.state.md.us/asp/web_statutes.asp

<http://198.187.128.12/maryland/lpext.dll?f=templates&fn=fs-main.htm&2.0>

Q: What are the hours of operation for Licensing Division?

A: Licensing Division is open Monday through Friday from 8:00 a.m. to 4:30 p.m. The Division is closed on weekends and state holidays.

Q: Where is Licensing Division located?

A: Licensing Division is located at:

1111 Reisterstown Road,
Pikesville, MD 21208

The Licensing Division phone number is 410-653-4500

The fax number is 410-653-5441

The email address is Licensing@mdsp.org.

FIREARMS REGISTRATION SERVICES

Q. How does a private citizen sell regulated firearms (handguns and assault weapons) to another private citizen?

A. As long as both parties are Maryland residents, the prospective seller, regulated firearms to be sold, and the prospective purchaser must go to a participating licensed firearms dealer or the Maryland State Police to conduct the "secondary sale." The dealer or designated law enforcement agency shall;

1. Ensure both parties are Maryland residents;
2. Review and verify the applicant information is correct;
3. Review and verify the seller information is correct;
4. Review and verify the regulated firearms information is correct;
5. Ensure the application is complete and legible;
6. Ensure the applicant understands the certification they are signing;
7. Ensure the applicant and seller sign section 5 of the application;
8. Collect the \$10.00 application fee;
9. Sign and date the application as the reviewer; and
10. Forward the application, with the \$10.00 application fee attached, to the Licensing Division for processing.

The seller maintains possession of the firearms while the application is being processed, no less than 7 days.

Q. Can I legally transport my regulated firearm to the range?

A. Yes, however, Maryland and Federal laws require specific conditions be met while transporting a handgun. Please refer to Maryland Annotated Code, Criminal Law, Title 4, Section 203 for a detailed account of wearing, carrying, or transporting a handgun. You may access the Maryland General Assembly website at <http://mlis.state.md.us/>

You can access the Federal requirements through www.atf.gov and conduct a search for "27 Code of Federal Regulations, Part 178" and then look for "Transportation of Firearms."

The basic requirement during transport is the handgun must be unloaded and in an enclosed case or enclosed holster with the ammunition separate from the handgun AND you must be transporting the handgun to or from the locations listed in the statute.

Go to the following website for Criminal Law Title 4-203 regarding wearing, carrying or transporting a handgun:
http://mlis.state.md.us/asp/statutes_Respond.asp?article=gcr§ion=4-203&Extension=HTML

CONTINUED FAQ'S; FIREARMS REGISTRATION SERVICES

Q. Can I legally transport firearms interstate?

A. Yes, under Title 18, Section 926A, of the United States Code, a person who is not prohibited from possessing, transporting, shipping, or receiving a firearm shall be entitled to transport a firearm for any lawful purpose from any place where he may lawfully possess and carry such firearm to any place where he may lawfully possess and carry such firearm if, during such transportation the firearm is unloaded, neither the firearm nor any ammunition being transported is readily accessible or is directly accessible from the passenger compartment. In the case the vehicle does not have a compartment separate from the driver's compartment the firearm or ammunition shall be contained in a locked compartment other than the glove compartment or console.

Q. How do I find out where to take the Certified Firearms Training Course?

A. The Certified Firearms Training Course is a video that can be viewed at some regulated firearms dealers stores/place of business or you can go through the following website www.mdgunsafety.com to locate times, dates, and locations where the training course is offered. Once on the website, click on "Schedule of Courses" under the Site Menu and a calendar and list of locations and times will be displayed where the Certified Firearms Training Course is offered. The Certified Firearms Training Course is administered by the Maryland Police Training Commission.

Q. What handguns are approved for sale in Maryland?

A. Go to www.mdsp.org, under Quick Links, click on Firearms/Permits/Licensing for a complete list of approved handguns for sale in Maryland.

Q. Is there a law for storing firearms in the home?

A. Yes. Under the Maryland Annotated Code, Criminal Law, Article 4 Section 104, it is unlawful for any person to store or leave a loaded firearm in a location where the person knew or should have known that an unsupervised child would gain access to the firearm. (For safety purposes, the stored firearm should be unloaded and the use of a trigger lock is recommended).

The following website will display the Maryland text for Criminal Law Section 4-104:

http://mlis.state.md.us/asp/statutes_Respond.asp?article=gcr§ion=4-104&Extension=HTML

The text reads as below:

§4-104.

(a) (1) In this section the following words have the meanings indicated.

(2) "Ammunition" means a cartridge, shell, or other device containing explosive or incendiary material designed and intended for use in a firearm.

(3) "Child" means an individual under the age of 16 years.

(4) (i) "Firearm" means a handgun, rifle, shotgun, short-barreled rifle, or short-barreled shotgun, as those terms are defined in § 4-201 of this title, or any other firearm.

(ii) "Firearm" does not include an antique firearm as defined in § 4-201 of this title.

(b) This section does not apply if:

(1) the child's access to a firearm is supervised by an individual at least 18 years old;

(2) the child's access to a firearm was obtained as a result of an unlawful entry;

(3) the firearm is in the possession or control of a law enforcement officer while the officer is engaged in official duties; or

(4) the child has a certificate of firearm and hunter safety issued under § 10-301.1 of the Natural Resources Article.

(c) A person may not store or leave a loaded firearm in a location where the person knew or should have known that an unsupervised child would gain access to the firearm.

