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**Rules Going Into Effect Today**

HEW/SSA—Outpatient physical therapy service, conditions of participation for clinics, rehabilitation agencies and public health agencies as providers.

20FR63; 5-21-76

**List of Public Laws**

**Note:** No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of Public Laws.

**Agency Publication on Assigned Days of the Week**

Twelve agencies have agreed to a six-month trial period based on the assignment of two days a week beginning February 9 and ending August 6 (See 41 FR 5453). The participating agencies and the days assigned are as follows:

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Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this trial program are invited. Comments should be submitted to the Director of the Federal Register, National Archives and Records, General Services Administration, Washington, D.C. 20408.

**Attention:** Questions, corrections, or requests for information regarding the contents of this issue only may be made by dialing 202-523-5286. For information on obtaining extra copies, please call 202-523-5240.

To obtain advance information from recorded highlights of selected documents to appear in the next issue, dial 202-523-5022.

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**FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976**
PART 213—EXCEPTED SERVICE
Department of Commerce

Section 213.3314 is amended to show that the following positions are excepted under Schedule C: Confidential Assistant to the Deputy Assistant Secretary for Resources and Trade Assistance, Domestic and International Business; and Confidential Assistant to the Deputy Assistant Secretary for Operations, Office of the Assistant Secretary for Economic Development. Effective June 22, 1976, § 213.3314(m) (2) and (q) (13) are added as set out below:

§ 213.3314 Department of Commerce.

(m) Office of the Assistant Secretary for Domestic and Internal Business. * * *

(2) One Confidential Assistant to the Deputy Assistant Secretary for Resources and Trade Assistance.

(q) Office of the Assistant Secretary for Economic Development. * * *

(13) One Confidential Assistant to the Deputy Assistant Secretary for Operations.


PART 213—EXCEPTED SERVICE
Department of the Treasury

Section 213.3305 is amended to show that one position of Staff Assistant (Secretary) to the Assistant Secretary (Capital Markets and Debt Management) is excepted under Schedule C. Effective June 22, 1976, § 213.3305(a) (68) is added as set out below:

§ 213.3305 Department of the Treasury.

(a) Office of the Secretary.

(68) One Staff Assistant (Secretary) to the Assistant Secretary (Capital Markets and Debt Management).


PART 213—EXCEPTED SERVICE
National Transportation Safety Board

Part 213 is amended to show that the Independent Safety Board Act of 1974 set up the National Transportation Safety Board as an independent agency having previously been an autonomous segment within the Department of Transportation. Part 213 is further amended to show that one additional position of Administrative Assistant to a Member is excepted under Schedule C. Effective June 22, 1978, § 213.3304(b) is revoked and a new § 213.3396 is added as set out below:

§ 213.3396 National Transportation Safety Board.

(a) Office of the Chairman. (1) One Administrative Assistant to the Chair-
of the final EIS will receive single copies without charge to the extent practicable.

3. Comment. One commentor suggests citing references to CEQ guidelines by showing the Code of Federal Regulations. Response. This is reflected in the revision.

4. Comment. One commentor asked whether SEIS draft EIS's are authorized for installation after the SCS, and they are.

5. Comment. One commentor suggested rewording § 650.7(d) to better clarify public notice by newspaper publication. Response. This section is revised according.

SCS herewith publishes the revised sections of the regulations and they are effective June 22, 1976.

(D. B. J. Johnson, Acting Administrator, Soil Conservation Service.)

Dated: June 11, 1976.

William M. Johnson,
Acting Administrator,
Soil Conservation Service.

1. The table of contents to Part 650 is amended by changing the title of § 650.2 and deleting appendices I, II, and III, to read as follows:

§ 650.2 Purpose.

§ 650.3 Policy.

§ 650.4 References.

§ 650.5 Environmental assessment in the planning process.

§ 650.6 Obtaining information required for environmental impact statements.

§ 650.7 Public involvement and coordination.

2. Section 650.2 is amended by rewording the paragraph and changing the title.

§ 650.2 Applicability.

3. Section 650.4 is amended by adding the following at the end of the section:

§ 650.4 References.

§ 650.5 Environmental assessment in the planning process.

(a) General. Environmental values and studies of probable impacts are given the same consideration throughout the planning and decision-making process as required by CEQ Guidelines (40 CFR 1500.10, 38 FR 20553) and to satisfy a reasonable number of additional single copy requests. Action normally excluded from the preparation of EIS's. Proposals covering the following types of actions are not generally defined as major federal actions significantly affecting the human environment. These actions are excluded from the EIS process and negative declarations, unless they are included in a proposal requiring an EIS as specified in paragraphs (a) and (b) of this section:

(1) Early notice system. A list of SCS major federal actions in each state on which the EIS's are to be prepared is to be published by the state conservationist to the Administrator twice each year on July 1 and January 1. The Administrator will consolidate the state(s) lists and forward a single national list to the Council on Environmental Quality (CEQ) twice each year on September 1 and March 1. Each state's list will be available at the appropriate SCS state office for public inspection. A current list of major federal actions on which EIS's will not be prepared (negative declarations) is to be maintained by the state conservationist.

(b) * * *

4. Section 650.8 is amended as follows:

(a) * * *

(b) * * *

(c) * * *

(d) * * *

(e) * * *

5. Section 650.7 is amended as follows:

(a) Reword paragraph (d).

(b) Delete the last sentence of paragraph (e).

6. Section 650.11 is amended as follows:

(a) * * *

(b) * * *

(c) * * *

(d) * * *

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(Federal Register, Vol. 41, No. 121—Tuesday, June 22, 1976)
(1) The federal agencies who have an interest or jurisdiction. Appendix II of the CEQ Guidelines 40 CFR 1500 (38 FR 20657) provides guidance for considering sources of special expertise in the areas of energy, pollution, and resource and land use.

(2) The time period for comment. The time period ends 45 days after the date that CEQ publishes notice in the Federal Register of receiving an EIS from SCS. A 15-day extension of time for review and comment will be considered by the responsible federal official when such requests are submitted in writing. Otherwise, it will be assumed when the 45-day period expires that the agency or party from whom comments were requested has none.

