

PISTOL LICENSE INFORMATION HANDBOOK

PDCS-4000m



POLICE DEPARTMENT COUNTY OF SUFFOLK, NEW YORK

ACCREDITED LAW ENFORCEMENT AGENCY

PISTOL LICENSE INFORMATION HANDBOOK

January 2014

Pistol Licensing Bureau
Suffolk County Police Department
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INTRODUCTION

This handbook has been prepared as a guide for pistol license holders. It provides information pertaining to the laws, rules, procedures, and regulations governing pistol licensing as well as duties and responsibilities of a licensee. It is your responsibility to read and know the contents of this booklet.

The Pistol Licensing Bureau is located in the John L. Barry Police Headquarters building at 30 Yaphank Ave. in Yaphank, NY. For answers to questions concerning pistol licensing, you may contact a bureau representative at the following number: (631) 852-6311. Answers to many questions can be found on the Suffolk County Police website. Many of the required forms and answers to frequently asked questions can also be obtained via the website. If you are calling in response to a letter mailed to you by this office, you should use the telephone number provided within the correspondence.

Section 400 of the New York State Penal Law mandates certain administrative procedures concerning the issuance, renewal, filing, cancellation and revocation of licenses. Over the years the courts have made rulings and interpretations that have had an impact on how the law is currently interpreted.

New York State currently has 59 pistol licensing jurisdictions. Suffolk County is unique because it is the only county in the state that has two (2) separate licensing jurisdictions. The Suffolk County Police Commissioner is the Licensing Officer of the five (5) western towns; Babylon, Islip, Huntington, Smithtown and Brookhaven. The County Sheriff is the Licensing Officer for the remaining towns on the east end of Suffolk County.

TERMS AND DEFINITIONS

- (1) **BUILDING:** In addition to its ordinary meaning, includes any structure, vehicle or watercraft used for overnight lodging of persons, or used by persons for carrying on business therein or any enclosed motor truck, or an enclosed motor truck trailer. Where a building consists of two or more units separately secured or occupied, each unit shall be deemed both a separate building in itself and a part of the main building.
- (2) **PREMISES:** Includes the term “building” as defined herein, and any real property.
- (3) **DWELLING:** A building, which is usually occupied by a person lodging therein at night.
- (4) **SERIOUS PHYSICAL INJURY:** Physical injury which creates a

substantial risk of death, or which causes death or serious protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ.

- (5) **DEADLY PHYSICAL FORCE:** Physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury to the person.
- (6) **POSSESS:** To have physical possession or otherwise to exercise dominion or control over tangible property, other than incidentally.
- (7) **BLACK POWDER:** Any unloaded pistol or revolver with a matchlock, flintlock, percussion cap, or similar type of ignition system.
- (8) **ARMOR PIERCING AMMUNITION:** Any ammunition capable of being used in pistols or revolvers containing a projectile or projectile core, or a projectile or projectile core for use in such ammunition, that is constructed entirely (excluding the presence of traces of other substances) from one or a combination of any of the following: tungsten alloys, steel, iron, brass, bronze, beryllium, copper, or uranium.
- (9) **DEADLY WEAPON:** Any loaded weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged, or a switchblade knife, gravity knife, pilum ballistic knife, metal knuckle knife, dagger, billy, blackjack, plastic knuckles, or metal knuckles.
- (10) **ASSAULT WEAPON:** A semiautomatic rifle, able to accept a detachable magazine having at least one of the following characteristics:
 - a. Folding or Telescoping Stock
 - b. Protruding Pistol Grip
 - c. Thumbhole Stock
 - d. Second Handgrip or Protruding Grip that can be held by non-shooting hand
 - e. Bayonet Mount
 - f. Flash Suppressor
 - g. Muzzle Brake
 - h. Muzzle Compensator
 - i. A threaded barrel designed to accommodate the above
 - j. Grenade Launcher

A semiautomatic shotgun having at least one of the following characteristics:

- a. Folding or Telescoping Stock

- b. Thumbhole Stock
- c. Second Handgrip or Protruding Grip that can be held by non-trigger hand
- d. Fixed magazine capacity in excess of seven rounds
- e. An ability to accept a detachable magazine

A semiautomatic pistol, able to accept a detachable magazine having at least one of the following characteristics:

- a. Folding or Telescoping Stock
- b. Thumbhole Stock
- c. Second Handgrip or Protruding Grip that can be held by non-trigger hand
- d. Capacity to accept an ammunition magazine that attaches to the pistol outside the pistol grip
- e. A threaded barrel capable of accepting a barrel extender, flash suppressor, forward hand grip or silencer
- f. A shroud that is attached to, or partially or completely encircles, the barrel and that permits the shooter to hold the firearm with the non-trigger hand without being burned
- g. A manufactured weight of fifty ounces or more when the pistol is unloaded

*For full definition, see NYS PL 265.00 (22)

(11) LARGE CAPACITY AMMUNITION FEEDING DEVICE: A magazine, belt, drum, feed strip, or similar device that:

- (a) has a capacity of, or that can be readily restored or converted to accept, more than ten rounds of ammunition, or
- (b) contains more than seven rounds of ammunition; provided, however, that such term does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition or a feeding device that is a curio or relic.

*For full definition, see NYS PL 265.00 (23)

(12) CURIO OR RELIC FEEDING DEVICE: A device that:

- (a) was manufactured at least fifty years prior to the current date,
- (b) is only capable of being used exclusively in a firearm, rifle, or shotgun that was manufactured at least fifty years prior to the current date, but not including replicas thereof,
- (c) is possessed by an individual who is not prohibited by state or federal law from possessing a firearm and
- (d) is registered with the division of state police pursuant to subdivision sixteen-a of section 400.00 of this chapter, except such feeding

devices transferred into the state may be registered at any time, provided they are registered within thirty days of their transfer into the state. Notwithstanding paragraph (h) of subdivision twenty-two (22) of section 265.00 of the New York State Penal Law, such feeding devices may be transferred provided that such transfer shall be subject to the provisions of section 400.03 of the New York State Penal Law including the check required to be conducted pursuant to such section.

