

State Laws and Published Ordinances – District of Columbia

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District of Columbia Code of Ordinances

**Division I – Government of District
Title 7 – Human Health Care and Safety
Subtitle J – Public Safety
Chapter 25 – Firearms Control
Unit A – Firearms Control Regulations
Subchapter I – Definitions**

Section 7-2501.01. Definitions.

As used in this unit the term:

(1) "Acts of Congress" means:

(A) Chapter 45 of Title 22;

(B) Omnibus Crime Control and Safe Streets Act of 1968, as amended (title VII, Unlawful Possession or Receipt of Firearms (82 Stat. 1236; 18 U.S.C. Appendix)); and

(C) An Act to Amend Title 18, United States Code, To Provide for Better Control of the Interstate Traffic in Firearms Act of 1968 (82 Stat. 1213; 18 U.S.C. § 921 et seq.).

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

(3) "Antique firearm" means:

(A) Any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; and

(B) Any replica of any firearm described in subparagraph (A) if such replica:

(i) Is not designed or redesigned for using rim-fire or conventional center-fire fixed ammunition; or

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

(3A)

(A) "Assault weapon" means:

(i) The following semiautomatic firearms:

(I) All of the following specified rifles:

(aa) All AK series including, but not limited to, the models identified as follows:

(1) Made in China AK, AKM, AKS, AK47, AK47S, 56, 56S, 84S, and 86S;

(2) Norinco (all models);

(3) Poly Technologies (all models);

(4) MAADI AK47 and ARM; and

(5) Mitchell (all models).

(bb) UZI and Galil;

(cc) Beretta AR-70;

(dd) CETME Sporter;

(ee) Colt AR-15 series;

(ff) Daewoo K-1, K-2, Max 1, Max 2, AR 100, and AR110 C;

(gg) Fabrique Nationale FAL, LAR, FNC, 308 Match, and Sporter;

(hh) MAS 223.

(ii) HK-91, HK-93, HK-94, and HK-PSG-1;

(jj) The following MAC types:

(1) RPB Industries Inc. sM10 and sM11; and

(2) SWD Incorporated M11;

- (kk)** SKS with detachable magazine;
 - (ll)** SIG AMT, PE-57, SG 550, and SG 551;
 - (mm)** Springfield Armory BM59 and SAR-48;
 - (nn)** Sterling MK-6;
 - (oo)** Steyer AUG, Steyr AUG;
 - (pp)** Valmet M62S, M71S, and M78S;
 - (qq)** Armalite AR-180;
 - (rr)** Bushmaster Assault Rifle;
 - (ss)** Calico –900;
 - (tt)** J&R ENG –68; and
 - (uu)** Weaver Arms Nighthawk.
- (II)** All of the following specified pistols:
- (aa)** UZI;
 - (bb)** Encom MP-9 and MP-45;
 - (cc)** The following MAC types:
 - (1)** RPB Industries Inc. sM10 and sM11;
 - (2)** SWD Incorporated -11;
 - (3)** Advance Armament Inc. –11; and
 - (4)** Military Armament Corp. Ingram M-11;
 - (dd)** Intratec TEC-9 and TEC-DC9;
 - (ee)** Sites Spectre;
 - (ff)** Sterling MK-7;
 - (gg)** Calico M-950; and
 - (hh)** Bushmaster Pistol.
- (III)** All of the following specified shotguns:
- (aa)** Franchi SPAS 12 and LAW 12; and
 - (bb)** Striker 12. The Streetsweeper type S/S Inc. SS/12;
- (IV)** A semiautomatic, rifle that has the capacity to accept a detachable magazine and any one of the following:
- (aa)** A pistol grip that protrudes conspicuously beneath the action of the weapon;
 - (bb)** A thumbhole stock;
 - (cc)** A folding or telescoping stock;
 - (dd)** A grenade launcher or flare launcher;
 - (ee)** A flash suppressor; or
 - (ff)** A forward pistol grip;
- (V)** A semiautomatic pistol that has the capacity to accept a detachable magazine and any one of the following:
- (aa)** A threaded barrel, capable of accepting a flash suppressor, forward handgrip, or silencer;
 - (bb)** A second handgrip;
 - (cc)** A shroud that is attached to, or partially or completely encircles, the barrel that allows the bearer to fire the weapon without burning his or her hand, except a slide that encloses the barrel; or
 - (dd)** The capacity to accept a detachable magazine at some location outside of the pistol grip;

(VI) A semiautomatic shotgun that has one or more of the following:

(aa) A folding or telescoping stock;

(bb) A pistol grip that protrudes conspicuously beneath the action of the weapon;

(cc) A thumbhole stock; or

(dd) A vertical handgrip; and

(VII) A semiautomatic shotgun that has the ability to accept a detachable magazine; and

(VIII) All other models within a series that are variations, with minor differences, of those models listed in subparagraph (A) of this paragraph, regardless of the manufacturer;

(ii) Any shotgun with a revolving cylinder; provided, that this sub-subparagraph shall not apply to a weapon with an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition; and

(iii) Any firearm that the Chief may designate as an assault weapon by rule, based on a determination that the firearm would reasonably pose the same or similar danger to the health, safety, and security of the residents of the District as those weapons enumerated in this paragraph.

(B) The term "assault weapon" shall not include:

(i) Any antique firearm; or

(ii) Any of the following pistols, which are designed expressly for use in Olympic target shooting events, sanctioned by the International Olympic Committee and by USA Shooting, the national governing body for international shooting competition in the United States, and used for Olympic target shooting purposes:

Manufacture	Model	Caliber
Benelli	MP90	.22LR
Benelli	MP90	.32 S&W LONG
Benelli	MP95	.22LR
Benelli	MP95	.32 S&W LONG
Hammerli	280	.22LR
Hammerli	280	.32 S&W LONG
Hammerli	SP20	.22LR
Hammerli	SP20	.32 S&W LONG
Pardini	GPO	.22 SHORT
Pardini	GP-SCHUMANN	.22 SHORT
Pardini	HP	.32 S&W LONG
Pardini	MP	.32 S&W LONG
Pardini	SP	.22LR
Pardini	SPE	.22LR
Walther	GSP	.22LR
Walther	GSP	32 S&W LONG
Walther	OSP	.22 SHORT
Walther	OSP-2000	.22 SHORT

(C) The Chief may exempt, by rule, new models of competitive pistols that would otherwise fall within the definition of "assault weapon" pursuant to this section from being classified as an assault weapon. The exemption of competitive pistols shall be based either on recommendations by USA Shooting consistent with the regulations contained in the USA Shooting Official Rules or on the recommendation or rules of any other organization that the Chief considers relevant.

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

(5) "**Crime of violence**" shall have the same meaning as provided in D.C. Official Code § 23-1331(4).

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

(7) "**Destructive device**" means:

(A) An explosive, incendiary, or poison gas bomb, grenade, rocket, missile, mine, or similar device;

(B) Any device by whatever name known which will, or is designed or redesigned, or may be readily converted or restored to expel a projectile by the action of an explosive or other propellant through a smooth bore barrel, except a shotgun;

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

(E) Any combination of parts designed or intended for use in converting any device into any destructive device; or from which a destructive device may be readily assembled; provided, that the term shall not include:

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

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

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

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

(8) "District" means District of Columbia.

(8A) ".50 BMG rifle" means:

(A) A rifle capable of firing a center-fire cartridge in .50 BMG caliber, including a 12.7 mm equivalent of .50 BMG and any other metric equivalent; or

(B) A copy or duplicate of any rifle described in subparagraph (A) of this paragraph, or any other rifle developed and manufactured after January 6, 2009, regardless of caliber, if such rifle is capable of firing a projectile that attains a muzzle energy of 12,000 foot-pounds or greater in any combination of bullet, propellant, case, or primer.

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

(A) Antique firearms; or

(B) Destructive devices;

(C) Any device used exclusively for line throwing, signaling, or safety, and required or recommended by the Coast Guard or Interstate Commerce Commission;

(D) Any device used exclusively for firing explosive rivets, stud cartridges, or similar industrial ammunition and incapable for use as a weapon; or

(E) A stun gun.

(9A) "Firearms instructor" means an individual who is certified by the Chief to be qualified to teach firearms training and safety courses.

(9B) "Intrafamily offense" shall have the same meaning as provided in § 16-1001(8).

(10) "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.

(11) "Organization" means any partnership, company, corporation, or other business entity, or any group or association of 2 or more persons united for a common purpose.

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

(12A) "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.

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

(13A)

(A) "Restricted pistol bullet" means:

(i) A projectile or projectile core which may be used in a pistol and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium;

(ii) A full jacketed projectile larger than .22 caliber designed and intended for use in a pistol and whose jacket has a weight of more than 25% of the total weight of the projectile; or

(iii) Ammunition for a .50 BMG rifle.

(B) The term "restricted pistol bullet" does not include:

(i) Shotgun shot required by federal or state environmental or game regulations for hunting purposes;

(ii) A frangible projectile designed for target shooting;

(iii) A projectile which the Attorney General of the United States finds is primarily intended to be used for sporting purposes; or

(iv) Any other projectile or projectile core which the Attorney General of the United States finds is intended to be used for industrial purposes, including a charge used in an oil and gas well perforating device.

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

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

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

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

(17A) "Stun gun" means any device designed or redesigned, made or remade, or readily converted or restored, and used or intended to be used offensively or defensively to immobilize or incapacitate a person by the use of electric current or audible, optical, or electromagnetic pulse.