(3) News releases. News releases will be sent to appropriate local media in a timely manner by the responsible federal official.

Preparing final EIS’s. At the end of the review period, the responsible federal official will prepare the final EIS. If significant changes in the proposed action are needed, a revised draft EIS may be necessary and recirculated for comment.

(4) * * *

(5) Single copy requests for the final EIS will be filled by the state conservationist.

§ 650.10 EIS format and content.

Suggested elements to be covered in an EIS are outlined in 40 CFR 1500.8 (38 FR 20653) of the CEQ Guidelines. The scope and intensity of analysis should be adjusted to specific actions, keeping in mind:

(1) Size and complexity of the proposed action;

(2) Range of significant environmental factors likely to be affected;

(3) Number of reasonable alternatives; and

(4) Detail of information necessary to adequately describe and assess resources and impacts.

§ 650.11 Reviewing and commenting on EIS’s prepared by other Federal or nonfederal agencies.

(c) * * *

(9) The stockpiling, protection, or proper disposition of topsoil. If this is a significant consideration, does the statement provide for conserving and using topsoil?

(10) The impact of the proposed action on pollution of land, water, and air. Does the statement describe the adverse effects? Can the adverse effects be reduced or, if so, by what means?

(11) Other related resources. Does the reviewer have information which would indicate significant effects of the proposed action on fish and wildlife habitats, threatened and endangered plant and animal species, historical and archeological sites, natural areas, and major plant communities?

(12) The effect of the proposed action on SCS or other agency projects. Does the statement reflect the effect of the proposed action on present or planned SCS-assisted projects? Does the reviewer have information on projects of other agencies not recognized in the EIS and which should be called to the attention of the agency which prepared the EIS?

(13) Flood plain considerations. Does the reviewer have information relating to the following: Does the project lie within the bounds of a flood plain? Will the project be damaged by flooding? Will the proposed action cause an increase in flood damage? Does the project constitute a precedent in terms of encroachment on this flood plain?

(d) * * *

§ 650.10 Transmittal of EIS’s received directly by the SCS national office are screened to determine whether inputs from state conservationists are needed. If so, the EIS is sent to the state conservationist concerned. Transmittal of an EIS to a state conservationist shall indicate to whom comments, or copies thereof, are to be sent. If more than one state is involved, the Administrator will designate one state conservationist to coordinate the review and comment.

(g) Third party requests for a copy of SCS comments on another agency’s EIS will be filled after SCS has forwarded copies of its letter of comments to the CEQ. (See paragraph (d) (5) above.)

10. Section 650, Appendix I, Planning Process, is deleted.

11. Section 650, Appendix II, Intergovernment Review, is deleted.

12. Section 650, Appendix III, Typical Outline of Special Expertise Statement for Complex Watershed, is deleted.

[FR Doc.76-18051 Filed 6-21-70;8:46 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS) DEPARTMENT OF AGRICULTURE

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Expenses and Rate of Assessment and Carrying of Unexpended Funds

This section authorizes expenses of $187,500 for the Avocado Administrative Committee under Marketing Order No. 915, for the 1976-77 fiscal year and fixes a rate of assessment of $0.175 per bushel of avocados handled in such period to be paid to the committee by each first handler in his pro rata share of such expenses.

On June 1, 1976, notice of rulemaking was published in the Federal Register (41 FR 22075) inviting written comments not later than June 15, 1976, regarding proposed expenses and the related rate of assessment for the period beginning April 1, 1976, through March 31, 1977, and carryover of unexpended funds, pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in South Florida.

None were received. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the comments set forth in such notice which were submitted by the Avocado Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 915.215 Expenses, rate of assessment, and carryover of unexpended funds.

(a) Expenses. Expenses which are reasonable and likely to be incurred by the Avocado Administrative Committee during the period April 1, 1976, through March 31, 1977, shall be paid to the committee by each first handler in accordance with § 915.41, as fixed at $0.175 per bushel of avocados.

(b) Rate of assessment. The rate of assessment for said period, payable by each handler in accordance with § 915.41, is fixed at $0.175 per bushel of avocados.

(c) Reserve. Unexpended assessment funds in the amount of approximately $112,223, which are in excess of expenses incurred during the fiscal year ended March 31, 1976, shall be carried over as a reserve in accordance with §§ 915.42 and 915.205 of said amended marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the Federal Register (5 U.S.C. 553) in that (1) shipments of avocados began on or about May 31, 1976, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed.

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shall be applicable to all assessable avocados handled during the aforesaid period, and (3) such period began on April 1, 1976, and said rate of assessment will automatically apply to all such avocados beginning with such date.

(Secs. 1-19, 46 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 16, 1976.

CHARLES E. BRADE, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 76-18068 Filed 6-21-76; 8:45 a.m.]

Title 12—Banks and Banking

CHAPTER III—FEDERAL DEPOSIT INSURANCE CORPORATION

SUBCHAPTER A—RULES AND REGULATIONS AND STATEMENTS OF GENERAL POLICY

PART 329—INTEREST ON DEPOSITS

Obligations Other Than Deposits—Subordinated Debt Obligations

1. On July 2, 1975, the Board of Directors of the Federal Deposit Insurance Corporation adopted, after consultation with the Board of Governors of the Federal Reserve System and the Federal Home Loan Bank Board, a proposed amendment to §329.10 of the FDIC’s rules and regulations. (40 FR 23100). The proposal would afford those insured State Home Loan Bank Board, a proposed amendment with the Board of Governors of the Federal Reserve System and the Federal Home Loan Bank Board, it is the Corporation’s view that the proposed amendment should be adopted with the following modifications:

(1) In order to avoid the possibility that short-term notes in a serial issue of 7 years average maturity might receive marketing preference over longer term notes in the same issue, no bank may offer a note in a serial issue with a maturity of less than 5 years.

(2) The final regulation provides that, as to issues having 7 year average maturity repayments of principal in each year shall be no less than the repayments of principal in the prior year. This is in lieu of the original proposal which provided for repayments to be made in constant amounts. It is felt that these changes provide for greater flexibility.

2. Section 329.10 of Part 329 of Chapter III, Title 12 of the Code of Federal Regulations is amended as follows:

§329.10 Obligations other than deposits.