*For full definition, see NYS PL 265.00 (23)

(13) QUALIFIED RETIRED NEW YORK OR FEDERAL LAW ENFORCEMENT OFFICER: an individual who is a retired police officer as police officer is defined in subdivision thirty-four of section 1.20 of the criminal procedure law, a retired peace officer as peace officer is defined in section 2.10 of the criminal procedure law or a retired federal law enforcement officer as federal law enforcement officer is defined in section 2.15 of the criminal procedure law, who:

- (a) separated from service in good standing from a public agency located in New York State in which such person served as either a police officer, peace officer or federal law enforcement officer; and
- (b) before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest, pursuant to their official duties, under the criminal procedure law; and
- (c)
 - (i) before such separation, served as either a police officer, peace officer or federal law enforcement officer for five years or more and at the time of separation, is such an officer; or
 - (ii) separated from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency at or before the time of separation; and
- (d)
 - (i) has not been found by a qualified medical professional employed by such agency to be unqualified for reasons relating to mental health; or
 - (ii) has not entered into an agreement with such agency from which the individual is separating from service in which that individual acknowledges he or she is not qualified for reasons relating to mental health; and

- (e) is not otherwise prohibited by New York or federal law from possessing any firearm.
- (14) **IMMEDIATE FAMILY MEMBER:** Spouse, domestic partner, child and step-child.
- (15) **SAFEGUARD PERSON:** An individual at least twenty-one (21) years of age appointed by the licensee who, in the event of the licensee's inability to safeguard his or her firearms due to incapacitation or death, will surrender or facilitate the surrender of all firearms listed on the license. This individual should be a Suffolk County resident and does not need to possess a pistol license, but must be eligible to possess a firearm. A safeguard person may **ONLY** possess the licensee's registered handguns for the purpose of the immediate surrender of same to a law enforcement entity.
- (16) **DEALER IN FIREARMS:** Any person, firm, partnership, corporation or company who engages in the business of purchasing, selling, keeping for sale, or in any legal manner disposing of, any pistol or revolver.
- (17) **GUNSMITH:** Any person, firm, partnership, corporation or company which engages in the business of repairing, altering, assembling, manufacturing, cleaning, polishing, engraving or truing, or who performs any mechanical operation on, any firearm or machine-gun.
- (18) **CONSIGNMENT:** For our purposes, it would entail the "sale" of a handgun to a dealer in firearms. The handgun may then be displayed for sale to another licensee.
- (19) **FIREARM EXHIBITOR:** Any person, firm, partnership, corporation or company that exhibits, sells, offers for sale, transfers, or exchanges firearms, rifles or shotguns at a gun show.
- (20) **GUN SHOW:** An event sponsored, whether for profit or not, by an individual, national, state or local organization, association or other entity devoted to the collection, competitive use, sporting use, or any other legal use of firearms, rifles or shotguns, or an event at which:
- (a) twenty percent or more of the total number of exhibitors are firearm exhibitors, or
 - (b) ten or more firearm exhibitors are participating, or
 - (c) a total of twenty-five or more pistols or revolvers are offered for sale or transfer, or
 - (d) a total of fifty or more firearms, rifles or shotguns are offered for sale or transfer. The term gun show shall include any building, structure

or facility when firearms, rifles or shotguns are offered for sale or transfer and any grounds used in connection with the event.

- (21) GUN LOCKING DEVICE:** An integrated design feature or an attachable accessory that is resistant to tampering and is effective in preventing the discharge of such rifle, shotgun or firearm by a person who does not have access to the key, combination or other mechanism used to disengage the device.

CHAPTER 1

DEFENSE OF JUSTIFICATION

As a pistol licensee you are required to understand the laws relating to the use of deadly physical force. This chapter, titled Defense of Justification, is meant to inform you about “deadly physical force,” specifically, force caused by the use of a firearm.

USE OF PHYSICAL FORCE IN DEFENSE OF A PERSON

(NYS Penal Law Section 35.15)

1. A person may, subject to the provisions of subdivision two, use physical force upon another person when and to the extent he reasonably believes such to be necessary to defend himself or a third person from what he reasonably believes to be the use or imminent use of unlawful physical force by such other person, unless:
 - (a) The latter’s conduct was provoked by the actor himself with intent to cause physical injury to another person; or
 - (b) The actor was the initial aggressor; except that in such case his use of physical force is nevertheless justifiable if he has withdrawn from the encounter and effectively communicated such withdrawal to such other person but the latter persists in continuing the incident by the use or threatened imminent use of unlawful physical force; or
 - (c) The physical force involved is the product of a combat by agreement not specifically authorized by law.

2. A person may not use deadly physical force upon another person under circumstances specified in subdivision one unless:
 - (a) He reasonably believes that such other person is using or is about to use deadly physical force. Even in such case however, the actor may not use deadly physical force if he knows that he can with complete safety as to himself and others avoid the necessity of so doing by retreating; except that he is under no duty to retreat if he is:
 - (i) In his dwelling and not the initial aggressor; or
 - (ii) A police officer or peace officer or a person assisting a police officer or a peace officer at the latter’s direction, acting pursuant to Section 35.30 NYS Penal Law; or
 - (b) He reasonably believes that such other person is committing or attempting to commit a kidnapping, forcible rape, forcible criminal sexual act or robbery; or
 - (c) He reasonably believes that such other person is committing or attempting to commit a burglary, and the circumstances are such that the use of deadly physical force is authorized by subdivision three of Section 35.20 NYS Penal Law.

USE OF PHYSICAL FORCE IN DEFENSE OF PREMISES AND IN DEFENSE OF A PERSON IN THE COURSE OF A BURGLARY

(NYS PL Section 35.20)

1. Any person may use physical force upon another person when he reasonably believes such to be necessary to prevent or terminate what he reasonably believes to be the commission or attempted commission by such other person of a crime involving damage to premises. He may use any degree of physical force, other than deadly physical force, which he reasonably believes to be necessary for such purpose, and he may use deadly physical force if he reasonably believes such to be necessary to prevent or terminate the commission or attempted commission of arson.
2. A person in possession or control of any premises, or a person licensed or privileged to be thereon or therein, may use physical force upon another person when he reasonably believes such to be necessary to prevent or terminate what he reasonably believes to be the commission or attempted commission by such other person of a criminal trespass upon such premises. He may use any degree of physical force, other than deadly physical force, which he reasonably believes to be necessary for such purpose, and he may use deadly physical force in order to prevent or terminate the commission or attempted commission of arson, as prescribed in subdivision one, or in the course of a burglary or attempted burglary, as prescribed in subdivision three.
3. A person in possession or control of, or licensed or privileged to be in, a dwelling or an occupied building, who reasonably believes that another person is committing or attempting to commit a burglary of such dwelling or building, may use deadly physical force upon such other person when he reasonably believes such to be necessary to prevent or terminate the commission or attempted commission of such burglary.
4. As used in this section, the following terms have the following meanings:
 - (a) The terms “premises,” “building” and “dwelling” have the meanings prescribed in Section 140.00 NYS Penal Law.
 - (b) Persons “licensed or privileged” to be in buildings or upon other premises include, but are not limited to, police officers or peace officers acting in the performance of their duties.

USE OF PHYSICAL FORCE TO PREVENT OR TERMINATE LARCENY OR CRIMINAL MISCHIEF

(NYS PL Section 35.25)

A person may use physical force, other than deadly physical force, upon another person when and to the extent that he reasonably believes such to be necessary to prevent or terminate what he reasonably believes to be the commission or attempted commission by such other person of larceny or of criminal mischief with respect to property other than premises.