(17B)

(A) "Unfinished frame or receiver":

(i) Means a frame or receiver of a firearm that is not yet a component part of a firearm, but which may without the expenditure of substantial time and effort be readily made into an operable frame or receiver through milling, drilling, or other means; and

(ii) Includes any manufactured object, any incompletely manufactured component part of a firearm, or any combination thereof that is not a functional frame or receiver but is designed, manufactured, assembled, marketed, or intended to be used for that purpose, and can be readily made into a functional frame or receiver.

(B) For the purposes of this paragraph, the term:

(i) "Manufacture" means to fabricate, make, form, produce or construct, by manual labor or by machinery; and

(ii) Assemble" means to fit together component parts.

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

Subchapter II – Firearms and Destructive Devices

Section 7-2502.01. Registration requirements.

(a) Except as otherwise provided in this unit, no person or organization in the District of Columbia ("District") shall receive, possess, control, transfer, offer for sale, sell, give, or deliver any destructive device, and no person or organization in the District shall possess or control any firearm, unless the person or organization holds a valid registration certificate for the firearm. A registration certificate may be issued:

(1) To an organization if:

(A) The organization employs at least 1 commissioned special police officer or employee licensed to carry a firearm whom the organization arms during the employee's duty hours; and

(B) The registration is issued in the name of the organization and in the name of the president or chief executive officer of the organization;

(2) In the discretion of the Chief of Police, to a police officer who has retired from the Metropolitan Police Department;

(3) In the discretion of the Chief of Police, to the Fire Marshal and any member of the Fire and Arson Investigation Unit of the Fire Prevention Bureau of the Fire Department of the District of Columbia, who is designated in writing by the Fire Chief, for the purpose of enforcing the arson and fire safety laws of the District of Columbia;

(4) To a firearms instructor, or to an organization that employs a firearms instructor, for the purpose of conducting firearms training; or

(5) To a person who complies with, and meets the requirements of, this unit.

(b) Subsection (a) of this section shall not apply to:

(1) Any law enforcement officer or agent of the District or the United States, or any law enforcement officer or agent of the government of any state or subdivision thereof, or any member of the armed forces of the United States, the National Guard or organized reserves, when such officer, agent, or member is authorized to possess such a firearm or device while on duty in the performance of official authorized functions;

(2) Any person holding a dealer's license; provided, that the firearm or destructive device is:

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

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

(C) Not kept for such person's private use or protection, or for the protection of his business;

(3) With respect to firearms, any nonresident of the District participating in any lawful recreational firearm-related activity in the District, or on his way to or from such activity in another jurisdiction; provided, that such person, whenever in possession of a firearm, shall upon demand of any member of the Metropolitan Police Department, or other bona fide law enforcement officer, exhibit proof that he is on his way to or from such activity, and that his possession or control of such firearm is lawful in the jurisdiction in which he resides; provided further, that such weapon shall be transported in accordance with § 22-4504.02;

(4) Any person who temporarily possesses a firearm registered to another person while in the home or place of business of the registrant; provided, that the person is not otherwise prohibited from possessing firearms and the person reasonably believes that possession of the firearm is necessary to prevent imminent death or great bodily harm to himself or herself; or

(5) Any person who temporarily possesses a firearm while participating in a firearms training and safety class conducted by a firearms instructor.

(c) For the purposes of subsection (b)(3) of this section, the term "recreational firearm-related activity" includes a firearms training and safety class.

Section 7-2502.02. Registration of certain firearms prohibited.

(a) A registration certificate shall not be issued for a:

(1) Sawed-off shotgun;

(2) Machine gun;

(3) Short-barreled rifle;

(4) Pistol not validly registered to the current registrant in the District prior to September 24, 1976, except that the prohibition on registering a pistol shall not apply to:

(A) Any organization that employs at least one commissioned special police officer or other employee licensed to carry a firearm and that arms the employee with a firearm during the employee's duty hours;

(B) A police officer who has retired from the Metropolitan Police Department;

(C) Any person who seeks to register a pistol:

(i) For use in self-defense within that person's home or place of business; or

(ii) As part of the application process for a license to carry a concealed pistol pursuant to § 7-2509.02; or

(D) A firearms instructor, or an organization that employs a firearms instructor, for the purpose of conducting firearms training.

(5) An unsafe firearm prohibited under § 7-2505.04;

(6) An assault weapon; or

(7) A .50 BMG rifle.

(8) Ghost gun.

Section 7-2502.03. Qualifications for registration; information required for registration.

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

(1) Is 21 years of age or older; provided, that the Chief may issue to an applicant between the ages of 18 and 21 years old, and who is otherwise qualified, a registration certificate if the application is accompanied by a notarized statement of the applicant's parent or guardian:

(A) That the applicant has the permission of the applicant's parent or guardian to own and use the firearm to be registered; and

(B) The parent or guardian assumes civil liability for all damages resulting from the actions of such applicant in the use of the firearm to be registered; provided further, that such registration certificate shall expire on such person's 21st birthday;

(2) Has not been convicted of a weapons offense (but not an infraction or misdemeanor violation under § 7-2502.08, § 7-2507.02, § 7-2507.06, or § 7-2508.07) or a felony in this or any other jurisdiction (including a crime punishable by imprisonment for a term exceeding one year);

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

(4) Has not been convicted within 5 years prior to the application of any:

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

(B) A violation of § 22-404, regarding assaults and threats, or § 22-407, regarding threats to do bodily harm, or a violation of any similar provision of the law of another jurisdiction;

(C) Two or more violations of § 50-2201.05(b), or, in this or any other jurisdiction, any law restricting driving under the influence of alcohol or drugs;

(D) Intrafamily offense punishable as a misdemeanor, including any similar provision in the law of another jurisdiction;

(E) Misdemeanor violation pursuant to § 7-2507.02 or § 7-2507.06;

(F) Violation of § 22-3133; or

(G) Violation of an extreme risk protection order pursuant to § 7-2510.11;

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

(6)

(A) Within the 5-year period immediately preceding the application, has not been:

(i) Voluntarily admitted to a mental health facility;

(ii) Involuntarily committed to a mental health facility by the Superior Court of the District of Columbia, another court of competent jurisdiction, the Commission on Mental Health, or a similar commission in another jurisdiction;

(iii) Determined by the Superior Court of the District of Columbia or another court of competent jurisdiction to be an incapacitated individual, as that term is defined in § 21-2011(11);

(iv) Adjudicated as a mental defective, as that term is defined in 27 C.F.R. § 478.11; or

(v) Committed to a mental institution, as that term is defined in 27 C.F.R. § 478.11;

(B) Subparagraph (A) of this paragraph shall not apply if the court has granted the applicant relief pursuant to subsection (f) of this section, unless the applicant, since the court granted the applicant relief pursuant to subsection (f) of this section, is again disqualified under subparagraph (A) of this paragraph.

(6A) Within the 5 years immediately preceding the application, has not had a history of violent behavior;

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

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

(9) Is not otherwise ineligible to possess a firearm under § 22-4503;

(11) Is not blind, as defined in § 7-1009(1);

(12)

(A) Has not been the respondent in an intrafamily proceeding in which a civil protection order was issued against the applicant pursuant to § 16-1005; provided, that an applicant who has been the subject of such an order shall be eligible for registration if the applicant has submitted to the Chief a certified court record establishing that the order has expired or has been rescinded for a period of 5 years or more; or

(B) Has not been the respondent in a proceeding in which a foreign protection order, as that term is defined in § 16-1041, was issued against the applicant; provided, that an applicant who has been the subject of such an order shall be eligible for registration if the applicant has submitted to the Chief a certified court record establishing that the order has expired or has been rescinded for a period of 5 years;

(13)

(A) Has completed a firearms training and safety class provided free of charge by the Chief; or

(B) Has submitted evidence of any of the following:

(i) That the applicant has received firearms training in the United States military;

(ii) A license from another state for which firearms training is required, where the training, as determined by the Chief, is equal to or greater than that provided under subparagraph (A) of this paragraph; or

(iii) That the applicant has otherwise completed a firearms training or safety course conducted by a firearms instructor that, as determined by the Chief, is equal to or greater than that conducted under subparagraph (A) of this paragraph;

(14) Has not been prohibited from possessing or registering a firearm pursuant to § 7-2502.08; and

(15) Is not the subject of an ex parte extreme risk protection order issued pursuant to § 7-2510.04 or a final extreme risk protection order issued pursuant to § 7-2510.03 or renewed pursuant to § 7-2510.06.

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

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

(2) The present address and each home address where the applicant has resided during the 5-year period immediately preceding the application;

(3) The present business or occupation of the applicant and the address and phone number of the employer;

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

(5) The sex of the applicant;

(6) Whether (and if so, the reasons) the District, the United States or the government of any state or subdivision of any state has denied or revoked the applicant's license, registration certificate, or permit pertaining to any firearm;

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

(8) Repealed.

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

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

(11) Where the firearm will generally be kept;

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

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

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

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

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

(d) Repealed.

(f)

(1) A person disqualified under subsection (a)(6)(A) of this section, or 18 U.S.C. § 922(g)(4) as a result of a commitment or adjudication that occurred in the District, may petition the Superior Court for the District of Columbia for relief from disqualification.