(b) Exceptions. The provisions of this Part 329 shall not apply to any obligation other than a deposit obligation of an insured nonmember bank that:

(1) Bears on its face, in bold-face type, the following: This obligation is not a deposit and is not insured by the Federal Deposit Insurance Corporation;

(2) Has a maturity of (A) at least seven years, or (B) in the case of an obligation or issue that provides for scheduled repayments of principal, has an average maturity of (B) at least seven years and provides that payment of principal begins, all scheduled repayments shall be made at least annually and that the amount repaid in each year shall be no less than the amount repaid in the prior years; provided that the Federal Deposit Insurance Corporation may permit the issuance of an obligation or issue with a shorter maturity or average maturity, or an obligation or issue which otherwise fails to comply with the provisions of this subparagraph (ii), if the Federal Deposit Insurance Corporation has determined that exigent circumstances require the issuance of such obligation or issue;

(3) Is in an amount of at least $500, provided that the Federal Deposit Insurance Corporation may, at its option, permit the issuance of an obligation in a lesser amount where such lesser amount is necessary in order to either:

(A) satisfy the preemptive rights of shareholders in the case of a convertible debt obligation; or

(B) maintain a ratable unit offering to holders of preemptive rights in the case of an obligation issued exclusively as part of a unit including shares of stock which are subject to such preemptive rights; or

(C) satisfy shareholders’ ratable claims in the case of an obligation issued wholly or partially in exchange for shares of voting stock or assets pursuant to a plan of merger, consolidation, reorganization, or other transaction where the issuer will acquire either a majority of such shares of voting stock or all or substantially all of the assets of the entity whose assets are being acquired.

3. Effective date: This amendment is effective July 26, 1976.

By order of the Board of Directors, June 16, 1976.

FEDERAL DEPOSIT INSURANCE CORPORATION,
[ SEAL] ALAN R. MILLER, Executive Secretary.

[F.R. Doc.76-18058 Filed 6-21-76; 8:45 a.m.]

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 76-412]

PART 544—CHARTER AND BYLAWS

PART 545—OPERATIONS

Relating to Marketable Certificates of Deposit

June 16, 1976.

Section 545.1-5 of the rules and regulations of the Federal Savings and Loan System (12 CFR 545.1-5) authorizes Federal associations which are deposit associations within the meaning of that term as used in §545.1-2 (12 CFR 545.1-2) to issue certain marketable certificates of deposit. The Federal Home Loan Bank Board believes that such associations should be permitted to avail themselves of the services of agents in major commercial centers of the United States for

1 The “average maturity” of an obligation or issue which is exempt from the provisions of subparagraph (ii) by virtue of having an average maturity of 7 years or more, no note in that issue may be offered with a maturity of less than 5 years.

2 Capital notes or debentures issued by insured nonmember banks are subject to retirement provisions of section 18(1) (1) of the Federal Deposit Insurance Act whether or not such capital notes or debentures are exempt from the provisions of Part 329.
custodial and clearing purposes in connection with issuance of such certificates, in order to facilitate access by Federal associations located outside such centers to this potentially valuable source of home financing funds. The Board therefore authorizes such associations by this amendment to appoint FDIC-insured commercial banks to prepare, certify, and to collect and transmit funds obtained in connection therewith. This amendment does not affect § 563.30 of the rules and regulations for Insurance of Accounts (12 CFR 563.20), which exempts FDIC-insured banks acting as agents for insured institutions from required fidelity bond coverage, but Federal associations appointing agents hereunder should consider requiring such coverage and evidence of its existence.

Since these amendments relieve restriction, the Board hereby finds that notice and public procedure with respect to said amendments are unnecessary under the provisions of 12 CFR 508.11 and to facilitate access by Federal associations located outside such centers, in order to facilitate access by Federal associations located outside such centers to this potentially valuable source of home financing funds. The Board therefore authorizes such associations by this amendment to appoint FDIC-insured commercial banks to prepare, certify, and to collect and transmit funds obtained in connection therewith. This amendment does not affect § 563.30 of the rules and regulations for Insurance of Accounts (12 CFR 563.20), which exempts FDIC-insured banks acting as agents for insured institutions from required fidelity bond coverage, but Federal associations appointing agents hereunder should consider requiring such coverage and evidence of its existence.

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withholding corrections, adjustments or action owed: § 13.675 Delaying or with­
holding corrections, adjustments or action owed. Subpart—Misrepresenting­
ties: § 13.1730 Results: § 13.1740 Sci­
entific or other relevant facts.—Prices: § 13.1778 Additional costs unmen­tioned: § 13.1822 Prices; § 13.1822–10 Additional
prices unmentioned: § 13.1885 Qualities or properties: § 13.1890 Sales; § 13.1892. Such contract, right­
to-cancel provision: § 13.1895 Scientific or other relevant facts. Subpart—Offer­
ing unfair, improper and deceptive in­
ducements to purchase or deal: § 13.2063 Scientific or other relevant facts.

(See, S 6, 38 Stat. 721; 15 U.S.C. 44. Interprets
or applies sec. 5, 38 Stat. 719, as amended;
15 U.S.C. 45.)

In the matter of Hair Replacement Cen­
ters of Boston, Inc., a corporation,
doing business as Hair Replacement
Centers, and Bruce S. Davis, individ­
ually and as an officer of said corporation.