USE OF PHYSICAL FORCE IN MAKING AN ARREST OR IN PREVENTING AN ESCAPE

(NYS PL Section 35.30)

1. A person who has been directed by a police officer or a peace officer to assist such police officer or peace officer to effect an arrest or to prevent an escape from custody may use physical force, other than deadly physical force, when and to the extent that he reasonably believes such to be necessary to carry out such police officer or peace officer's direction, unless he knows that the arrest or prospective arrest is not or was not authorized and he may use deadly physical force under such circumstances when:
 - (a) He reasonably believes such to be necessary to defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force; or
 - (b) He is directed or authorized by such police officer or peace officer to use deadly physical force unless he knows that the police officer or peace officer himself is not authorized to use deadly physical force under the circumstances.

2. A private person acting on his own account may use physical force, other than deadly physical force, upon another person when and to the extent that he reasonably believes such to be necessary to effect an arrest or to prevent the escape from custody of a person whom he reasonably believes to have committed an offense and who in fact has committed such offense; and he may use deadly physical force for such purpose when he reasonably believes such to be necessary to:
 - (a) Defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force; or
 - (b) Effect the arrest of a person who has committed murder, manslaughter in the first degree, robbery, forcible rape or forcible criminal sexual act, and who is in immediate flight therefrom.

NOTE: Changes in the law concerning the use of physical force and deadly physical force may be made from time to time. **You are responsible to know the current laws.**

***WARNING: DEFENSE OF JUSTIFICATION**

Section 35 of the New York State Penal Law authorizes the use of deadly physical force to effect the arrest of a person who has committed murder, robbery, manslaughter 1st degree, forcible rape or forcible criminal sexual act and who is in immediate flight therefrom. You must have reasonable cause to believe deadly physical force is necessary to apprehend the person who in fact has committed the offense.

WARNING: It is strongly recommended that you **DO NOT** use deadly physical force unless it absolutely necessary to protect yourself or another person from deadly physical force.

REMEMBER: Your actions may be authorized by the Penal Law, but you can still be held accountable for your actions and sued civilly for same.

CHAPTER 2
PISTOL LICENSE
APPLICANT REQUIREMENTS

AN APPLICANT MUST:

- A)** Be at least twenty-one (21) years of age. No such age restriction shall apply when such applicant has been honorably discharged from the United States Army, Navy, Marine Corps, Air Force or Coast Guard, or the National Guard of the State of New York.
- B)** Be of good moral character.
- C)** Have no prior conviction for a felony or other serious offense, as defined in Section 265 of the NYS Penal Law.
- D)** Not be a fugitive from justice.
- E)** Not be an unlawful user of or addicted to any controlled substance as defined in section 21 U.S.C. 802.
- F)** Not be residing in the United States illegally or unlawfully.
- G)** Not have been admitted to the United States under a nonimmigrant visa subject to the exception in 18 U.S.C. 922(y)(2).
- H)** Not have been discharged from the Armed Forces under dishonorable conditions.
- I)** Not have renounced his/her United States Citizenship.
- J)** Disclose any history of mental illness.
- K)** Be free from any mental disorders, defects or diseases that would impair his or her ability to safely possess or use a firearm.
- L)** Not have been involuntarily committed to a facility under the jurisdiction of an office of the department of mental hygiene pursuant to article nine or fifteen of the mental hygiene law, article seven hundred thirty or section 330.20 of the criminal procedure law, section four hundred two or five hundred eight of the correction law, section 322.2 or 353.4 of the family court act, or has not been civilly confined in a secure treatment facility pursuant to article ten of the mental hygiene law.

- M)** Not have had a license revoked or be under a suspension or ineligibility order issued pursuant to the provisions of section 530.14 of the criminal procedure law or section eight hundred forty-two-a of the family court act.
- N)** Reside or maintain a principal place of business within the confines of the five (5) western towns of Suffolk County.

TYPES OF PISTOL LICENSES

- (1) SPORTSMAN** – (Premise/Dwelling, Target and Hunting) – A Sportsman endorsement entitles a licensee to possess a firearm within his/her home for the purpose of home protection, at a designated firing range for the purpose of target shooting, and in the field while actively engaged in lawful hunting. Firearms may only be transported between your residence and an authorized target shooting range and/or a legal hunting area in New York State. For the purpose of hunting, you are reminded that you must also possess a valid New York State hunting license and comply with DEC hunting regulations. When carrying a firearm in accordance with the above restrictions, the handgun must be carried concealed except when in the field hunting or on the target range for the purpose of target shooting.

A Sportsman license will be canceled if you relocate to another state. If you relocate outside the five western towns of Suffolk County but continue to reside in New York State your records can be transferred to the appropriate licensing agency upon payment of the requisite transfer fee.

For the purpose of firearm training: a pistol license holder who has a valid Hunter Safety Education Instructor Certificate issued by the New York State Department of Environmental Conservation and/or is a National Rifle Association of America certified instructor and is instructing a firearm safety class, may possess for demonstration purposes, a licensed firearm. An instructor, if carrying a licensed firearm, must have in their possession while traveling to, during and from the training class, documentation showing the type, location and time of the class scheduled and proof of their instructor certification.

NOTE: Licensees are authorized to stop only for nonalcoholic refreshments and/or a meal on the way to and from their shooting destination. You are authorized to do this only during the period between leaving your residence and arriving at your shooting destination or during the return trip. You are not authorized to take your firearm to any establishment used primarily for alcohol consumption. You are not authorized to conduct any other non-

target shooting or hunting activity while in possession of your handgun. In the event a licensee does choose to break for a refreshment and/or meal, they are responsible for the concealment and safeguarding of their firearms.

- (2) **BUSINESS LICENSE** – Licenses which are issued for BUSINESS CARRY purposes are limited to the concealed carriage of a firearm while in the normal course of business for which it was issued. A business classification will be removed if employment is terminated, the business is dissolved, or if the nature of the business changes and the endorsement is no longer warranted. If the business relocates outside of the five western towns of Suffolk County and is within another jurisdiction in New York State, a copy of your records can be transferred to the appropriate licensing agency upon payment of the requisite transfer fee.
- (3) **SECURITY** – You must be working in uniform for a state licensed security company or a municipality. The firearm may ONLY be carried while employed and acting pursuant to employment duties and/or directly to and from your residence and place of employment. Any unreasonable delay in responding to work and/or returning home will equate to a violation of licensing restrictions and punitive action will result.
- (4) **AUXILIARY POLICE** – The firearm may only be carried while working pursuant to assigned duties as an auxiliary police officer and/or traveling directly to and from your residence and your assigned post.
- (5) **QUALIFIED RETIRED LAW ENFORCEMENT OFFICER**
 - (a) Retired Police Officer
 - (b) Retired Peace Officer
 - (c) Retired Federal Law Enforcement Officer
- (6) **CARRY** – Full carry license for the purpose of self-protection. If you are seeking a SELF-PROTECTION endorsement, you will be required to show “proper cause.” Proper cause is determined by a review of all relevant information. You must show you are exposed to extraordinary personal danger documented by proof of threat(s) to life or safety.