(d) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.

(e) (1) A violation of this section may not:

(i) be considered evidence of negligence;

(ii) be considered evidence of contributory negligence;

(iii) limit liability of a party or an insurer; or

(iv) diminish recovery for damages arising out of the ownership, maintenance, or operation of a firearm or ammunition.

(2) A party, witness, or lawyer may not refer to a violation of this section during a trial of a civil action that involves property damage, personal injury, or death.

FREQUENTLY ASKED QUESTIONS; HANDGUN PERMITS

Q. Where can I get my photographs taken?

A. You may go to any location where passport size photos (1.5"x 1.5" or 2"x 2") are taken however, please remember that you can not wear a hat or dark glasses in the picture. Your face must clearly be visible. Licensing Division will also accept computer generated photographs, however, a computer file on a diskette or CD will not be accepted due to computer security and computer viruses. The photograph must already be printed when submitted with the application.

CONTINUED FAQ'S; HANDGUN PERMITS

- Q. How long does it take to have an application approved?
- A. All applicants must submit a finger print card. These cards are used by the FBI to conduct a criminal background check. This check may take up to 60 days before the results are returned to the Licensing Division. Further, all applicants must undergo a thorough background investigation conducted by the State Police. The entire process, in most cases will be completed within 90 days from the date it was submitted, providing all criteria in the application process has been met.
- Q. May I apply for a handgun permit in anticipation of employment with a security or private detective agency?
- A. No. You must be employed by an agency prior to applying for the handgun permit; it can be submitted simultaneously, but not before.
- Q. Can I get an unrestricted handgun permit?
- A. Handgun permits are issued based on individual needs and some individuals qualify for an unrestricted permit. Under the authority of Maryland Annotated Code, Public Safety Title 5, Section 307, Scope of Permit; the Secretary (of State Police) may limit the geographical area, circumstances, or time of the day, week, month, or year in which a permit is effective. All handgun permits contain the following language, "valid except where restricted by law or prohibited by policy."
- Q. How can I transport a handgun without a permit?
- A. Maryland and Federal laws require specific conditions be met while transporting a handgun. Please refer to Maryland Annotated Code, Criminal Law, Title 4, Section 203 for a detailed account of wearing, carrying, or transporting a handgun. You may access the Maryland General Assembly website at <http://mlis.state.md.us/> then search for Criminal Law, Title 4, Section 203, under the Statute Text link. You can access the Federal requirements through www.atf.gov and conduct a search for "27 Code of Federal Regulations, Part 178" and then look for "Transportation of Firearms." The basic requirement during transport is the handgun must be unloaded and in an enclosed case or enclosed holster with the ammunition separate AND you must be transporting the handgun to or from the locations listed in statute.
- Q. If I live out-of-state must I apply for a handgun permit in person in Maryland?
- A. No. You may down load the Licensing Application by clicking on "Downloads" from the Maryland State Police website (www.mdsp.org) then click on "General Downloads," then scroll through the list to the "Licensing Application." Upon completing the application, you may mail the application to Maryland State Police, Licensing Division, Handgun Permit Unit 1111 Reisterstown Road, Pikesville, MD 21208.

CONTINUED FAQ'S; HANDGUN PERMITS

- Q. Am I prohibited from getting a handgun permit if I have been arrested?
A. There are numerous disqualifying factors, however, most are associated with convictions. The most important thing to remember is that you must list any and all arrest(s) or charge(s) since your 18th birthday, even if you were not convicted. Every application is reviewed based on its own circumstances.
- Q. Do I need a handgun permit to transport my handgun to a range?
A. No, however, Maryland and Federal laws require specific conditions be met while transporting a handgun. Please refer to Maryland Annotated Code, Criminal Law, Title 4, Section 203 for a detailed account of wearing, carrying, or transporting a handgun. You may access the Maryland General Assembly website at <http://mlis.state.md.us/> You can access the Federal requirements through www.atf.gov and conduct a search for "27 Code of Federal Regulations, Part 178" and then look for "Transportation of Firearms."
The basic requirement during transport is the handgun must be unloaded and in an enclosed case or enclosed holster with the ammunition separate from the handgun AND you must be transporting the handgun to or from the locations listed in the statute.
Go to the following website for the statute text in Criminal Law Title 4-203 regarding wearing, carrying or transporting a handgun:
<http://mlis.state.md.us/asp/statutes/Respond.asp?article=gcr§ion=4-203&Extension=HTML>
- Q. What should I do if my employment changes, my permit is revoked or the restriction on my permit no longer applies?
A. You are required, by law, to return the permit to the State Police, within ten days of the change. It should be accompanied by a letter regarding the reason for returning the permit. Failure to return the permit, within ten days, could result in your arrest.
- Q. How do I obtain a Qualified Handgun Instructor application?
A. You may pick up an application in person at the Licensing Division located at 1111 Reisterstown Road, Pikesville, MD 21208, or you may call the Licensing Division at 410-653-4500 and ask for the Handgun Permit Administrative Unit to request for an application to be mailed. You must already be certified as a firearm instructor and have worked as a firearms instructor for at least one year prior to applying.
- Q. Are out of state handgun permits valid in Maryland?
A. No. The only exception is to armored car drivers who possess valid permits from other states, who are On Duty in Maryland.
- Q. Do you accept cash payments?
A. No. Payments must be either check or money order, payable to the Maryland State Police.