Consent order requiring a Newton, Mass., hair replacement firm, among other things to cease making false and misleading claims with respect to their hair implant process, and failing to dis­
close that their implant process involves surgical implantation of sutures which can cause pain, infection, scarring, and other disorders. Further, respondents, individually and as an Officer of said corporation, and Bruce S. Davis, individually and as an Officer of said corporation, and its successors and assigns, and its officers, and Bruce S. Davis, individually and as an Officer of said corporation, and respondents’ agents, representatives and employees, directly or through any corpo­ration, subsidiary, division or other device, in connection with the advert­ising, offering for sale, sale, or distribution of an implant hair replacement system (hereinafter sometimes referred to as the “system”), or other hair replace­ment product or process involving sur­gery (hereinafter sometimes referred to as the “system”) do forthwith cease and desist from:

1. Disseminating or causing the dis­semination of any advertisement by the United States mails, or by any means in or having an effect upon commerce as “commerce” is defined in the Federal Trade Commission Act, as amended, which advertisement repre­sents, directly or indirectly:
(a) That the system does not involve wearing a prosthesis which is like a hairpiece or (our). (b) That after the system has been applied, the hair applied will become a permanent part of the anatomy like natural hair, or will have the following characteristics of natural hair:
(i) The same appearance in all appli­cations as natural hair, upon normal
observation, and on extreme closeup examination;
(ii) It may be cared for like natural hair, particularly in that actions such as washing, combing, brushing and muzzing might be performed on it in the same manner as a person might with natural hair.
(iii) The wearer may engage in physi­cal activity and movement with the same disregard for his applied hair as he would if he had natural hair.
(c) That after the system has been applied, the customer can care for it himself, and will not have to seek pro­fessional help, or skilled assistance in main­taining the system, or that the customer will not incur maintenance costs over and above the cost of applying the sys­tem.
(d) The purchaser is advised to con­sult with his personal physician about
the procedure resulting in the implantation of sutures in the scalp, to which hair is affixed.
(e) By virtue of the surgical procedure involving implantation of sutures in the scalp, and by virtue of the sutures re­maining in the scalp, there is a risk of discomfort and pain, and some risk of infection, scarring and other skin dis­orders.
(f) Continuing special care of the sys­tem is necessary to minimize the risks referred to in Subparagraph (b) of this Paragraph, and such care may involve additional costs for medications and as­sistance.
(g) The purchaser is advised to con­sult with his personal physician about
the procedure resulting in the implantation of sutures in the scalp, to which hair is affixed.

ORDER
It is ordered that respondents Hair Replacement Centers of Boston, Inc., a corporation, doing business as Hair Replacement Centers or any name or names, its successors and assigns, and its officers, and Bruce S. Davis, individually and as an Officer of said corporation, and respondents’ agents, representatives and employees, directly or through any corpo­ration, subsidiary, division or other device, in connection with the advert­ising, offering for sale, sale, or distribution of an implant hair replacement system (hereinafter sometimes referred to as the “system”), or other hair replacement product or process involving sur­gery (hereinafter sometimes referred to as the “system”) do forthwith cease and desist from:

1. Copies of the Complaint, Decision and Order filed with the original document.
days after receipt of such notice, to refund all payments made under the contract or sale and to cancel and return any negotiable instrument executed by the purchaser in connection with the contract or sale and take any action necessary or appropriate to terminate promptly any security interest created in the transaction.

4. Respondents shall not negotiate any check, promissory note, or other instrument of indebtedness to a finance company or other third party prior to midnight of the fifth day, excluding Sundays and legal holidays, after the day on which said contract for application of the system was executed.

It is further ordered, That whenever respondents perform the application of the system on a customer within 45 hours from the time of that customer's initial contact with respondents, said customer may rescind or cancel any contract or agreement executed and any obligation incurred for conversion of his name and address into a system. In the event of cancellation, the parties shall forthwith deliver a copy of this order to cease and desist to all present or former personnel of respondents owning or operating the offering for sale, lease or transfer of said system.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business and address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner in which they have complied with this order.

The decision and order was issued by the Commission May 17, 1976.

CHARLES A. TOBIN,
Secretary.

[PR Doc.76–1994 Filed 6–21–76;7:45 am]

[Docket C–2622]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

J. Kurtz & Sons, Inc., Et AL

Subpart—Advertising falsely or misleadingly; § 13.10 Advertising falsely or misleadingly; § 13.30 Composition of goods; § 13.40 Conditions of manufacture or sale; § 13.45 Content; § 13.70 Fictitious or misleading guarantees; § 13.85 Formal regulatory and statutory requirements; § 13.89–92 Truth in Lending Act; § 13.120 Manufacture or preparation; § 13.155 Prices; § 13.155–95 Terms and conditions; § 13.155–86(a) Truth in Lending Act; § 13.175 Quality of product or service; § 13.205 Scientific or other relevant facts. Subpart—Corrective actions and/or requirements; § 13.533 Corrective actions and/or requirements; § 13.535–5 Arbitration; § 13.533–30 Disclosures; § 13.533–25 Displays, In-house; § 13.533–45 Maintain records; § 13.533–45(k) Records, in general; § 13.533–55 Refunds, rebates and/or credits; § 13.535–65 Renegotiation and/or amendment of contracts; § 13.535–73 Warranties. Subpart—Delaying or withholding corrections, adjustments or actions owed; § 13.675 Delaying or withholding corrections, adjustments or actions owed; § 13.677 Delaying or failing to provide services or facilities. Subpart—Failing to provide foreign language translations; § 13.1053 Failing to provide foreign lan-

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
distribution of furniture and appliances, or sold or offered for sale, in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, as amended, do forthwith cease and desist from:

(a) Using the term "carved" to describe any part of furniture that has not been cut into shape.
(b) Failing to disclose either (a) the true composition, construction or styling of any furniture or its parts or (b) that material is not what it appears to be, whenever any statement, depiction or representation is made, through advertising, which may otherwise be misleading as to the true composition or construction of the furniture or its parts without such disclosure. In regard to styling of furniture, disclosure must be made only if an affirmative oral or written statement is made. Such disclosures shall be made clearly and conspicuously, and in close conjunction with any representations, statements or depictions used; provided however, that this paragraph does not apply to outer coverings, as the term "outer coverings" is referred to in the "Guides for the Household Furniture Industry." (c) Failing to disclose, clearly and conspicuously, on all tags attached to displayed furniture and in the booklet as provided in Paragraph A, subpart (16), if furniture is to be delivered in an unassembled condition, the manner and terms under which respondents will assemble the furniture at the customer's premises.
(d) Failing to disclose, conspicuously on all sales contracts, invoices and receipts, and on tags attached to displayed furniture, that any merchandise which respondents are advertising as unassembled will be sold in Grade "A" fabrics, or in Grade "11" fabrics, without including in such representation, or any advertisement thereof, a clear and conspicuous disclosure, that Grade "A" or Grade "11" refers to the least expensive and lowest quality grade of fabric, if that is the fact, and without disclosing that the price will be higher for the same merchandise in a better fabric.