The Police Commissioner and/or his designee will consider all evidence, chiefly police records, when making a determination whether proper cause exists. It should be noted, the mere fact you have been the victim of a crime or reside or are employed in a “high crime area” does not establish “proper cause” for the issuance of such a carry license.

If a SELF-PROTECTION endorsement is approved, the Suffolk County Police Pistol Licensing Bureau may withdraw the classification at any time if it finds proper cause no longer exists. Proper cause must be demonstrated each time the license is renewed and at any time when requested by Licensing Bureau personnel. If proper cause is no longer proven, the license will be modified to reflect a different classification.

IMPORTANT NOTE: With the exception of holders of Retired Police Officer endorsements, licensees are reminded that New York State pistol licenses issued by the Suffolk County Police Department are valid anywhere in New York State, **except within the confines of the City of New York.** Your license is not valid outside New York State.

LICENSE RENEWAL

Licenses expire every five (5) years and shall expire not more than five (5) years after the date of issuance. The renewal period generally commences sixty (60) days before the expiration date. A renewal application will be mailed with the instructions necessary to complete this process.

NOTE: If you have not received the renewal application thirty (30) days prior to the expiration date, you must call the Suffolk County Police Pistol Licensing Bureau at (631) 852-6311.

Renewals are sent by mail to the most recent address on file. The post office is not authorized to forward to any other address, even upon your request.

All Business License renewals require a notarized letter of necessity on business letterhead indicating the licensee is still actively participating in the business for which the business classification was issued. If you showed a large cash flow as justification for a Business License classification, you must also submit a bank letter with your renewal application stating you still maintain an active business account. If no cash flow was required due to the nature of the business endorsement, you must indicate that in your letter of necessity.

If your license is under suspension, you are still required to complete and submit a renewal application. If your renewal is not received within the designated statutory period, your license will automatically be cancelled.

If you anticipate problems renewing, such as an extended vacation out of the area, lengthy hospitalization or other extenuating circumstances, notify the Suffolk County Police Pistol Licensing Bureau by letter explaining the reasons. We will make every effort to see your license is renewed within the time frame

authorized by law.

If you are untruthful, improperly alter or refuse to sign any part of your renewal application, your renewal application will be disapproved and your license will be cancelled. You may properly modify inaccurate information including, but not limited to, registered gun information, by putting a single line through the incorrect information, placing the correct information above, below or next to it.

LOST, STOLEN OR MUTILATED LICENSE

If your license is stolen, you must immediately report such information to the precinct of occurrence or local police agency where the theft occurred and obtain a complaint number.

If your license has been lost, stolen or mutilated, you must notify the Pistol Licensing Bureau immediately after notifying the appropriate authorities as indicated above, and respond to the office for a replacement license. You will be required to submit a \$5.00 check or money order for a replacement license.

HOW TO CANCEL A PISTOL LICENSE

If you are canceling a pistol license issued by the Suffolk County Police Department you must:

- 1) Legally dispose of the firearm(s) listed on the license.
- 2) Return the license to the Suffolk County Police Pistol Licensing Bureau. Documentation of the lawful disposition of all firearms must be presented, in person, to the Pistol License Bureau within twenty (20) days of same.

If you should move to another state, you must check with the local authorities to ensure compliance with any existing local or state laws governing the possession of handguns. As per the Federal Firearms Regulation 926A, you may legally transport your handguns to your new residence during your final move. The handguns must be unloaded, and neither the firearm nor any ammunition being transported may be readily accessible from the passenger compartment of the transporting vehicle. In the case a vehicle has no other compartment separate from the driver's compartment the firearm or ammunition shall be contained in a locked container other than the glove compartment or console. Within ten (10) days of your relocation you must return your pistol license to the Pistol Licensing Bureau and attach a letter advising us of your new address, telephone number and the disposition of your handguns.

LICENSING FEES

FEES MUST BE PAID BY CHECK OR MONEY ORDER ONLY

License renewal	\$ 10.00 every five (5) years*
Dealer License renewal	\$ 10.00 every three (3) years, each applicant
Gunsmith renewal	\$ 10.00 every three (3) years, each applicant
Amendments	\$ 5.00 every amendment made to the licensee's license

- * The renewal fee is waived for qualified retired Police Officers, Peace Officers and Federal Law Enforcement Officers as per New York State Penal Law. Suffolk County Auxiliary Police Officers are only required to pay a \$3.00 license renewal fee, as per Suffolk County Resolution No. 586-1994.

CHAPTER 3

FIREARMS

PURCHASING FIREARMS

You are not required to purchase or own a firearm to receive or maintain a pistol license. You are only authorized to possess the handguns listed on your pistol license. All rifle, shotgun and handgun purchases require the purchaser submit to, and pass a NICS check conducted by a Federal Firearms License holder. This requirement does not apply to transfers between members of an immediate family as defined by NYS General Business Law. The SCPD Pistol Licensing Bureau does not authorize the “co-ownership” of handguns. A handgun may only be registered on one (1) license.

You may not purchase a rifle, shotgun or pistol outside of New York State and have it shipped directly to you. To purchase such a weapon outside New York State, it must be done through an authorized gun dealer in the originating state who must ship the weapon to an authorized dealer in New York State. The possession of a Federal Firearms License (F.F.L.) does not authorize you to operate as a handgun dealer in the State of New York. Only a New York State Dealer in Firearms may conduct handgun transactions.

Whenever making a handgun purchase, you must obtain a purchase document from the Suffolk County Police Pistol Licensing Bureau prior to taking possession of the firearm. In order to obtain a purchase document, the licensee will need to submit a bill of sale from the dealer from which the handgun is being purchased as well as a \$5.00 check or money order per firearm. The bill of sale must indicate the make, model, type, caliber and serial number of the firearm, and that the purchaser has submitted to and passed a NICS check. Purchase documents are valid for twenty (20) days from the date of issuance. After the purchase of a firearm, it must be presented to the Pistol Licensing Bureau before the expiration of the twenty (20) day period, so that the firearm may be inspected and the appropriate information entered on the license. **THE FIREARM MUST BE UNLOADED PRIOR TO BEING PRESENTED FOR INSPECTION.** You must be present at the time of inspection and must also have the purchase document and a copy of the bill of sale. Handguns must be inspected and listed on your pistol license prior to being used, possessed or carried in accordance with the provisions of this handbook and the restrictions of your license.