(2) A petition filed pursuant to paragraph (1) of this subsection shall:

(A) Be in writing;

(B) State the reason the petitioner was disqualified;

(C) State facts in support of the petitioner's claim that the petitioner should no longer be disqualified;

(D) Include a statement, on a form approved by the court, signed by a licensed physician, psychiatrist, or qualified psychologist within the 30-day period immediately preceding the filing of the petition for relief, stating:

(i) The symptoms or behaviors for which the petitioner has been disqualified;

(ii) The length of time that the petitioner has no longer experienced those symptoms or behaviors;

(iii) The length of time that the petitioner has been compliant with any applicable treatment plans related to the reason the petitioner was disqualified; and

(iv) That, in the physician, psychiatrist, or psychologist's opinion, the petitioner would not be likely to act in a manner dangerous to public safety if allowed to register a firearm;

(E) Be accompanied by any appropriate exhibits, affidavits, or supporting documents, including records of any guardianship, conservatorship, or commitment proceeding related to the petitioner's disqualification;

(F) Include 2 statements from individuals who are not related to the petitioner by blood, adoption, guardianship, marriage, domestic partnership, having a child in common, cohabitating, or maintaining a romantic, dating, or sexual relationship and have known the petitioner for at least 3 years. The individuals' statements shall:

(i) Be on a form approved by the court, and signed by the individual within the 30-day period immediately preceding the filing of the petition for relief;

(ii) Describe the petitioner's reputation and character; and

(iii) State that, in the individual's opinion, the petitioner would not be likely to act in a manner dangerous to public safety if allowed to register a firearm; and

(G) Be served upon the Office of the Attorney General.

(3)

(A) (i) Upon receipt of a petition filed under paragraph (1) of this subsection, and for good cause shown, the court shall issue such orders as may be necessary to obtain any mental health records and other information relevant for the purposes of the petition. The order shall require the disclosure of records to the Office of the Attorney General so that the Office of the Attorney General can conduct a search of the petitioner's mental health records and report its findings to the court as required by subparagraph (B) of this paragraph.

(ii) The court shall order the Office of the Attorney General to file a response to the petition. Within 60 days after the court's order for a response, the Office of the Attorney General shall file a response indicating whether the Office of the Attorney General supports or opposes the petition.

(iii) The court may, for good cause shown, extend in 30-day increments the date by which the Office of Attorney General must file its response under subparagraph (ii) of this subparagraph.

(B) The Office of Attorney General shall:

(i) Conduct a reasonable search of all available records of the petitioner's mental health;

(ii) Perform a national criminal history and firearms eligibility background check on the petitioner; and

(iii) Include its findings under this subparagraph in its response to the court.

(C) The Metropolitan Police Department shall, upon request, provide to the Office of Attorney General any records related to the petitioner it has in its possession or could obtain after conducting a reasonable search.

(4)

(A) The court shall hold a hearing on a petition filed under paragraph (1) of this subsection within 60 days after the date on which the Office of Attorney General files its response.

(B) In determining whether to grant a petition filed pursuant to paragraph (1) of this subsection, the court shall consider all relevant evidence, including:

(i) The reason the petitioner was disqualified;

(ii) The petitioner's mental health and criminal history records; and

(iii) Evidence of the petitioner's reputation.

(5) The court shall grant a petition filed pursuant to paragraph (1) of this subsection if the petitioner establishes, by a preponderance of the evidence, that:

(A) The petitioner would not be likely to act in a manner dangerous to public safety; and

(B) Granting the relief would not be contrary to the public interest.

(6) If the court grants a petition for relief pursuant to paragraph (5) of this subsection, the court shall issue an order that:

(A) States the petitioner is no longer disqualified under subsection (a)(6)(A) of this section;

(B) Orders the Clerk of the Court to submit a copy of the order to the Metropolitan Police Department, the Office of the Attorney General, and any other relevant law enforcement, pretrial, corrections, or community supervision agency; and

(C) Requires that the petitioner's record be updated in the National Instant Criminal Background Check System and any other system used to determine firearm registration eligibility to reflect that the petitioner is no longer disqualified.

(7) If the court denies a petition for relief, the court shall state the reasons for its denial in writing.

(8) An order granting or denying a petition filed under paragraph (1) of this subsection shall be a final order for the purposes of appeal.

Section 72502.04. Fingerprints and photographs of applicants; application in person required.

(a) The Chief shall require any person applying for a registration certificate to be fingerprinted in order to conduct an efficient and adequate investigation into the matters described in § 7-2502.03 and to effectuate the purposes of this unit. The Chief shall maintain a record of the fingerprints of sufficient quality to enable periodic investigation to ensure compliance with § 7-2502.03.

(b) The Chief shall take a digitalized, full-face photograph of each applicant, other than an organization, to be included as part of a person's firearms registration application. The photo shall be taken simultaneously with the filing of the application.

Section 7-2502.05. Application signed under oath; fees.

(a) Each applicant (the president or chief executive in the case of an organization) shall sign an oath or affirmation attesting to the truth of all the information required by § 7-2502.03 or § 7-2502.07a.

(b) Each application required by this subchapter shall be accompanied by a nonrefundable fee to be established by the Mayor; provided, that such fee shall, in the judgment of the Mayor, reimburse the District for the cost of services provided under this subchapter.

(c) Any declaration, certificate, verification, or statement made for purposes of firearm registration under this title shall be made under penalty of perjury pursuant to D.C. Official Code § 22-2402. Except as required in § 7-2502.03(a)(1), no document shall be required to be notarized.

Section 7-2502.06. Time for filing registration applications.

(a) An application for a registration certificate shall be filed (and a registration certificate issued) prior to taking possession of a firearm from a licensed dealer or from any person or organization holding a registration certificate therefor. In all other cases, an application for registration shall be filed immediately after a firearm is brought into the District. It shall be deemed compliance with the preceding sentence if such person personally communicates with the Metropolitan Police Department (as determined by the Chief to be sufficient) and provides such information as may be demanded; provided, that such person files an application for a registration certificate within 48 hours after such communication.

Section 7-2502.07. Issuance of registration certificate; time period; corrections.

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

(b) The Chief shall approve or deny an application for a registration certificate within a 60-day period beginning on the date the Chief receives the application, unless good cause is shown, including nonreceipt of information from sources outside the District government; provided, that in the case of an application to register a firearm validly registered under prior regulations, the Chief shall have 365 days after the receipt of such application to approve or deny such application. The Chief may hold in abeyance an application where there is a revocation proceeding pending against such person or organization.

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

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

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

(f) In the discretion of the Chief of Police, a registration certificate may be issued to a retired police officer who is a resident of the District of Columbia for a pistol and ammunition which conforms to the Metropolitan Police Department General Orders and policies.

(g) When the retired police officer ceases to be a resident of the District of Columbia the registration certificate expires.

(h) Nothing in this unit shall create an entitlement to a registration certificate for a retired police officer. If the Chief of Police denies a retired police officer's registration certificate application, the Chief of Police shall state the reasons for the denial in writing.

(i) The District of Columbia shall not incur any liability by reason of the issuance or denial of a certificate, nor for any use made of the registered firearm.

Section 7-2502.08. Duties of registrants.

(a) Each person or organization holding a registration certificate (for purposes of this section, "registrant") shall:

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

(2) Notify the Chief in writing within 30 days of a change in the registrant's name or address as it appears on the registration certificate;

(3) Notify the Chief in writing of the sale, transfer, or other disposition of the firearm within 2 business days of such sale, transfer, or other disposition. The notification shall include:

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

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

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

(b) Each registrant shall return to the Chief the registration certificate for any firearm which is lost, stolen, destroyed, sold, or otherwise transferred or disposed of, at the time the registrant notifies the Chief of such loss, theft, destruction, sale, transfer, or other disposition.

(c) Each registrant shall have in the registrant's possession, whenever in possession of a firearm, the registration certificate, or exact photocopy thereof, for such firearm, and exhibit the same upon the demand of a member of the Metropolitan Police Department, or other law enforcement officer.

(d) The duties set forth in subsections (a) through (c) of this section are in addition to any other requirements imposed by this unit or other applicable law.

(e)

(1) A registrant shall be subject to a civil fine of \$100 for the first violation or omission of the duties and requirements imposed by this section.

(2) A registrant shall be subject to a civil fine of \$500 for the second violation or omission of the duties and requirements imposed by this section, a registrant's registration certificates shall be revoked, and the registrant shall be prohibited from possessing or registering any firearm for a period of 5 years.

(3) A registrant shall be subject to a civil fine of \$1,000 for the third violation or omission of the duties and requirements imposed by this section, a registrant's registration certificates shall be revoked, and the registrant shall be prohibited from possessing or registering any firearm.

(4) For the purposes of this subsection, "a violation or omission" that applies to multiple firearms shall constitute a single violation or omission if the violation or omission pertaining to each firearm arose from the same occurrence.

(5) The penalties prescribed in § 7-2507.06 shall not apply to a violation or omission of the duties and requirements imposed by this section.

Section 7-2502.09. Revocation of registration certificate.

(a) A registration certificate shall be revoked if:

(1) Any of the criteria in § 7-2502.03(a) are not currently met;

(2) The registered firearm has become an unregistrable firearm under the terms of § 7-2502.02, or a destructive device; or

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

Section 7-2502.10. Procedure for denial and revocation of registration certificate.