16. Notwithstanding the provision above to the contrary, respondents shall cease and desist from failing to provide in such booklet that customers may have other legal rights concerning their contracts in addition to those set out in the contract and booklet.

17. Failing to provide in such booklet that customers may seek court redress of any grievances which might arise concerning their contracts or may use the arbitration rights provided for in this order.

18. Failing to comply with all requirements, or to fulfill all of the obligations of the customer in Paragraph B of this Order I and to comply with all of the procedures and rights set forth in the booklet.

B. It is further ordered, That beginning the effective date of this Order, respondents shall cease and desist from failing to act in accordance with the following procedures:

1. As to complaints, written or oral, of non-conforming, defective, unassembled or non-conforming merchandise, made within ten (10) days of actual delivery of such merchandise:
   (a) Respondents shall investigate all such complaints within fourteen (14) days from the date of such request, except that if a service person cannot gain access to the merchandise for a reasonable time or cannot otherwise obtain information, respondents shall submit all disputes with customers to arbitration at the customer's option, in clear language in substantially the following form:

Any dispute or claim you have involving this contract or the merchandise you purchased may be settled by arbitration, if you choose.

2. Failing to provide customers with other disclosures and material information required, not limited to: (a) warranties and guarantees; (b) delivery terms; (c) assembly terms and procedures; (d) respondents' refund policies; (e) the repair or replacement of merchandise, if any, defective or damaged merchandise; (f) the availability of arbitration of disputes; and (g) the other rights provided for in this Order. These disclosures shall be set forth in a booklet which shall be furnished to each customer who purchases any merchandise exceeding $5 in cost, and to each customer upon the opening of a credit or charge account.

3. Failing to disclose orally and in writing, conspicuously on the face of all sales contracts, invoices and receipts, that respondents shall be held liable for any patent defect, irregularity or damage, but subject to warranties implied by law as well as the rights set forth in Paragraph B of this Order I.

4. Failing to disclose, orally and in writing, conspicuously on the face of all sales contracts, invoices and receipts, and on tags attached to displayed furniture, that any merchandise which respondents are advertising as unassembled will be sold in Grade "A" fabrics, or in Grade "11" fabrics, without including in such representation, or any advertisement thereof, a clear and conspicuous disclosure, that Grade "A" or Grade "11" refers to the least expensive and lowest quality grade of fabric, if that is the fact, and in disclosing that the price will be higher for the same merchandise in a better fabric.

5. Failing to disclose, in writing, conspicuously on the face of all sales contracts, invoices and receipts, and on tags attached to displayed furniture, that any merchandise which respondents are advertising as unassembled will be sold in Grade "A" fabrics, or in Grade "11" fabrics, without including in such representation, or any advertisement thereof, a clear and conspicuous disclosure, that Grade "A" or Grade "11" refers to the least expensive and lowest quality grade of fabric, if that is the fact, and in disclosing that the price will be higher for the same merchandise in a better fabric.
such merchandise shall be repaired or, at reasonable time not to exceed sixty (60) days after the date of the complaint.

(d) If the repair or replacement of such damaged, defective or non-conforming merchandise is unsatisfactory, respondents shall cancel all applicable contract provisions with a full refund within seven (7) business days from receipt of the customer's notice of cancellation, subject to the provisions of Paragraph B, subpart (17) of this Order I.

In the event, however, that the repair is made in the customer's home and such repair or replacement is unsatisfactory, respondents shall have the option of replacing such merchandise within thirty-one (31) days from the date of the original complaint as provided in Paragraph B, subpart (c). respondents shall notify the customer in writing immediately upon ascertaining that respondents are unable to make timely performance through the customer's option, cancel all applicable contract provisions with a full refund within seven (7) business days from the date set for completion. In no event shall respondents' notice of inability to make timely performance be given to the customer after the last day set out for performance in Paragraph B, subparts (1), (2) and (3) of this Order I.

(f) Respondents may refund in full the actual purchase price of the merchandise if repair is not commercially practicable and respondents are unable to make timely performance.

(2) As to complaints, written or oral of defective merchandise other than carpeting, made after ten (10) days as provided in Paragraph B, subpart (3), and within three (3) months from the actual date of delivery of such merchandise:

(a) Respondents shall investigate all such complaints within fourteen (14) days from the date of such request, except that if a service person cannot gain access to the merchandise for a scheduled service call, respondents shall have seven (7) days from that missed appointment in which to investigate the complaint.

(b) Respondents shall satisfactorily repair or, at their option, replace with like merchandise such defective merchandise at no additional cost within a reasonable time not to exceed ninety (90) days after the inspection of the merchandise and the investigation that repair or replacement cannot be completed within the time specified by Paragraph B, subparts (2), (3), (4), (7) and (8) of this Order I, except that if a service person cannot gain access, to the merchandise for a scheduled service call, respondents shall have seven (7) days from that missed appointment in which to investigate the complaint.

(c) In instances where it appears upon investigation that repair or replacement of case goods or major appliances may take longer than thirty (30) days or where thirty (30) days have already elapsed from the time of the investigation, respondents shall offer to the customer a suitable interim replacement at no extra cost.

(3) As to complaints, written or oral of defective merchandise, other than outer coverings and carpeting, made after three (3) months as provided in Paragraph B, subpart (3), and within one (1) year from the actual date of delivery of such merchandise:

(a) Respondents shall investigate all such complaints within fourteen (14) days from the date of such request, except that if a service person cannot gain access to the merchandise for a scheduled service call, respondents shall have seven (7) days from that missed appointment in which to investigate the complaint.

(b) Respondents shall satisfactorily repair defect or, at their option, replace with like merchandise such defective merchandise at no additional cost within a reasonable time not to exceed thirty-one (31) days after the inspection of the merchandise.

(c) In instances where it appears upon investigation that repair or replacement of defective merchandise other than outer coverings and carpeting, made after three (3) months and within sixty (60) days after the inspection of the merchandise was unsatisfactory, respondents shall notify the customer in writing that repair or replacement cannot be completed within the time specified by Paragraph B, subpart (2), and within one (1) year from the actual date of delivery of such merchandise.