NOTE: If a firearm is not purchased within the twenty (20) day period, the purchase document must be returned to the Suffolk County Police Pistol Licensing Bureau within ten (10) days of expiration.

NYS PL Section 400.00 (7) states any license issued pursuant to that section shall contain the caliber, make, model, manufacturer's name, and serial number of all firearms possessed on authority of same. As such, any and all conversion kits, conversion barrels or other caliber conversion devices must be listed on your pistol license. Purchase of said conversion devices does not require a Dealer in Firearms as an intermediary and, as such, does not require a purchase document. They must, however, be presented in person to the Pistol License Bureau within twenty (20) days of purchase with a bill of sale and a \$5.00 check or money order per device. Should the licensee decide to sell a conversion device listed on his/her license, a bill of sale indicating same must be provided, in person, with a \$5.00 check or money order within twenty (20) days of occurrence.

BRADY HANDGUN VIOLENCE PREVENTION ACT

As per Federal Law, a NICS (National Instant Criminal Background Check Systems) check must be completed in order for a Federal Firearms License holder to transfer any rifle, shotgun or handgun. It may take up to three (3) business days to receive a response from 'NICS', which will either authorize or deny the release of the weapon to an individual.

As per New York State Law, a NICS check must be performed on the purchaser of a rifle, shotgun or handgun prior to the completion of a private transfer. This check must be performed by a Federal Firearms License holder at his/her place of business and will require the dealer to "acquire" and "dispose" of the gun via his/her dealer books. In the case of a handgun transfer, the NICS check and transfer may only be completed by an individual or firm who possesses a New York State Dealer in Firearms License. If the purchaser is denied access to the weapon as a result of the NICS check, a NICS check will need to be performed on the original owner prior to the return of said weapon to same. The NICS check requirement does not apply to transfers between members of an immediate family as defined by New York State General Business Law.

NOTE: Pistol License holders are required to notify the Pistol License Bureau of a NICS **denial** within one (1) business day of same.

REGISTERING A DECEASED'S FIREARMS

Penal Law Section 265.20 (f) allows the executor or administrator of the estate of a deceased pistol license holder fifteen (15) days to lawfully dispose of the deceased's handguns. If they are not legally disposed of within that time, they must be surrendered to any precinct of the Suffolk County Police Department or to the Pistol Licensing Bureau. After legally disposing of the firearm(s), the

executor of the estate or a family member of the deceased must surrender, in person or by mail, the deceased's pistol license with a document showing the disposition of the firearm(s) to the Pistol Licensing Bureau. If the weapons are in the possession of the Police Department, one of the following documents must be obtained before the firearm(s) will be released:

- 1) Copy of preliminary letters of administration or testamentary.
- 2) Copy of letters of administration for testamentary.
- 3) Certified short certificate.

The above documents may be obtained from the Surrogate Court in Riverhead.

REPORTING LOST OR STOLEN FIREARMS

According to Section 400.10 of the New York State Penal Law: Any owner or other person lawfully in possession of: (i) a firearm, rifle or, shotgun who suffers the loss or theft of said weapon; (ii) ammunition as well as a firearm, rifle or shotgun who suffers the loss or theft of such ammunition as well as a firearm, rifle or shotgun; shall within twenty-four (24) hours of the discovery of the loss or theft report the facts and circumstances of the loss or theft to a police department or sheriff's office.

NOTE: Notwithstanding any other provision of law, a violation of this section shall be a class A misdemeanor and will result in the suspension and/or revocation of your pistol licensing privileges.

SELLING OR DISPOSING OF FIREARMS

To legally dispose of firearm(s), you must either:

1. Surrender the firearm(s), **UNLOADED**, to any Suffolk County Police Precinct or the Pistol Licensing Bureau, or
2. Sell or transfer the firearm(s) to a NYS Dealer in Firearms or member of your immediate family, or
3. Sell a handgun to a FFL holder in another State. You may do this by common carrier or by having a local Dealer in Firearms transfer same to a FFL out of state, or
4. Surrender the firearm(s) to a licensed Gunsmith for destruction, or
5. Place same on consignment.

CONSIGNMENT

Placing firearms on consignment entails selling same to a licensed gun dealer

to display and sell. The law requires that such transactions are entered into his or her New York State and Federal Record Dealer Books. The dealer must also give the licensee a receipt for the handgun. Although no money may have changed hands the licensee must, within twenty (20) days of this transaction, respond to the Pistol Licensing Bureau and file an Amendment Form to remove the handgun from their license. If the licensee later changes his/her mind and wants the return of the handgun, they must obtain a Purchase Document and submit to and pass a NICS check prior to the return.

NOTE: Gun “amnesty” programs or “guns for cash” programs are not considered acceptable methods of firearms disposal.

If your license has expired, licensed firearm(s) must be surrendered to the Suffolk County Police Department. All other firearm(s) transactions must occur prior to the expiration of the license. If you sell or dispose of a firearm, a bill of sale or a receipt from a licensed firearms dealer or gunsmith must be obtained. These documents must be submitted in person, along with the license, to the Suffolk County Police Pistol Licensing Bureau, within twenty (20) days, so records may be amended accordingly and NYS Police may be notified.

ALL HANDGUNS MUST BE UNLOADED PRIOR TO ENTRY INTO SUFFOLK COUNTY POLICE HEADQUARTERS AND/OR POLICE PRECINCTS. GUNS MUST BE CARRIED IN CASE, BOX OR BAG.

BLACK POWDER FIREARMS

Current statutes exempt black powder firearms from the existing licensing requirements, HOWEVER, persons intending to load and fire these weapons OR who possess components required to do so must register them.

ASSAULT WEAPONS

NYS PL Section 265.00 (22) defines what is considered to be an “assault weapon” within the state of New York. NYS PL 400.00 (16a) authorizes individuals who lawfully possessed an assault weapon prior to January 15, 2013 to continue to possess said weapon provided they register it in accordance with that chapter on, or before April 15, 2014. The registration of rifles and shotguns that are considered to be assault weapons can be completed by submitting the requisite form via mail or online through the NYSP at <https://firearms.troopers.ny.gov/safeact/welcome.faces>. Previously possessed handguns that are considered to be assault weapons should already be listed on your pistol license and do not require additional or further registration.

Assault weapons may only be disposed of to a New York State Dealer in Firearms or to a Federal Firearms License holder in another state. Notification of the lawful disposal of an assault weapon must be made to the NYSP and/or Suffolk County Pistol License Bureau as appropriate within seventy-two (72) hours of the disposal.

Qualified Retired New York or Federal Law Enforcement Officers, as defined by NYS PL Section 265.00 (25), are authorized to register any assault weapon within sixty (60) days of retirement if:

- (a) The weapon was issued to the officer, or
- (b) The weapon was purchased by the officer prior to retirement and in the course of his/her official duties, AND
- (c) The officer was qualified with the weapon by the agency from which he retired during the year before retirement.