(a) If it appears to the Chief that an application for a registration certificate should be denied or that a registration certificate should be revoked, the Chief shall notify the applicant or registrant of the proposed denial or revocation, briefly stating the reason or reasons therefor. Service may be made by delivering a copy of the notice to the applicant or registrant personally, or by leaving a copy thereof at the place of residence identified on the application or registration with some person of suitable age and discretion then residing therein, or by mailing a copy of the notice first class mail, postage prepaid, to the residence address identified on the application or certificate. In the case of an organization, service may be made upon the president, chief executive, or other officer, managing agent or person authorized by appointment or law to receive such notice as described in the preceding sentence at the business address of the organization identified in the application or registration certificate. The person serving the notice shall make proof thereof by preparing an affidavit identifying the person served and stating the time, place, and manner of service. The applicant or registrant shall have 15 days from the date the notice is served in which to submit further evidence in support of the application or qualifications to continue to hold a registration certificate, as the case may be; provided, that if the applicant

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

(b) Within 10 days of the date upon which the Chief receives such a submission, he shall serve upon the applicant or registrant in the manner specified in subsection (a) of this section notice of his final decision. The Chief's decision shall become effective at the expiration of the time within which to file a notice of appeal pursuant to the District of Columbia Administrative Procedure Act (§ 2-501 et seq.) or, if such a notice of appeal is filed, at the time the final order or judgment of the District of Columbia Court of Appeals becomes effective.

(c) Within 7 days of a decision unfavorable to the applicant or registrant becoming final, the applicant or registrant shall:

(1) Peaceably surrender to the Chief the firearm for which the registration certificate was revoked in the manner provided in § 7-2507.05; or

(2) Lawfully remove such firearm from the District for so long as he has an interest in such firearm; or

(3) Otherwise lawfully dispose of his interest in such firearm.

(d) If a firearm is in the possession of the Chief, the Chief may maintain possession of the firearm for which the registrant is temporarily or permanently prohibited from having lawful possession until final disposition of the matter.

Subchapter III – Estates Containing Firearms

Section 7-2503.01. Rights and responsibilities of executors and administrators.

(a) The executor or administrator of an estate containing a firearm shall notify the Chief of the death of the decedent within 30 days of his appointment or qualification, whichever is earlier.

(b) Until the lawful distribution of such firearm to an heir or legatee or the lawful sale, transfer, or disposition of the firearm by the estate, the executor or administrator of such estate shall be charged with the duties and obligations which would have been imposed by this unit upon the decedent, if the decedent were still alive; provided, that such executor or administrator shall not be liable to the criminal penalties of § 7-2507.06.

Subchapter IV – Licensing of Firearms Businesses

Section 7-2504.01. Manufacture of firearms, destructive devices or ammunition prohibited; requirement for dealer's license.

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

(b) No person or organization shall engage in the business of selling, purchasing, or repairing any firearm, destructive device, parts therefor, or ammunition, without first obtaining a dealer's license, and no licensee shall engage in the business of selling, purchasing, or repairing firearms which are unregistrable under § 7-2502.02, destructive devices, or parts therefor, except pursuant to a valid work or purchase order, for those persons specified in § 7-2502.01(b)(1).

(c) Any license issued pursuant to this section shall be issued by the Metropolitan Police Department as a Public Safety endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of Chapter 28 of Title 47.

Section 7-2504.02. Qualifications for dealer's license; application; fee.

(a) Any person eligible to register a firearm under this unit and who, if a registrant, has not previously failed to perform any of the duties imposed by this unit; and, any person eligible under the acts of Congress to engage in such business, may obtain a dealer's license, or a renewal thereof, which shall be valid for a period of not more than 1 year from the date of issuance. The license required by this unit, shall be in addition to any other license or licensing procedure required by law.

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

(1) The information required by § 7-2502.03(a);

(2) The address where the applicant conducts or intends to conduct his business;

(3) Whether the applicant, prior to September 24, 1976, held a license to deal in deadly weapons in the District; and

(4) Such other information as the Chief may require, including fingerprints and photographs of the applicant, to carry out the purposes of this unit.

(c) Each application for a dealer's license, or renewal shall be accompanied by a fee established by the Mayor; provided, that such fee shall in the judgment of the Mayor, reimburse the District for the cost of services provided under this subchapter.

(d) Any license issued pursuant to this section shall be issued as a Public Safety endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of Chapter 28 of Title 47.

Section 7-2504.03. Issuance of dealer's license; time period; corrections.

(a) Upon receipt of a properly executed application for a dealer's license, or renewal thereof, the Chief, upon determining through further inquiry, investigation, or otherwise, that the applicant is entitled and qualified under the provisions of this unit thereto, shall issue a dealer's license. Each dealer's license shall be in duplicate and bear a unique dealer's license number, and such other information as the Chief determines is necessary to identify the applicant and premises. The duplicate of the dealer's license shall be delivered to the applicant and the Chief shall retain the original.

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

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

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

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

Section 7-2504.04. Duties of licensed dealers; records required.

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

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

(2) Notify the Chief in writing:

(A) Of the loss, theft, or destruction of the dealer's license (including the circumstances, if known) immediately upon the discovery of such loss, theft, or destruction or of the loss, theft, or destruction of any firearms or ammunition in the dealer's inventory;

(B) Of a change in any of the information appearing on the dealer's license or required by § 7-2504.02 immediately upon the occurrence of any such change;

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

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

(B) Each firearm or destructive device received into inventory or for repair including the:

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

(ii) Name, address, and dealer's license number (if any) of the person or organization from whom the firearm or destructive device was purchased or otherwise received;

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

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

(v) Nature of the repairs made;

(C) Each firearm or destructive device sold or transferred including the:

- (i) Serial number, caliber, make, model, manufacturer's number or dealer's identification number, and registration certificate number (if any) of the firearm or similar information for destructive devices;
- (ii) Name, address, registration certificate number or license number (if any) of the person or organization to whom transferred;
- (iii) The consideration for transfer; and
- (iv) Time and date of delivery of the firearm or destructive device to the transferee;

(D) Ammunition received into inventory including the:

- (i) Brand and number of rounds of each caliber or gauge;
- (ii) Name, address, and dealer's license or registration number (if any) of the person or organization from whom received;
- (iii) Consideration given for the ammunition; and
- (iv) Date and time of the receipt of the ammunition;

(E) Ammunition sold or transferred including:

- (i) Brand and number of rounds of each caliber or gauge;
- (ii) Name, address and dealer's license number (if any) of the person or organization to whom sold or transferred;
- (iii) If the purchaser or transferee is not a licensee, the registration certificate number of the firearm for which the ammunition was sold or transferred;
- (iv) The consideration for the sale and transfer; and
- (v) The date and time of sale or transfer.

(b) The records required by subsection (a) of this section shall upon demand be exhibited during normal business hours to any member of the Metropolitan Police Department. In addition, the records required by subsection (a) of this section shall be submitted upon demand with the dealer's application for license renewal.

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

Section 7-2504.05. Revocation of dealer's license.

A dealer's license shall be revoked if:

- (1) Any of the criteria in § 7-2504.04 is not currently met;
- (2) The information furnished to the Chief on the application for a dealer's license proves to be intentionally false;
- (3) There is a violation or omission of the duties, obligations, or requirements imposed by § 7-2504.04; or
- (4) The license holder no longer meets any of the criteria required by this subchapter.

Section 7-2504.06. Procedure for denial and revocation of dealer's license.

(a) If it appears to the Chief that an application for a dealer's license should be denied or that a dealer's license should be revoked, the Chief shall notify the applicant or registrant of the proposed denial or revocation briefly stating the reason or reasons therefor. Service may be made as provided for in § 7-2502.10(a). The applicant or dealer shall have 15 days from the date of service in which to submit further evidence in support of the application or qualifications to continue to hold a dealer's license, as the case may be; provided, that if the applicant or dealer does not make such a submission within 15 days from the date of service, the applicant or dealer shall be deemed to have conceded the validity of the reason or reasons stated in the notice, and the denial or revocation shall become final.

(b) Within 10 days of the date upon which the Chief receives such a submission, the Chief shall serve upon the applicant or registrant in the manner provided in § 7-2502.10(a) notice of his final decision. The Chief's decision shall become effective at the expiration of the time within which to file a notice of appeal pursuant to the District of Columbia Administrative Procedure Act (§ 2-501 et seq.) or, if such a notice of appeal is filed, at the time the final order or judgment of the District of Columbia Court of Appeals becomes effective.

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

- (1) If he is eligible to register firearms pursuant to this unit, register such firearms in his inventory as are capable of registration pursuant to this unit;
- (2) Peaceably surrender to the Chief any firearms in his inventory which he does not register, and all destructive devices in his inventory in the manner provided for in § 7-2507.05;
- (3) Lawfully remove from the District any firearm in his inventory which he does not register and all destructive devices and ammunition in his inventory for so long as he has an interest in them; or
- (4) Otherwise lawfully dispose of any firearms in his inventory which he does not register and all destructive devices and ammunition in his inventory.

Section 7-2504.07. Display of firearms or ammunition by dealers; security; employees of dealers.

- (a) No licensed dealer shall display any firearm or ammunition in windows visible from a street or sidewalk. All firearms, destructive devices, and ammunition shall be kept at all times in a securely locked place affixed to the premises except when being shown to a customer, being repaired, or otherwise being worked on.
- (b) No licensee shall knowingly employ any person in his establishment if such person would not be eligible to register a firearm under this unit.

Section 7-2504.08. Identification number on firearm required before sale.

- (a) No licensee shall sell or offer for sale any firearm which does not have imbedded into the metal portion of such firearm a unique manufacturer's identification number or serial number, unless the licensee shall have imbedded into the metal portion of such firearm a unique dealer's identification number.
- (b) Beginning on January 1, 2018, no licensee shall sell or offer for sale any semiautomatic pistol manufactured on or after January 1, 2018, that is not microstamp-ready as required by and in accordance with § 7-2505.03.

Section 7-2504.10. District as federal firearms licensee.