(7) With respect to complaints, written or oral of defective carpeting, made after six (6) months, as provided in Paragraph B, subpart (7), and within one year from the date of delivery of such carpeting:

(a) Respondents shall investigate all such complaints within fourteen (14) days from the date of such request, except that if a service person cannot gain access to the merchandise for a scheduled service call, respondents shall have seven (7) days from that missed appointment in which to investigate the complaint.

(b) Respondents shall satisfactorily repair defects to the extent only of reinserting missing tufts and clipping sprouted loops within sixty (60) days after the inspection of the carpeting.

(9) Paragraph B, subparts (7), (8) and (9) shall be applicable only to manufacturing defects and shall not be applicable to crushing or matting of pile carpeting, ANSI color fastness, wear and tear, and instances where the carpeting has not been used with a pad.

(10) Respondents shall clearly and conspicuously disclose, orally and in writing, any time limitations contained in Paragraph B of this Order I, customers may at any time give their written consent for an extension of respondents' time for performance. Such written consent shall be set forth in a date certain which shall be at least thirty (30) days after which respondents actually expect to complete performance. No rights accruing from the provisions contained in this Order I shall be affected by such extension.

(12) If a repair, investigation, or replacement cannot be completed within the time specified by Paragraph B, subparts (2), (3), (4), (7) and (8) of this Order I, respondents shall make diligent efforts to notify the customer orally and in writing that the investigation cannot be completed within a reasonable time. In instances where the damage or defect in the merchandise was caused by the customer, another while the merchandise was in the customer's possession or control.
(14) The provisions of Paragraph B of this Order I shall not apply to merchandise sold "as is" or to the specific patent damages, defects or irregularities (including worn outer coverings) disclosed in accordance with the requirements of Paragraph A, subpart (7) of this Order I.

(15) For purposes of this order, non-conforming merchandise shall include, but not be limited to, merchandise which is worn in appearance when such wear has not been specifically designated as a condition of sale as provided in Paragraph A, subpart (7) of this Order I.

(16) For the purposes of this order, the term "special order" shall refer to merchandise ordered specifically at a customer's request rather than that merchandise which is ordered for respondents' regular inventory or usual stock of goods.

(17) For purposes of this order, the term "satisfactorily" may be a subject of an arbitration held pursuant to this Order.

(18) For purposes of Paragraph B, subparts 1(a), 2(a), 3(a), 7(a) and 8(a) of this Order I, the arbitrator is referred to the respondents' failure to conduct an investigation within twenty-one (21) days as provided may be considered by the Arbitrator in any arbitration held pursuant to this Order.

(19) Respondents shall not sell merchandise without any implied warranties, or with any disclaimer or limitation of implied warranties, except that respondents may sell merchandise "as is".

(20) Disputes arising with respect to implied warranties conferred by state or local statutory law or by the common law may be a subject of an arbitration held pursuant to this Order.

(21) Provided that there is clear and conspicuous disclosure, orally and in writing, of the terms and limitations of the sale, prior to its consummation, the provisions of Paragraph B, subparts (2), (3) and (4) shall not apply to the following:

(a) Any defects in the outer covering of mattresses or mattress handles not visible upon delivery, beyond the obligation to patch any such defects visible within one (1) year from the date of the actual delivery, provided that the mattress is in a sanitary condition;

(b) Any defects in a mattress when used with an incompatible box spring or foundation;

(c) Any mattresses not kept in a sanitary condition;

(22) Provided that there is clear and conspicuous disclosure, orally and in writing, of the terms and limitations of the sale, prior to its consummation, the provisions of Paragraph B, subpart (3) shall not apply to television and audio equipment whenever the manufacturer of such equipment limits its express warranties to less than one year, and in that event the duration of the warranties on said equipment shall be extended by the time the television and audio equipment is warranted by the manufacturer.

(23) The investigation, pick-up and delivery of repair or replacement merchandise shall be at no additional cost to the customer unless made to a location, other than the point of original delivery, which is outside of respondents' normal delivery areas.

(24) No rights conferred by state or local statutory law or by the common law shall be affected by the provisions and rights contained herein.

C. It is further ordered, That respondents shall not be entitled to prevent arbitration pursuant to the aforesaid arbitration subject to respondents' rights under the arbitration provisions of the New York Civil Practice Law and Rules or other applicable law.

(25) That respondents shall not be entitled to use any document received from a customer in an action for money allegedly due the respondents or their assignees.

D. It is further ordered, That whenever a customer has sought the relief contained in Paragraph B of this Order I, or has advised respondents of the discontinuance of payment on the ground that respondents failed to assemble or replace non-conforming merchandise, or to repair or replace defective or damaged merchandise, or to make any refund to which a customer is entitled by reason of this Order, or by any other action against any customer in an action for money allegedly due the respondents or their assignees.

E. It is further ordered, That before any action is taken to collect an amount due from a customer, other than the mailing of a routine statement of account, or before any adverse information is sent to a credit reporting agency, unless respondents have conducted a thorough investigation of such complaint and made a reasonable effort to settle any controversy involving the sale of merchandise, respondents shall make their best efforts to ascertain that respondents are not engaged in a dispute with said customer relating to the quality of the merchandise, or its replacement, condition, repair or assembly, and, if so verified, that respondents have investigated and found the grievance to be unjustified and have so advised the customer, in accordance with the provisions of Paragraph D of this Order I.

F. It is further ordered, That the corporate respondent shall, at all times subsequent to this Order, keep complete business records relating to the manner and form of its continuing compliance with this Order during the immediately preceding year period. Such records to include: (1) All refund, repair or replacement requests sent to respondents by customers; (2) all other grievance letters and documents received from customers; (2) adequate records to disclose...
the facts pertaining to the receipt, handing and disposition of each and every communication from a customer, oral or written, requesting cancellation, refund, assembly, replacement, repair or arbitration; (4) all investigation reports concerning such grievances; and (5) all records pertaining to those customers to whom any collection or dunning notices have been sent.