PURCHASING AMMUNITION

As per NYS PL 400.03, all ammunition purchases must be made from or conducted through a New York State Dealer in Firearms or New York State Seller of Ammunition as defined by that section. All ammunition transactions require prior authorization and entry into a statewide database created and monitored by the NYSP. No commercial transfer of ammunition shall take place unless a licensed Dealer in Firearms or registered Seller of Ammunition acts as an intermediary between the transferor and the ultimate transferee of the ammunition for the purposes of contacting the statewide license and record database pursuant to PL 400.03. Such transfer between the dealer or seller, and transferee must occur in person.

HIGH CAPACITY AMMUNITION FEEDING DEVICES

NYS PL Section 265.00 (23) defines what is considered to be a “high capacity ammunition feeding device” Under the definition established by this section, it is illegal to possess any magazine, belt, drum, feed strip, or similar device with the ability to accept more than ten (10) rounds of ammunition. Additionally, the same applies to any magazine, belt, drum, feed strip, or similar device loaded with more than seven (7) rounds of ammunition, other than at a designated firing range. Such restrictions and definitions do not apply to an attached tubular device designed to accept, and capable of operating only with, .22

caliber rimfire ammunition or a feeding device that is a curio or relic. Any magazine, belt, drum, feed strip, or similar device with a capacity over ten (10) rounds must either be rendered permanently incapable of accepting more than ten (10) rounds or be lawfully disposed of by January 15, 2014.

Qualified Retired New York or Federal Law Enforcement Officers, as defined by NYS PL Section 265.00 (25), are exempt from the restrictions on high capacity ammunition feeding devices provided:

- (a) The magazine was issued to the officer, or
- (b) The magazine was purchased by the officer in the course of his/her official duties, and
- (c) The magazine “or a comparable replacement for such device” was possessed by the officer at the time of his/her retirement, and
- (d) The employing agency had qualified the officer in the use of the weapon that accepts the magazine in accordance with applicable state or federal law enforcement qualification standards within the year prior to retirement, and
- (e) The retired officer meets, at his/her own expense, the applicable standards for the weapon again within three (3) years after retirement and every three (3) years thereafter. (Officers who have already retired will have eighteen (18) months from the date of enactment to qualify)

CHAPTER 4

DEALER, RANGE AND GUN SHOW INFORMATION

DEALER LICENSE FORM

The New York State Dealer and Gunsmith license issued by the Suffolk County Police Department is valid only for the address for which it was issued.

All dealer transactions must be done at the licensed premise. A Gunsmith or Dealer in Firearms License is not transferable to any other person or premise. (See GUN SHOW OR EVENT for premise exception)

DEALER LICENSE/SIGN EXHIBITION AND DISPLAY

A license as Gunsmith or Dealer in Firearms shall be prominently displayed at the licensed premise. The license must also be prominently displayed at an authorized gun show or event. The failure of any licensee to exhibit or display his or her license shall be presumptive evidence that he or she is not duly licensed.

Any person, firm or corporation engaged in the retail business of selling rifles, shotguns or firearms, as such terms are defined in section 265.00 of the Penal Law, shall, in the place where such rifles, shotguns or firearms are displayed or transferred to the purchaser, post a notice conspicuously stating in bold print that:

THE USE OF A LOCKING DEVICE OR SAFETY LOCK IS ONLY ONE ASPECT OF RESPONSIBLE FIREARM STORAGE. FOR INCREASED SAFETY, FIREARMS SHOULD BE STORED UNLOADED AND LOCKED IN A LOCATION THAT IS BOTH SEPARATE FROM THEIR AMMUNITION, AND INACCESSIBLE TO CHILDREN AND ANY OTHER UNAUTHORIZED PERSON.

DEALER GUN RENTALS AT RANGES

Gun dealers may rent handguns to licensees as long as the range at which they will be shooting is on the premises of the dealer. The handgun may not leave the premises while under the rental agreement and the dealer must utilize a log that will contain the date, handgun make, model, serial number, name and license or shield number of the renter.

GUN SHOW OR EVENT

Section 400.00 (8) allows a Gunsmith or Dealer in Firearms to conduct business temporarily at a location other than the location specified on the license if such temporary location is the location for a gun show or event sponsored by any national, state, or local organization, or any affiliate of any such organization devoted to the collection, competitive use or other sporting use of firearms. The license, or a photocopy of same, must be prominently displayed while at the temporary location. Records of receipt and disposition of firearm transactions conducted at such temporary locations shall include the location of the sale or other disposition and shall be entered in the permanent records of the Gunsmith or Dealer in Firearms and retained on the location specified on the license. Nothing in this section shall authorize any licensee to conduct business from any motorized or towed vehicle. Any inspection or examination of inventory or records under this section at such temporary location shall be limited to inventory consisting of, or records related to, firearms held or disposed at such temporary locations. **Failure of any licensee to so exhibit or display his license, as the case may be, shall be presumptive evidence that he is not duly licensed.**

As per NYS General Business Law Section 897:

1. A national instant criminal background check shall be conducted and no person shall sell or transfer a firearm, rifle or shotgun at a gun show, except in accordance with the provisions of 18 U.S.C. 922 (T) (Brady Bill)
2. No person shall offer or agree to sell or transfer a firearm, rifle or shotgun to another person at a gun show or dealer show location and transfer or deliver such firearm, rifle or shotgun to such person or person acting on his or her behalf thereafter for the purpose of evading or avoiding compliance with 18 U.S.C. 922 (T)
3. Any person who knowingly violates any of the provisions of this section shall be guilty of a class (A) misdemeanor.

CHAPTER 5 ADMINISTRATIVE PROCEDURES

NAME CHANGE

If your name changes because of marriage or for any other reason, you must, within ten (10) days, provide the Pistol Licensing Bureau with information necessary to change your records accordingly. The required information must be submitted in person and an Amendment Form must be filed to effect the change. There will also be a \$5.00 fee payable by check or money order required.

ADDRESS CHANGE

Should you change your residence from the address listed on the license to a new address in the five western towns of Suffolk County, you must personally appear with your license for the filing of an Amendment Form at the Suffolk County Police Pistol Licensing Bureau no later than ten (10) days after this change becomes effective. You will be required to submit documents verifying your relocation and supply the requisite fee.

If you should move out of the five western towns of Suffolk County and relocate within New York State, Penal Law Section 400 allows you to transfer your records to the appropriate licensing officer in your new county of residence. In order to accomplish this, you must, in person, notify the Suffolk County Police Pistol Licensing Bureau within ten (10) days of your move and file an Amendment Form and supply the requisite fee.