- (a) Whenever there is no active federal firearms licensee in the District of Columbia, the Mayor may seek from federal authorities a license for the District to act as a federal firearms licensee solely for the benefit of any District resident eligible and seeking to obtain a lawful handgun.
- (b) The Mayor shall delegate the authority under subsection (a) of this section to a subordinate agency.
- (c) The District shall act under the license obtained pursuant to subsection (a) of this section only until such time as there is an active federal firearms licensee in the District of Columbia.
- (d) The District may charge a fee to recover the cost of acting as a federal firearms licensee pursuant to subsection (a) of this section by charging \$125 or its actual costs, whichever is less, for each handgun.
- (e) For the purposes of this section, the term "**active federal firearms licensee**" means a person or business that has applied for and received a federal firearms license pursuant to 18 U.S.C. § 923 for the purpose of interstate transfer of handguns, and is operating commercially in the District of Columbia.

Subchapter V – Sale and Transfer of Firearms, Destructive Devices, and Ammunition

Section 7-2505.01. Sales and transfers prohibited.

No person or organization shall sell, transfer or otherwise dispose of any firearm, destructive device, ghost gun, unfinished frame or receiver or ammunition in the District except as provided in § 7-2502.10(c), § 7-2505.02, § 7-2507.05, § 7-2510.07, or § 7-2510.09.

Section 7-2505.02. Permissible sales and transfers.

- (a) Any person or organization eligible to register a firearm may sell or otherwise transfer ammunition or any firearm, except those which are unregistrable under § 7-2502.02, to a licensed dealer.
- (b) Any licensed dealer may sell or otherwise transfer:
 - (1) Ammunition, excluding one or more restricted pistol bullets, and any firearm or destructive device which is lawfully a part of such licensee's inventory, to any nonresident person or business licensed under the acts of Congress and the jurisdiction where such person resides or conducts such business;
 - (2) Ammunition, including one or more restricted pistol bullets, and any firearm or destructive device which is lawfully a part of such licensee's inventory to:
 - (A) Any other licensed dealer;
 - (B) Any law enforcement officer or agent of the District or the United States of America when such officer or agent is on duty, and acting within the scope of his duties when acquiring such firearm, ammunition, or destructive

device, if the officer or agent has in his possession a statement from the head of his agency stating that the item is to be used in such officer's or agent's official duties.

(c) Any licensed dealer may sell or otherwise transfer a firearm except those which are unregistrable under § 7-2502.02, to any person or organization possessing a registration certificate for such firearm; provided, that if the Chief denies a registration certificate, he shall so advise the licensee who shall thereupon: (1) withhold delivery until such time as a registration certificate is issued, or, at the option of the purchaser; (2) declare the contract null and void, in which case consideration paid to the licensee shall be returned to the purchaser; provided further, that this subsection shall not apply to persons covered by subsection (b) of this section.

(d) Except as provided in subsections (b) and (e) of this section, no licensed dealer shall sell or otherwise transfer ammunition unless:

(1) The sale or transfer is made in person; and

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

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

(4) The purchaser signs a receipt for the ammunition which (in addition to the other records required under this unit) shall be maintained by the licensed dealer for a period of 1 year from the date of sale.

(e) Any licensed dealer may sell ammunition to any person holding an ammunition collector's certificate on September 24, 1976; provided, that the collector's certificate shall be exhibited to the licensed dealer whenever the collector purchases ammunition for his collection; provided further, that the collector shall sign a receipt for the ammunition, which shall be treated in the same manner as that required under paragraph (4) of subsection (d) of this section.

Section 7-2505.03. Microstamping.

(a) For the purposes of the section, the term:

(1) "**Firearms dealer**" means a person or organization possessing a dealer's license under authority of subchapter IV of this chapter.

(2) "**Manufacturer**" means any person in business to manufacture or assemble a firearm, for sale or distribution.

(3) "**Microstamp-ready**" means a semiautomatic pistol that is manufactured to produce a unique alpha-numeric or geometric code on at least 2 locations on each expended cartridge case that identifies the make, model, and serial number of the pistol.

(4) "**Semiautomatic pistol**" means a pistol capable of utilizing a portion of the energy of a firing cartridge to extract the fired cartridge case and automatically chamber the next round, and that requires a separate pull of the trigger to fire each successive round.

(b) Except as provided in subsection (c) of this section, beginning on January 1, 2018, a semiautomatic pistol shall be microstamp-ready if it is:

(1) Manufactured in the District of Columbia;

(2) Manufactured on or after January 1, 2018, and delivered or caused to be delivered by any manufacturer to a firearms dealer in the District of Columbia; or

(3) Manufactured on or after January 1, 2018, and sold, offered for sale, loaned, given, or transferred by a firearms dealer in the District of Columbia.

(c)

(1) A semiautomatic pistol manufactured after January 1, 2018, that is not microstamp-ready and that was acquired outside of the District by a person who was not a District resident at the time of acquisition but who subsequently moved to the District shall be registered if the requirements of this unit are met, and may be sold, transferred, or given away; provided, that the pistol shall be sold, transferred, or given away only through a firearms dealer.

(2) If a firearms dealer lawfully acquires a microstamp-ready semiautomatic pistol that was originally purchased by a non-dealer resident of the District of Columbia, the firearms dealer shall not sell, offer for sale, loan, give, or transfer that pistol if he or she knows or reasonably should have known that the unique alphanumeric or geometric code associated with that pistol has been changed, altered, removed, or obliterated, excepting for normal wear.

(d)

(1) Except as provided in paragraph (2) of this subsection, and except for normal wear, no person shall change, alter, remove, or obliterate the unique alpha-numeric or geometric code associated with that pistol.

(2) Replacing a firing pin that has been damaged or worn and is in need of replacement for the safe use of the semiautomatic pistol or for a legitimate sporting purpose shall not alone be evidence that someone has violated this subsection.

(e) Beginning January 1, 2018, a manufacturer that delivers a semiautomatic pistol, or causes a semiautomatic pistol to be delivered, to a firearms dealer for sale in the District of Columbia shall certify whether the pistol was manufactured on or after January 1, 2018, and, if it was, that:

(1) The semiautomatic pistol will produce a unique alpha-numeric code or a geometric code on each cartridge case that identifies the make, model, and serial number of the semiautomatic pistol that expended the cartridge casing; and

(2) The manufacturer will supply the Chief with the make, model, and serial number of the semiautomatic pistol that expended the cartridge case, when presented with an alpha-numeric or geometric code from a cartridge case; provided, that the cartridge case was recovered as part of a legitimate law enforcement investigation.

(f) The Chief, pursuant to subchapter I of Chapter 5 of Title 2 [§ 2-501 et seq.], shall issue rules to implement the provisions of this section.

Section 7-2505.04. Prohibition on sale, transfer, ownership, or possession of designated unsafe pistol.

(a) Except as provided in subsections (c), (d), or (e) of this section, beginning January 1, 2009, a pistol that is not on the California Roster of Handguns Certified for Sale, (also known as the California Roster of Handguns Determined Not to be Unsafe), pursuant to California Penal Code § 12131, as of January 1, 2009, may not be manufactured, sold, given, loaned, exposed for sale, transferred, or imported into the District of Columbia.

(b) Except as provided in subsection (e) of this section, beginning January 1, 2009, a pistol that is not on the California Roster of Handguns Certified for Sale as of January 1, 2009, may not be owned or possessed within the District of Columbia unless that pistol was lawfully owned and registered prior to January 1, 2009.

(c) Except as provided in subsection (e) of this section, a District of Columbia resident who is the owner of a pistol lawfully registered prior to January 1, 2009, that is not on the California Roster of Handguns Certified for Sale as of January 1, 2009, and who wishes to sell or transfer that pistol after January 1, 2009, may do so only by selling or transferring ownership of the handgun to a licensed firearm dealer.

(d) Except as provided in subsection (e) of this section, beginning January 1, 2009, a licensed firearm dealer who retains in the dealer's inventory, or who otherwise lawfully acquires, any pistol not on the California Roster of Handguns Certified for Sale as of January 1, 2009, may sell, loan, give, trade, or otherwise transfer the firearm only to another licensed firearm dealer.

(e) This section shall not apply to:

(1) Firearms defined as curios or relics, as defined in 27 C.F.R. § 478.11;

(2) The purchase of any firearm by any law enforcement officer or agent of the District or the United States;

(3) Pistols that are designed expressly for use in Olympic target shooting events, as defined by rule;

(4) Certain single-action revolvers, as defined by rule;

(5) The sale, loan, or transfer of any firearm that is to be used solely as a prop during the course of a motion picture, television, or video production by an authorized participant in the course of making that production or event or by an authorized employee or agent of the entity producing that production or event;

(6) The temporary transfer of a lawfully owned and registered firearm for the purposes of cleaning, repair, or servicing of the firearm by a licensed firearm dealer; or

(7) The possession of a firearm by a non-resident of the District of Columbia while temporarily traveling through the District; provided, that the firearm shall be transported in accordance with § 22-4504.02.

(f) The Chief shall review any additions or deletions to the California Roster of Handguns Certified for Sale at least annually. For purposes of District law, the Chief is authorized to revise, by rule, the roster of handguns determined not to be unsafe prescribed by subsection (a) of this section and to prescribe by rule the firearms permissible pursuant to subsection (e) of this section.

(g) The Chief shall provide to the licensed firearm dealers within the District information about how to obtain a copy of the California Roster of Handguns Certified for Sale and any revisions to it made the Chief.

Subchapter VI – Possession of Ammunition.

Section 7-2506.01. Persons permitted to possess ammunition.