**Order II**

It is further ordered, That respondents, J. Kurtz & Sons, Inc., a corporation, its successors and assigns, and its officers, and John Kurtz, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or any other device, in connection with any extension of consumer credit, or any advertisement to aid, promote or assist directly or indirectly in the extension of consumer credit, as "consumer credit" and "advertisement" are defined in Regulation Z (12 CFR 226) of the Truth in Lending Act (Pub. L. 90-321, 15 U.S.C. 1601 et seq.) do forthwith cease and desist from:

A: In regard to consumer credit cost disclosures and procedures of other than open - end credit:

(1) Failing to make the required disclosures clearly, conspicuously, and in meaningful sequence, as prescribed by § 226.6(a) of Regulation Z.

(2) Failing to make all the required disclosures prior to the consummation of the transaction in one of the following three ways, in accordance with § 226.8(a) and Interpretation § 228.801 of Regulation Z:

(a) Together on the contract or other instrument evidencing the obligation on the same side of the page and above or adjacent to the place for the customer's signature.

(b) On one side of a separate statement which identifies the transaction; or

(c) When the contract, security agreement, and any other document evidencing the transaction are combined in a single document (except for processing by mechanical or electronic equipment, on both sides of a single document, provided that the amount of the finance charge and the annual percentage rate appear on the face thereof, both sides contain the statement "Notice: see other side for important information," and the place for the customer's signature follows the full content of the document.

(3) Failing to use the term "cash price" to describe the cash price of the property purchased, as prescribed by § 226.6(a) of Regulation Z.

(4) Failing to use the term "unpaid balance of cash price" to describe the amount of the finance charge, as prescribed by § 226.6(a) (3) of Regulation Z.

(5) Failing to use the term "unpaid balance" to describe the sum of the unpaid balance of cash price and all other charges which are included in the amount financed, but which are not part of the finance charge, as prescribed by § 226.6(a) (5) of Regulation Z.

(6) Failing to use the term "amount financed" to describe the amount of credit extended, as required by § 226.4(c) (7) of Regulation Z.

(7) Failing to determine the sum of all charges incident to or as a condition of the extension of credit as required by § 226.8 of Regulation Z and to disclose that sum, with description of each amount included, using the term "finance charge", as required by § 226.8(c) (8) (1) of Regulation Z and also to print this term more conspicuously than other terminology as required by § 226.6(a) of Regulation Z.

(8) Failing to disclose the sum of the cash price, all charges which are included in the amount financed but which are not part of the finance charge, and the finance charge, and to describe that sum as the "deferred payment price", as required by § 226.8(c) (8) (1) of Regulation Z.

(9) Failing to disclose the annual percentage rate, computed in accordance with § 226.5 of Regulation Z, as required by § 226.8(b) (2) of Regulation Z and to print that term more conspicuously than other terminology, as required by § 226.6(a) of Regulation Z.

(10) Failing to disclose the number, amounts and due dates or periods of payments scheduled to repay the indebtedness, and the sum of such payments, and to describe that sum as the "total of payments", as prescribed by § 226.8(b) (3) of Regulation Z.

(11) Failing to identify the amount or the method of computing the amount of any default, delinquency or similar charge payable in the event of late payments, as required by § 226.8(b) (4) of Regulation Z.

(12) Failing to disclose the method of computing any unearned portion of the finance charge in the event of prepayment of the obligation, as required by § 226.8(b) (7) of Regulation Z.

B. Representing, directly or by implication, in any advertisement to aid, promote or assist directly or indirectly the extension of open end credit, of any of the forms described in § 226.7(a) of Regulation Z, the Comparative Index of Credit Costs, or that a specified down payment, or any other charge, which may be imposed, is a finance charge, as required by § 226.7(b) of Regulation Z in the manner and form prescribed by § 226.7 (c) and (d) of Regulation Z.

(1) Failing to use the term "amount of the finance charge", as prescribed by § 226.6(a) of Regulation Z.

(2) Failing to use the term "unpaid balance of cash price" to describe the amount of the finance charge, as prescribed by § 226.6(a) (3) of Regulation Z.

(3) Failing to use the term "unpaid balance" to describe the sum of the unpaid balance of cash price and all other charges which are included in the amount financed, but which are not part of the finance charge, as prescribed by § 226.6(a) (5) of Regulation Z.

C. In regard to periodic and extension of open end credit, as that term is defined in § 226.2(r) of Regulation Z:

(1) Failing to disclose on a single written statement which the customer may request before the first transaction is made on any open end credit account:

(a) The conditions under which a finance charge may be imposed, including any period of the time period, if any, within which any credit extended may be paid without paying a finance charge, as required by § 226.7(a) (1) of Regulation Z;

(b) The method of determining a balance upon which a finance charge may be imposed, as required by § 226.7(a) (2) of Regulation Z;

(c) The method of determining the amount of the finance charge, including the method of determining any minimum, fixed, check service, transaction, activity, or similar charge, which may be imposed as a finance charge, as required by § 226.7(a) (3) of Regulation Z;

(d) The conditions under which any other charges may be imposed, and the method by which they will be determined, as required by § 226.7(a) (6) of Regulation Z and:

(e) The minimum periodic payment required, as required by § 226.7(a) (8) of Regulation Z.

(2) Failing to make all of the disclosures required by § 226.7(b) of Regulation Z on periodic statements sent to customers in accordance with § 226.7(b) of Regulation Z in the manner and form prescribed by § 226.7 (c) and (d) of Regulation Z.

(3) Representing, directly or by implication, in any advertisement to aid, promote, or assist directly or indirectly the extension of open end credit, of any of the forms described in § 226.7(a) of Regulation Z, the Comparative Index of Credit Costs, or that a specified down payment, or any other charge, which may be imposed, is a finance charge, as required by § 226.7(b) of Regulation Z as required by § 226.7(c) of Regulation Z;

(4) An explanation of the time period, if any, within which any credit extended may be paid without incurring a finance charge.

(5) The deferred payment price.

D. Where one or more periodic rates may be used to compute the finance charge, including the determination of any minimum, fixed, check service, transaction, activity, or similar charge, which may be imposed as a finance charge.