NOTE: FIREARMS REGISTERED ON A SUFFOLK COUNTY PISTOL LICENSE MUST BE SECURED AT THE RESIDENCE DENOTED ON THE LICENSE.

BUSINESS NAME CHANGE

If you have a “business” endorsement and the name, address and/or nature of the business has changed, you must contact the Suffolk County Police Pistol Licensing Bureau, and submit an Amendment Form in person showing the change, no later than ten (10) days after it becomes effective. Supplementary documents will be required to verify the change. The onus is on the licensee to show proof of necessity for the continuation of the endorsement. The requirements for a Business endorsement, or the continuation thereof, are available on the Suffolk County Police website.

CHAPTER 6

DUTIES AND RESPONSIBILITIES OF A LICENSE HOLDER

INCIDENTS THAT REQUIRE POLICE REPORTS

You must **immediately** report to the Suffolk County Police Precinct of occurrence or local police agency where the incident occurred, the following:

- 1) The loss or theft of a firearm.
- 2) Theft of a pistol license.
- 3) The discharge of a firearm (other than practice at an authorized range or while lawfully hunting).

INCIDENTS THAT REQUIRE NOTIFICATION TO THE PISTOL LICENSING BUREAU

- 1) Loss or theft of a firearm within twenty-four (24) hours of incident.
- 2) Discharge of a firearm (other than practice at an authorized range or while lawfully hunting) within twenty-four (24) hours of incident.
- 3) Loss, theft or mutilation of a pistol license within twenty-four (24) hours of incident
- 4) Change of business or residential address within ten (10) days of change.
- 5) Change of residential telephone number within ten (10) days of change.
- 6) Change of name within ten (10) days of change.
- 7) Any arrest, indictment or conviction in any jurisdiction within twenty-four (24) hours of incident.
- 8) Issuance of a warrant, Field Appearance Ticket, Criminal Summons or Order of Protection against the licensee or household member within twenty-four (24) hours of issuance.
- 9) Any incapacitating illness or injury that would preclude the proper safeguarding of your firearms, as soon as feasible.
- 10) When the license holder receives professional treatment for mental health issues (including depression), notification must be made within twenty-four (24) hours of the initiation of treatment.
- 11) When any member of the license holder's household receives professional treatment for mental health issues (including depression), notification must be made within twenty-four (24) hours of the initiation of treatment.
- 12) When the pistol license holder is admitted into any public or private hospital for treatment of mental health issues, notification must be made within twenty-four (24) hours of the licensee's release.

- 13) When any member of the pistol license holder's household is admitted into any public or private hospital for treatment of mental health issues, notification must be made within twenty-four (24) hours of admission.
- 14) Within twenty-four (24) hours of the confiscation of a pistol license and/or handgun by a police officer or any other law enforcement official.
- 15) The sale of a handgun, within twenty (20) days.
- 16) Within twenty-four (24) hours of the surrender of your handguns to any law enforcement department or agency for any reason.
- 17) Within twenty-four (24) hours of a domestic incident requiring the intervention of law enforcement personnel.
- 18) Should it become apparent that a member of the licensee's household is the unlawful user of marijuana or its derivatives, narcotics or any controlled substances as defined by Section 21 U.S.C. 802 and/or section 220.00 of the New York State Penal Law, or is arrested in connection with same, the licensee is required to notify the Pistol Licensing Bureau within twenty-four (24) hours.

You will be responsible for making proper notifications to the Suffolk County Police Pistol Licensing Bureau. Do not assume that other law enforcement agencies or officers of the Suffolk County Police Department will make the necessary notification for you. Failure to make proper notification may be cause for suspension and/or revocation of your pistol license.

GROUND FOR LICENSE SUSPENSION AND/OR REVOCATION

The most common circumstances brought to our attention for investigation, suspension, and/or revocation, include, but are not limited to:

- 1) Improper use of a firearm.
- 2) Unnecessary display of a firearm.
- 3) Failure to properly safeguard a firearm.
- 4) Failure to report a lost or stolen firearm.
- 5) Carrying a firearm out of class.
- 6) Failing to comply with the regulations and restrictions in this handbook.
- 7) When a licensee becomes the subject of an arrest, a criminal summons, or an indictment, or is named as the defendant/respondent in an Order of Protection.
- 8) Falsification of any documentation submitted to the Pistol Licensing Bureau including, but not limited to: statements, Amendment Forms and license renewal applications.
- 9) A Gunsmith or Dealer who conducts transactions other than at their licensed premises or legally at a gun show and/or Gunsmiths/Dealers who fail to keep proper documentation of gun transactions.

- 10) Possession of a loaded handgun containing armor piercing ammunition outside a designated firing range.
- 11) A psychiatric episode or psychiatric history of a licensee or his/her cohabitants that may limit the ability to properly handle, possess or safeguard a handgun.
- 12) The illegal use or possession of a controlled substance as defined in Section 21 U.S.C. 802 and/or Section 220.00 of the New York State Penal Law by a licensee or a member of his/her household.
- 13) The conviction of the licensee or a household member for a felony or other serious offense, as defined in Section 265.00 Definitions, Sub. 17.
- 14) The licensee becomes subject to a court order restraining him or her from harassing, stalking, threatening or any acts of physical violence directed towards another person.
- 15) Failure to cooperate and comply with requests by the Pistol Licensing Bureau personnel.
- 16) Carrying a handgun in an area prohibited by local, state or federal law.
- 17) Incidents where the licensee:
 - (a) Is intoxicated and/or could be a threat to himself or another person; or
 - (b) Has caused or threatened bodily harm to another person; or
 - (c) Is behaving in a manner that causes a normal, rational person to be fearful or threatened by the licensee.
- 18) Volatile domestic situations.

IF A POLICE OFFICER OR MEMBER OF THE PISTOL LICENSE BUREAU REQUESTS YOU TO SURRENDER YOUR LICENSE AND FIREARM(S), AND YOU REFUSE, SUCH CONDUCT WILL BE SUFFICIENT CAUSE FOR THE REVOCATION OF YOUR LICENSE, AND YOU MAY BE ARRESTED AND CHARGED WITH A VIOLATION OF SECTION 400.00, SUB. 11(c), A CLASS A MISDEMEANOR.

Most licensees are notified by mail of any suspension or revocation of their license. Failure to cooperate with the investigation can result in the revocation of your license. Turning your handguns over to a gun dealer upon notification of a suspension is not permitted and will substantially lengthen the duration of your suspension and may constitute cause for the revocation of your license.

DUTIES AND RESPONSIBILITIES OF A PISTOL LICENSE HOLDER

Include, but are not limited to the following:

- 1) You must be in possession of your license at all times while carrying a firearm.