(a) No person shall possess ammunition in the District of Columbia unless:

- (1) He is a licensed dealer pursuant to subchapter IV of this unit;
- (2) He is an officer, agent, or employee of the District of Columbia or the United States of America, on duty and acting within the scope of his duties when possessing such ammunition;
- (3) He is the holder of a valid registration certificate for a firearm pursuant to subchapter II of this chapter; except, that no such person shall possess one or more restricted pistol bullets;
- (4) He holds an ammunition collector's certificate on September 24, 1976; or
- (5) He temporarily possesses ammunition while participating in a firearms training and safety class conducted by a firearms instructor.

(b) No person in the District shall possess, sell, or transfer any large capacity ammunition feeding device regardless of whether the device is attached to a firearm. For the purposes of this subsection, the term "large capacity ammunition feeding device" means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition. The term "large capacity ammunition feeding device" shall not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

Subchapter VII – Miscellaneous Provisions

Section 7-2507.01. Security mortgages, deposits, or pawns with firearms, destructive devices, or ammunition prohibited; loan or rental of firearms, destructive devices, or ammunition prohibited.

- (a) No firearm, destructive device, or ammunition shall be security for, or be taken or received by way of any mortgage, deposit, pledge, or pawn.
- (b) No person may loan, borrow, give, or rent to or from another person, any firearm, destructive device, or ammunition.

Section 7-2507.02. Responsibilities regarding storage of firearms; penalties.

(a) It shall be the policy of the District of Columbia that each registrant should keep any firearm in his or her possession unloaded and either disassembled or secured by a trigger lock, gun safe, locked box, or other secure device.

(b) No person shall store or keep any firearm on any premises under his control if he knows or reasonably should know that a minor is likely to gain access to the firearm without the permission of the parent or guardian of the minor unless such person:

- (1) Keeps the firearm in a securely locked box, secured container, or in a location which a reasonable person would believe to be secure; or
- (2) Carries the firearm on his person or within such close proximity that he can readily retrieve and use it as if he carried it on his person.

(c)

(1) A person who violates subsection (b) of this section is guilty of criminally negligent storage of a firearm and, except as provided in paragraph (2) of this subsection, shall be fined not more than \$1,000, imprisoned not more than 180 days, or both.

(2) A person who violates subsection (b) of this section and the minor causes injury or death to himself or another shall be fined not more than \$5,000, imprisoned not more than 5 years, or both.

(3) The provisions of paragraphs (1) and (2) of this subsection shall not apply if the minor obtains the firearm as a result of an unlawful entry or burglary to any premises by any person.

(c-1) The provisions of § 7-2507.06 shall not apply to this section.

(d) For the purposes of this section, the term "minor" shall mean a person under the age of 18 years.

Section 7-2507.04. False information; forgery or alteration.

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

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

Section 7-2507.06a. Seizure and forfeiture of conveyances.

Any conveyance in which a person or persons transport, possess, or conceal any firearm, as that term is defined in § 7-2501.01, or in any manner use to facilitate a violation of § 7-2502.02 or § 22-4503 or § 22-4504, is subject to forfeiture pursuant to the standards and procedures set forth in Chapter 3 of Title 41.

Section 7-2507.08. Construction of unit.

Nothing in this unit shall be construed, or applied to necessarily require, or excuse noncompliance with any provision of any federal law. This unit and the penalties prescribed in § 7-2507.06, for violations of this unit, shall not supersede but shall supplement all statutes of the District and the United States in which similar conduct is prohibited or regulated.

Section 7-2507.10. Severability.

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

Unit B – Strict Liability for Illegal Sale and Distribution of Firearms.

Section 7-2531.01. Definitions.

For the purposes of this unit, the term:

(1) "Dealer" means:

- (A)** Any person engaged in the business of selling firearms at wholesale or retail;
- (B)** Any person engaged in the business of repairing firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms; or
- (C)** Any person who is a pawnbroker who takes or receives by way of pledge or pawn, any firearm as security for the payment or repayment of money.

(2) "Engaged in the business" means:

- (A)** A person who devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. The term "engaged in business" shall not include a person who makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of this personal collection of firearms; or
- (B)** A person who devotes time, attention, and labor to importing firearms as a regular course of trade or business with the principal objective of livelihood and profit through the sale or distribution of the firearms imported.

(3) "Firearm" shall have the same meaning as in § 7-2501.01(9).

(4) "Illegal sale" means:

- (A)** Failure to establish proof of the purchaser's residence in a jurisdiction where the purchase of the weapon is legal or ignoring proof of the purchaser's residence in the District of Columbia;
- (B)** Failure to comply with District of Columbia registration and waiting requirements prior to delivery of the firearm to the purchaser when proof of District of Columbia residence is provided;
- (C)** Failure to maintain full, complete, and accurate records of firearm sales as required by local, state, and federal law; or
- (D)** Knowingly and willfully maintaining false records with the intent to misrepresent the name and address of persons purchasing firearms, or the type of firearm sold to those persons.

(5) "Importer" means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution.

(6) "Law enforcement agency" means a federal, state, or local law enforcement agency, state militia, or an agency of the United States government.

(7) "Law enforcement officer" means any employee or agent of a law enforcement agency who is authorized to use a firearm in the course of employment.

(8) "Manufacturer" means any person in business to manufacture or assemble a firearm or ammunition for sale or distribution.

(9) "Pawnbroker" means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm as security for the payment or repayment of money.

Section 7-2531.02. Liability.

(a) Any manufacturer, importer, or dealer of a firearm who can be shown by a preponderance of the evidence to have knowingly and willfully engaged in the illegal sale of a firearm shall be held strictly liable in tort, without regard to fault and without regard to either: (1) an intent to interfere with a legally protected interest; or (2) a breach of duty to exercise reasonable care, for all direct and consequential damages that arise from bodily injury or death if the bodily injury or death proximately results from the discharge of the firearm in the District of Columbia, regardless of whether or not the person operating the firearm is the original, illegal purchaser.

(b) Any individual who can be shown by a preponderance of the evidence to have knowingly and willfully engaged in the illegal sale, loan, lease, or rental of a firearm for money or anything of value shall be held strictly liable in tort, without regard to fault and without regard to either: (1) an intent to interfere with a legally protected interest; or (2) a breach of duty to exercise reasonable care, for all direct and consequential damages that arise from bodily injury or death if the bodily injury or death proximately results from the discharge of the firearm in the District of Columbia regardless of whether or not the person operating the firearm is the original, illegal purchaser.

(c) Nothing in this unit shall relieve from liability any person who commits a crime, is negligent, or who might otherwise be liable for acts committed with the firearm.

Section 7-2531.03. Exemptions.

(a) No firearm originally distributed to a law enforcement agency or a law enforcement officer shall provide the basis for liability under this unit.

(b) No action may be brought pursuant to this unit by a person who can be shown by a preponderance of the evidence to have committed a self-inflicted injury or by a person injured by a firearm while committing a crime, attempting to commit a crime, engaged in criminal activity, or engaged in a delinquent act.

(c) No action may be brought pursuant to this unit by a person who can be shown by a preponderance of the evidence to be engaged in the sale or distribution of illegal narcotics.

(d) No action may be brought pursuant to this unit by a person who either: (1) assumed the risk of the injury that occurred; or (2) negligently contributed to the injury that occurred.

Unit C – Assault Weapons Manufacturing Strict Liability.

Section 7-2551.01. Definitions.

For the purposes of this unit, the term:

(1) "**Assault weapon**" shall have the same meaning as provided in § 7-2501.01(3A).

(2) "**Handgun**" means a firearm with a barrel less than 12 inches in length at the time of manufacture.

(3) "**Dealer**" and "**importer**" shall have the same meaning as in 18 U.S.C. § 921.

(4) "**Machine gun**" shall have the same meaning as in paragraph (10) of § 7-2501.01.

(5) "**Manufacturer**" means any person in business to manufacture or assemble a firearm or ammunition for sale or distribution.

(6) "**Law enforcement agency**" means a federal, state, or local law enforcement agency, state militia, or an agency of the United States government.

(7) "**Law enforcement officer**" means any officer or agent of an agency defined in paragraph (6) of this section who is authorized to use a handgun or machine gun in the course of his or her work.

Section 7-2551.02. Liability.

Any manufacturer, importer, or dealer of an assault weapon or machine gun shall be held strictly liable in tort, without regard to fault or proof of defect, for all direct and consequential damages that arise from bodily injury or death if the bodily injury or death proximately results from the discharge of the assault weapon or machine gun in the District of Columbia.

Section 7-2551.03. Exemptions.

(a) No assault weapon originally distributed to a law enforcement agency or a law enforcement officer shall provide the basis for liability under this unit.

(b) No action may be brought pursuant to this unit by a person injured by an assault weapon while committing a crime.

(c) This section shall not operate to limit in scope any cause of action, other than that provided by this unit, available to a person injured by an assault weapon.

(d) Any defense that is available in a strict liability action shall be available as a defense under this unit.

(e) Recovery shall not be allowed under this unit for a self-inflicted injury that results from a reckless, wanton, or willful discharge of an assault weapon.

Division IV – Criminal Law and Procedure and Prisoners
Title 22 – Criminal Offenses and Penalties
Subtitle VI – Regulation and Possession of Weapons
Chapter 45 – Weapons and Possession of Weapons

Section 22-4501. Definitions.

For the purposes of this chapter, the term:

(1) **"Bump stock"** means any object that, when installed in or attached to a firearm, increases the rate of fire of the firearm by using energy from the recoil of the firearm to generate a reciprocating action that facilitates repeated activation of the trigger.

(1A) **"Crime of violence"** shall have the same meaning as provided in § 23-1331(4).