- 2) You shall not draw or otherwise display a firearm unjustifiably, unnecessarily or carelessly.
- 3) You shall not be in possession of your firearm while, or after consuming alcohol.
- 4) You shall not purchase a firearm prior to obtaining a purchase document from the Suffolk County Police Pistol Licensing Bureau.
- 5) You are authorized to possess **ONLY** the firearm(s) that are endorsed on your license or unexpired purchase document.
- 6) To assure maximum safety, proper safeguards must be taken at all times to keep firearms away from unauthorized persons, **ESPECIALLY CHILDREN**.
- 7) The following safety measures will be accepted as standard practice for the safeguarding of firearms:
 - i. **UNLOADED** and locked in a metal container.
 - ii. **UNLOADED** and secured in a safe.
 - iii. **UNLOADED** with a locking device attached and hidden in a secure location.
- 8) Licensees are expected to advise those individuals they have designated as “safeguard persons”, as well as family and friends, of their responsibilities in the event of the licensee’s death or incapacitation.

CHAPTER 7

MISCELLANEOUS INFORMATION

SAFETY TRAINING

Safety training is extremely important and every licensee is encouraged to participate in some type of handgun safety training.

OFFICE STAFF AVAILABILITY

The Pistol Licensing Bureau is open Monday – Friday, 9:00 AM to 4:30 PM. The main telephone number is 852-6311. The office is also closed on certain holidays based upon staff availability.

CURRENCY

The Pistol Licensing Bureau does not accept cash. We accept bank or personal checks and money orders only. They should be made out to: **S.C.P.D.**

NOTARY

The Pistol Licensing Bureau does not have a Notary Public on staff.

CHAPTER 8

QUESTIONS AND ANSWERS

The following is a list of common questions that are asked by pistol license holders.

1. Do I have to own a handgun to maintain my pistol license?

No.

2. May I carry my gun loaded on my person when I go to the range?

Yes, but it must be carried concealed and you must comply with the restrictions applicable to your endorsement.

3. Do I have to secure my gun in a locked box when traveling through NYC?

NYC mandates pistol license holders transport their handguns in a locked box separate from the ammunition and in the trunk or in a location not readily accessible to any occupant in the vehicle. Your travel through city limits must be continuous with no extraneous stops.

4. If I plan on moving out of state, how can I legally transport my firearms to my new home?

Federal Law allows you to transport your firearms during your final move, unloaded and stored in a location not readily accessible to any occupant in the vehicle. Within ten (10) days of said move you must notify this office of your new address, telephone number and the disposition of all your registered handguns. We strongly recommend you check with local authorities before you relocate to determine what licensing laws you must comply with, if any.

5. What if I am going to move out of my current licensing jurisdiction and my new residence will still be in New York State?

You are required to respond to the Pistol Licensing Bureau and fill out an Amendment Form. Your license file will then be forwarded to your new licensing jurisdiction. Some jurisdictions will accept the file and issue you a new license, some will make you go through a new application process immediately, and others will make you wait until your current license is about to expire and will require you to file a new application several months prior to its expiration date.

6. As a New York State pistol license holder, how do I buy a handgun from someone in another state and register it in New York State?

The handgun must be shipped from a licensed gun dealer in the originating state to a licensed New York State Dealer in Firearms. You will have to obtain a purchase document from the Pistol Licensing Bureau and submit to and pass a NICS check before you can take possession of the handgun from that New York State dealer.

7. Can anyone with a Federal Firearms License receive a handgun for me?

No, although a Federal Firearms License (FFL) may be all a person needs in some states, New York State also requires in addition to the FFL, a New York State Dealer in Firearms License when receiving and shipping handguns. The only exception to that rule is the shipping to and from a gun manufacturer i.e., Smith & Wesson and Glock for repairs.

8. What do I need to purchase a handgun?

You must respond to the Pistol Licensing Bureau with a bank check, personal check or money order as well as a receipt from a NYS Dealer in Firearms indicating the make, model, type, caliber and serial number of the firearm(s) being purchased to obtain purchase documents for same. The cost is \$5.00 for each handgun and an additional \$5.00 for any other applicable amendment to the license.

9. Do you take cash?

No, we are not authorized to take anything other than a bank check, personal check or money order.

10. Who do I make out the check to?

Checks must be made out to SCPD.

11. When are pistol license renewal applications mailed?

Renewal applications are generally mailed two (2) months prior to the license expiration date. You are responsible to know when your license is about to expire. Renewing a pistol license is your responsibility. If your license is not renewed within thirty days after its expiration, the license will be cancelled and you will be required to surrender all handguns.

12. If I change my residence, will the Post Office forward my renewal package?

No, renewal packages will not be forwarded. If you change your residence, you are required by law to file an amendment form within ten (10) days of your move. If you make the proper notification, the package will be mailed to your current address.

13. On my renewal application, who do I list as the person to safeguard my weapons? Do they have to have a license?

You are to designate a responsible person who will agree to surrender or facilitate the surrender of your handguns for safekeeping in the event of your hospitalization, and/or incapacitation. In the event of your death such designee must legally dispose of your guns within fifteen (15) days. It is NOT necessary such person has a pistol license.

14. For a renewal, what do I need for proof of residency? Can I show my Driver License?

A Driver License alone is not an acceptable document to confirm residency. You must additionally produce a voter registration card, tax statement, utility bill, cable bill, telephone bill, etc.

15. When can I expect to receive my renewed pistol license in the mail?

Renewed pistol licenses are generally put into the mail one (1) week prior to your license expiration date.

16. What does the NYSID box represent that I see on my renewal application?

That number is issued by the New York State Department of Criminal Justice to identify you from the thousands of other residents that have had their fingerprints submitted to the state for criminal history searches. Your NYSID number is listed on your renewal instructions.

17. On your renewal application you have a question that asks if I have been arrested or summoned to court. What if I was arrested since my last renewal and I already notified you about it. Do I still have to indicate it on the application?

Yes, indicate the nature of the charge and insert in the space after that question: "ALREADY INVESTIGATED BY YOUR OFFICE". No

additional notarized statement will be necessary.

18. Do I have to bring my guns in for inspection when I renew my pistol license?

No, unless specifically requested to do so.

19. Is there a limit to the number of guns I can own?

No.

20. What if I plan on going to a gun show upstate and I don't know what gun I want to buy; can I still get a purchase document?

Yes. You must respond to the Pistol Licensing Bureau with documentation of the gun show and apply for a blank purchase document.

21. If I report one of my handguns lost or stolen and the police officer tells me he or she will notify the Pistol Licensing Bureau, do I still have to notify the Bureau anyway?

Yes you do! Under any of the circumstances listed in Chapter 6 in the section heading: "INCIDENTS THAT REQUIRE NOTIFICATION TO THE PISTOL LICENSING BUREAU", you are also required to make the notification to this office within the specified time frame.

22. Can a family member and I put the same gun on our licenses so we don't have to be together to fire the weapon?

No. A handgun may only be registered to one (1) person.