(2) **"Dangerous crime"** means distribution of or possession with intent to distribute a controlled substance. For the purposes of this definition, the term "controlled substance" means any substance defined as such in the District of Columbia Official Code or any Act of Congress.

(2A) **"Firearm"** means any weapon, regardless of operability, which will, or is designed or redesigned, made or remade, readily converted, restored, or repaired, or is intended to, expel a projectile or projectiles by the action of an explosive. The term "firearm" shall not include:

(A) A destructive device as that term is defined in § 7-2501.01(7);

(B) A device used exclusively for line throwing, signaling, or safety, and required or recommended by the Coast Guard or Interstate Commerce Commission; or

(C) A device used exclusively for firing explosive rivets, stud cartridges, or similar industrial ammunition and incapable for use as a weapon.

(2B) "Ghost gun" shall have the same meaning as provided in § 7-2501.01(9B).

(4) **"Machine gun"** shall have the same meaning as provided in § 7-2501.01(10).

(5) **"Person"** includes individual, firm, association, or corporation.

(6) **"Pistol"** shall have the same meaning as provided in § 7-2501.01(12).

(6A) **"Place of business"** shall have the same meaning as provided in § 7-2501.01(12A).

(7A) **"Registrant"** means a person who has registered a firearm pursuant to Unit A of Chapter 25 of Title 7.

(8) **"Sawed-off shotgun"** shall have the same meaning as provided in § 7-2501.01(15).

(9) **"Sell"** and **"purchase"** and the various derivatives of such words shall be construed to include letting on hire, giving, lending, borrowing, and otherwise transferring.

(9A) **"Shotgun"** shall have the same meaning as provided in § 7-2501.01(16).

Section 22-4502.01. Gun free zones; enhanced penalty.

(a) All areas within, 1,000 feet of an appropriately identified public or private day care center, elementary school, vocational school, secondary school, college, junior college, or university, or any public swimming pool, playground, video arcade, youth center, or public library, or in and around public housing as defined in section 3(1) of the United States Housing Act of 1937, approved August 22, 1974 (88 Stat. 654; 42 U.S.C. § 1437a(b)), the development or administration of which is assisted by the United States Department of Housing and Urban Development, or in or around housing that is owned, operated, or financially assisted by the District of Columbia Housing Authority, or an event sponsored by any of the above entities shall be declared a gun free zone. For the purposes of this subsection, the term "appropriately identified" means that there is a sign that identifies the building or area as a gun free zone.

(b) Any person illegally carrying a gun within a gun free zone shall be punished by a fine up to twice that otherwise authorized to be imposed, by a term of imprisonment up to twice that otherwise authorized to be imposed, or both.

(c) The provisions of this section shall not apply to a person legally licensed to carry a firearm in the District of Columbia who lives or works within 1,000 feet of a gun free zone or to members of the Army, Navy, Air Force, or Marine Corps of

the United States; the National Guard or Organized Reserves when on duty; the Post Office Department or its employees when on duty; marshals, sheriffs, prison, or jail wardens, or their deputies; policemen or other duly-appointed law enforcement officers; officers or employees of the United States duly authorized to carry such weapons; banking institutions; public carriers who are engaged in the business of transporting mail, money, securities, or other valuables; and licensed wholesale or retail dealers.

Section 22-4503. Unlawful possession of firearm.

(a) No person shall own or keep a firearm, or have a firearm in his or her possession or under his or her control, within the District of Columbia, if the person:

- (1) Has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;
- (2) Is not licensed under § 22-4510 to sell weapons, and the person has been convicted of violating this chapter;
- (3) Is a fugitive from justice;
- (4) Is addicted to any controlled substance, as defined in § 48-901.02(4);
- (5) Is subject to a court order that:
 - (A)
 - (i) Was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate; or
 - (ii) Remained in effect after the person failed to appear for a hearing of which the person received actual notice;
 - (B) Restrains the person from assaulting, harassing, stalking, or threatening the petitioner or any other person named in the order; and
 - (C) Requires the person to relinquish possession of any firearms;
- (6) Has been convicted within the past 5 years of an intrafamily offense, as defined in D.C. Official Code § 16-1001(8), punishable as a misdemeanor, or any similar provision in the law of another jurisdiction.

(b)

- (1) A person who violates subsection (a)(1) of this section shall be sentenced to imprisonment for not more than 10 years and shall be sentenced to imprisonment for a mandatory-minimum term of 1 year, unless she or he has a prior conviction for a crime of violence other than conspiracy, in which case she or he shall be sentenced to imprisonment for not more than 15 years and shall be sentenced to a mandatory-minimum term of 3 years.
- (2) A person sentenced to a mandatory-minimum term of imprisonment under paragraph (1) of this subsection shall not be released from prison or granted probation or suspension of sentence prior to serving the mandatory-minimum sentence.
- (3) In addition to any other penalty provided under this subsection, a person may be fined an amount not more than the amount set forth in § 22-3571.01.

(c) A person who violates subsection (a)(2) through (a)(6) of this section shall be sentenced to not less than 2 years nor more than 10 years, fined not more than the amount set forth in § 22-3571.01, or both.

(d) For the purposes of this section, the term:

(1) **"Crime of violence"** shall have the same meaning as provided in § 23-1331(4), or a crime under the laws of any other jurisdiction that involved conduct that would constitute a crime of violence if committed in the District of Columbia, or conduct that is substantially similar to that prosecuted as a crime of violence under the District of Columbia Official Code.

(2) **"Fugitive from justice"** means a person who has:

- (A) Fled to avoid prosecution for a crime or to avoid giving testimony in a criminal proceeding; or
- (B) Escaped from a federal, state, or local prison, jail, halfway house, or detention facility or from the custody of a law enforcement officer.

Section 22-4507. Certain sales of pistols prohibited.

No person shall within the District of Columbia sell any pistol to a person who he or she has reasonable cause to believe is not of sound mind, or is forbidden by § 22-4503 to possess a pistol [now "firearm"], or, except when the relation of parent and child or guardian and ward exists, is under the age of 21 years.

Section 22-4508. Transfers of firearms regulated.

No seller shall within the District of Columbia deliver a firearm to the purchaser thereof until 10 days shall have elapsed from the date of the purchase thereof, except in the case of sales to marshals, sheriffs, prison or jail wardens or their deputies, policemen, or other duly appointed law enforcement officers, and, when delivered, said firearm shall be transported in accordance with § 22-4504.02. At the time of purchase, the purchaser shall sign in duplicate and deliver to the seller a statement containing his or her full name, address, occupation, date and place of birth, the date of purchase, the caliber, make, model, and manufacturer's number of the firearm and a statement that the purchaser is not forbidden by § 22-4503 to possess a firearm. The seller shall, within 6 hours after purchase, sign and attach his or her address and deliver one copy to such person or persons as the Chief of Police of the District of Columbia may designate, and shall retain the other copy for 6 years. No machine gun, sawed-off shotgun, or blackjack shall be sold to any person other than the persons designated in § 22-4514 as entitled to possess the same, and then only after permission to make such sale has been obtained from the Chief of Police of the District of Columbia. This section shall not apply to sales at wholesale to licensed dealers.

Section 22-4509. Dealers of weapons to be licensed.

No retail dealer shall within the District of Columbia sell or expose for sale or have in his or her possession with intent to sell, any pistol, machine gun, sawed-off shotgun, or blackjack without being licensed as provided in § 22-4510. No wholesale dealer shall, within the District of Columbia, sell, or have in his or her possession with intent to sell, to any person other than a licensed dealer, any pistol, machine gun, sawed-off shotgun, or blackjack.

Section 22-4510. Licenses of weapons dealers; records; by whom granted; conditions.

(a) The Mayor of the District of Columbia may, in his or her discretion, grant licenses and may prescribe the form thereof, effective for not more than 1 year from date of issue, permitting the licensee to sell pistols, machine guns, sawed-off shotguns, and blackjacks at retail within the District of Columbia subject to the following conditions in addition to those specified in § 22-4509, for breach of any of which the license shall be subject to forfeiture and the licensee subject to punishment as provided in this chapter:

(1) The business shall be carried on only in the building designated in the license.

(2) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can be easily read.

(3) No pistol shall be sold: (A) if the seller has reasonable cause to believe that the purchaser is not of sound mind or is forbidden by § 22-4503 to possess a pistol [now "firearm"] or is under the age of 21 years; and (B) unless the purchaser is personally known to the seller or shall present clear evidence of his or her identity. No machine gun, sawed-off shotgun, or blackjack shall be sold to any person other than the persons designated in § 22-4514 as entitled to possess the same, and then only after permission to make such sale has been obtained from the Chief of Police of the District of Columbia.

(4) A true record shall be made in a book kept for the purpose, the form of which may be prescribed by the Mayor, of all pistols, machine guns, and sawed-off shotguns in the possession of the licensee, which said record shall contain the date of purchase, the caliber, make, model, and manufacturer's number of the weapon, to which shall be added, when sold, the date of sale.

(5) A true record in duplicate shall be made of every pistol, machine gun, sawed-off shotgun, and blackjack sold, said record to be made in a book kept for the purpose, the form of which may be prescribed by the Mayor of the District of Columbia and shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other and shall contain the date of sale, the name, address, occupation, color, and place of birth of the purchaser, and, so far as applicable, the caliber, make, model, and manufacturer's number of the weapon, and a statement by the purchaser that the purchaser is not forbidden by § 22-4503 to possess a pistol [now "firearm"]. One copy of said record shall, within 7 days, be forwarded by mail to the Chief of Police of the District of Columbia and the other copy retained by the seller for 6 years.

(6) No pistol or imitation thereof or placard advertising the sale thereof shall be displayed in any part of said premises where it can readily be seen from the outside. No license to sell at retail shall be granted to anyone except as provided in this section.

(b) Any license issued pursuant to this section shall be issued by the Metropolitan Police Department as a Public Safety endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of Chapter 28 of Title 47 of the District of Columbia Official Code [§ 47-2851.01 et seq.].

Section 22-4511. False information in purchase of weapons prohibited.

No person shall, in purchasing a pistol or in applying for a license to carry the same, or in purchasing a machine gun, sawed-off shotgun, or blackjack within the District of Columbia, give false information or offer false evidence of his or her identity.

Section 22-4512. Alteration of identifying marks of weapons prohibited.

No person shall within the District of Columbia change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark or identification on any pistol, machine gun, or sawed-off shotgun. Possession of any pistol, machine gun, or sawed-off shotgun upon which any such mark shall have been changed, altered, removed, or obliterated shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated the same within the District of Columbia; provided, however, that nothing contained in this section shall apply to any officer or agent of any of the departments of the United States or the District of Columbia engaged in experimental work.

Section 22-4513. Exceptions.

Except as provided in § 22-4502, § 22-4504(b), and § 22-4514(b), this chapter shall not apply to toy or antique pistols unsuitable for use as firearms.

Section 22-4514. Possession of certain dangerous weapons prohibited; exceptions.

(a) No person shall within the District of Columbia possess any machine gun, sawed-off shotgun, bump stock, ghost gun nor any instrument, attachment, or appliance for causing the firing of any firearm to be silent or intended to lessen or muffle the noise of the firing of any firearms; provided, however, that machine guns, or sawed-off shotguns, bump stocks, ghost guns, knuckles, and blackjacks may be possessed by the members of the Army, Navy, Air Force, or Marine Corps of the United States, the National Guard, or Organized Reserves when on duty, the Post Office Department or its employees when on duty, marshals, sheriffs, prison or jail wardens, or their deputies, policemen, or other duly-appointed law enforcement officers, including any designated civilian employee of the Metropolitan Police Department, or officers or employees of the United States duly authorized to carry such weapons, banking institutions, public carriers who are engaged in the business of transporting mail, money, securities, or other valuables, wholesale dealers and retail dealers licensed under § 22-4510.

Section 22-4515a. Manufacture, transfer, use, possession, or transportation of Molotov cocktails, or other explosives for unlawful purposes, prohibited; definitions; penalties.

(a) No person shall within the District of Columbia manufacture, transfer, use, possess, or transport a molotov cocktail. As used in this subsection, the term "molotov cocktail" means:

- (1) a breakable container containing flammable liquid and having a wick or a similar device capable of being ignited; or
- (2) any other device designed to explode or produce uncontained combustion upon impact; but such term does not include a device lawfully and commercially manufactured primarily for the purpose of illumination, construction work, or other lawful purpose.

(b) No person shall manufacture, transfer, use, possess, or transport any device, instrument, or object designed to explode or produce uncontained combustion, with the intent that the same may be used unlawfully against any person or property.

(c) No person shall, during a state of emergency in the District of Columbia declared by the Mayor pursuant to law, or during a situation in the District of Columbia concerning which the President has invoked any provision of Chapter 15 of Title 10, United States Code, manufacture, transfer, use, possess, or transport any device, instrument, or object designed to explode or produce uncontained combustion, except at his or her residence or place of business.

Section 22-4516. Severability.

If any part of this chapter is for any reason declared void, such invalidity shall not affect the validity of the remaining portions of this chapter.

District of Columbia Code of Ordinances

Current through December 6, 2019.

Title 11 – Zoning

Subtitle B – Definitions, Rules of Measurement, and Use Categories

Chapter 1 – Definitions

Section 11-B100. Definitions.

Firearm: a gun, pistol, or any weapon capable of firing a projectile and using an explosive charge as a propellant.

Firearms Retail Sales Establishment: An establishment engaged in the sale, lease, or purchase of firearms or ammunition. If an establishment is a firearms retail sales establishment as defined here, it shall not be deemed to constitute any other use permitted under the authority of this title.

**Subtitle H – Neighborhood Mixed Use (NC) Zones
Chapter 11 – Use Permissions for NC Zones.**

Section 11-H1106. Matter-of-right uses (NC-Use Group B).

1106.1 The following uses in this section shall be permitted as a matter of right subject to any applicable conditions:

(h) Firearms retail sales establishments, except that no portion of the establishment shall be located within three hundred feet (300 ft.) of:

- (1) An R, RF, RA, MU-1, or MU-2 zone; or
- (2) A place of worship, public or private school, public library, or playground;

Section 1-H1108. Matter-of-right uses (NC-Use Group C).

1108.1 The following uses in this section shall be permitted as a matter of right subject to any applicable conditions:

(f) Firearms retail sales establishments, except that no portion of the establishment shall be located within three hundred feet (300 ft.) of:

- (1) An R, RF, RA, MU-1, or MU-2 zone; or
- (2) A place of worship, public or private school, public library, or playground;

**Subtitle I – Downtown (D) Zones
Chapter 3 – General Zone-Based Use Requirements and Conditions**

Section 11-I304. Uses not permitted.

304.1 The following uses shall not be permitted as a matter of right or as a special exception in the D-1-R zone:

(c) Firearms sales;

**Subtitle K – Special Purpose Zones
Chapter 6 – Saint Elizabeths East Campus Zones – STE-1 through STE-19**

Section 11-K615. Uses prohibited (STE).

615.1 The following uses are prohibited within the STE zones as either a principal or an accessory use:

(e) Firearm sales, including gun store, ammunition sales, pawn shop carrying guns, or weaponry store;

**Subtitle U – Use Permissions
Chapter 2 – Use Permissions Residential House (R) Zones**

Section 11-U251. Home occupation uses (R).

251.5 Except as explicitly permitted by Subtitle U § 251.1, the following uses categories are prohibited as home occupations:

(c) Firearms sales;

Chapter 5 – Use Permissions Mixed Use (MU) Zones

Section 11-U509. Uses not permitted (MU-Use Groups B and C).

509.1 The following uses shall not be permitted in MU-Use Groups B and C as a matter of right or as a special exception:

(h) Firearms retail sales establishment;

Chapter 8 – Use Permissions Production, Distribution, and Repair (PDR) Zones

Section 11-U801. Matter-of-right uses (PDR).

801.1 The following uses shall be permitted in a PDR zone as a matter of right, subject to any applicable conditions:

(l) Firearm sales uses are permitted as a matter of right, provided no part of the establishment shall be located within three hundred feet (300 ft.) of the following:

- (1) An R, RF, or RA zone;
- (2) Parks and recreation use;
- (3) Places of worship;
- (4) Public or private schools; or
- (5) Public libraries;

Section 11-U803. Additional use restrictions and conditions (PDR).

803.2 Regardless of the permissions, and in addition to any restrictions or conditions of this chapter, the following uses shall not be permitted on any lot located in whole or in part within one hundred feet (100 ft.) of a residential zone:

- (g) Firearms retail sales establishments as a principal or an accessory use;

**Title 16 – Consumers, Commercial Practices and Civil Infractions
Chapter 9 – Pawnbrokers**

Section 16-911. Firearms.

911.1 No licensee shall accept a firearm (as defined by D.C. Official Code § 22-4501(2A) (2012 Repl.)) as a pledge in a pawnbroker transaction.

**Title 24 – Public Space and Safety
Chapter 23 – Guns and Other Weapons**

Section 24-2302. 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.

Section 24-2321. 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 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 § 203 of the Act (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.

Section 24-2323. 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 § 504(e)(4) and 504(f) of the Act (D.C. Official Code § 7-2505.04 (e)(4) & (f) (2012 Repl.)), 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 § 504(a) of the Act, and that may be owned or possessed within the District of Columbia notwithstanding § 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 unregisterable firearm pursuant to § 202 of the Act (D.C. Official Code § 7-2502.02 (2013 Supp.));
- (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 unregisterable firearm pursuant to § 202 of the Act (D.C. Official Code § 7-2502.02 (2013 Supp.)); 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 § 202 of the Act (D.C. Official Code § 7-2502.02 (2013 Supp.)).

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 § 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 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 § 210 of the Act (D.C. Official Code § 7-2502.10 (2012 Repl.)), and thereafter to the Office of Administrative Hearings, pursuant to D.C. Official Code § 2-1831.03(b-2) (2012 Repl.). 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.

Section 24-2324. Interpretation of assault weapons definition.

2324.1 Section 101 Paragraph 3A of the Act (D.C. Official Code § 7-2501.01(3A) (2013 Supp.)) defined the term "assault weapon" and § 202(a)(6) of the Act (D.C. Official Code § 7-2502.02(a)(6) (2013 Supp.)) declared that an "assault weapon" 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 in § 101 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 § 101 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.

Section 24-2325. Pre-1985 pistols.

2325.1 Any pistol with a single action firing mechanism manufactured prior to 1985 shall be exempt from the application of § 504 of the Act (D.C. Official Code § 7-2505.04 (2012 Repl.)).

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.

Section 24-2348. Safe storage of firearms at a place of business.

2348.1 No registrant shall store or keep any firearm on any premises under his or her control if he or she knows or reasonably should know that a minor or a person prohibited from possessing a firearm under D.C. Official Code § 22-4503 can gain access to the firearm.

2348.3 If the firearm is stored at a place of business, it shall be stored in a gun safe, locked box, or other secure device affixed to the property.

Section 24-2399. Definitions.

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.

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.