(6) Where one or more periodic rates may be used to compute the finance charge, including the determination of any minimum, fixed, check service, transaction, activity, or similar charge, which may be imposed as a finance charge, the following method of determining the periodic rate by the number of periods in a year and, where there is more than one corresponding annual percentage rate, the range of balances to which each is applicable.
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D. In regard to credit life insurance, or credit accident and health insurance:

1. Failing to include the premium for credit life and/or credit accident and health insurance in the finance charge where such insurance is required for the extension of credit or when the customer is led to believe that such insurance is required in connection with the credit transaction, as required by § 226.4(a)(5) of Regulation Z.

2. Failing to advise the customer, if credit life insurance and/or credit accident and health insurance are not included in the finance charge, that such insurance is optional and that the customer may choose to decline either or both forms of insurance and still purchase on credit.

3. Failing to give full disclosure of the monthly cost of such insurance to the customer.

4. Making any marks or otherwise instructing a consumer where to sign or otherwise assisting in the execution of the signature required by § 226.4(a)(5) of Regulation Z, in connection with any extension of open end credit or when the customer is led to believe that such insurance is required in connection with the credit transaction.

5. Requiring, in any consumer credit transaction or advertisement, to make all disclosures determined in accordance with §§ 226.6, 226.8, 226.9 and 226.10 of Regulation Z.

ORDER III

A. It is further ordered, That respondents deliver a copy of this Order to cease and desist to all operating divisions and to all present and future personnel of respondents engaged in the consummation of any consumer credit transaction or in any aspect of preparation, creation, or placing of advertising, and to all personnel of respondents responsible for the sale or offering for sale of all products, for which respondents secure a signed statement acknowledging receipt of said Order from each such person.

B. It is further ordered, That respondents deliver a copy of this Order to cease and desist to all operating divisions and to all present and future personnel of respondents engaged in the consummation of any consumer credit transaction or in any aspect of preparation, creation, or placing of advertising, and to all personnel of respondents responsible for the sale or offering for sale of all products, for which respondents secure a signed statement acknowledging receipt of said Order from each such person.
The decision and order was issued by the Commission May 24, 1976.

Charles A. Tobin, Secretary.

[F.R. Doc. 76-18092 Filed 6-21-76; 8:45 a.m.]

[Docket 9031]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

J. Strickland and Company, Inc., Et Al.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.170 Qualities or properties of product or service; 13.170-26 Depilatory; 13.170-58 Non-irritating; § 13.195 Safety; § 13.205 Scientific or other relevant facts. Subpart—Corrective action and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533-20 Disclosures; 13.533-45 Maintain records. Subpart—Neglecting, unfairly or deceptively to make material disclosure; § 13.1696 Safety; § 13.1895 Scientific or other relevant facts. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.2063 Scientific or other relevant facts.


Consent order requiring a Memphis, Tenn., manufacturer of depilatory products and their Nashville, Tenn., advertising agency, among other things to cease falling to disclose cautionary statements in advertising and on product labels; and to provide complete directions on labels and packaging for use of depilatory products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:1

ORDER

I. It is ordered, That respondents J. Strickland and Company, Inc., and Noble-Dury and Associates, Inc., corporations, their successors and assigns, officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, sale or distribution of Royal Crown Depilatory Shaving Powder or any depilatory product, do forthwith cease and desist from:

A. Disseminating or causing to be disseminated by United States mails or by any means in or having an effect upon commerce, as “commerce” is defined in the Federal Trade Commission Act, any advertisement which fails to clearly and conspicuously disclose the following statement in boldface capital letters exactly as it appears below, with nothing in contradiction thereof:

CAUTION: THIS PRODUCT MAY CAUSE SKIN IRRITATIONS. DO NOT USE IF SKIN IS TENDER OR SEVERELY IRRITATED, FOLLOW DIRECTIONS CAREFULLY.

B. Disseminating or causing to be disseminated by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly the purchase of any such product in or having an effect upon commerce, as “commerce” is defined in the Federal Trade Commission Act, any advertisement which fails to meet the requirement of Part I.A. of this order.

II. It is further ordered, That respondent J. Strickland and Company, Inc., a corporation, its successors and assigns, officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the offering for sale, sale or distribution of Royal Crown Depilatory Shaving Powder or any depilatory product in or affecting commerce, as “commerce” is defined in the Federal Trade Commission Act, do forthwith cease and desist from failing to clearly and conspicuously disclose on the outer package box, if such is used, and on the product label:

A. The following statement in boldface letters exactly as it appears below with nothing in contradiction thereof:

CAUTION: THIS PRODUCT MAY CAUSE SKIN IRRITATIONS. DO NOT USE IF SKIN IS TENDER OR SEVERELY IRRITATED, FOLLOW DIRECTIONS CAREFULLY.

The above statement shall appear as the first item on the information panel of the product label and package box, if such is used.

B. A statement that use of the product should be discontinued if irritation, burning or allergic reactions occur.

C. Complete directions for use of the product, including but not limited to the following:

1. The product should not be used in conjunction with an alcoholic shaving lotion;
2. The product should not be used if perspiring heavily;
3. One should not wash before using the product;
4. To avoid excessive irritation, the amount of time the product is left on the skin is crucial; and
5. If hairs remain after the first application, do not immediately reuse the product. The product should not be used in any event within 36 hours after shaving with a razor or a depilatory.

III. It is further ordered, That respondents forthwith deliver a copy of this order to their present and future officers, directors, and operating divisions, and that respondents secure from each such person and division a signed statement acknowledging receipt of this order.

IV. It is further ordered, That respondents maintain complete business records relating to the manner and form of their continuing compliance with the terms and provisions of this order. Each record shall be retained by respondents for three years after such record is made.

V. It is further ordered, That corporate respondents notify the Commission at least thirty (30) days prior to any proposed change in the respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of this order.

VI. It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a written report setting forth in detail the manner and form of their compliance with this order.

The decision and order was issued by the Commission May 18, 1976.

Charles A. Tobin, Secretary.

[F.R. Doc. 76-18095 Filed 6-21-76; 8:45 a.m.]

[Docket 9031]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Le Conte Cosmetics, Incorporated, Et Al.


1 Copies of the Complaint, Decision and Order filed with the original document.

In the Matter of Le Conte Cosmetics, Incorporated, a corporation, trading and doing business under its own name and as Many Ways to Beauty Corporation, and Elton C. Toland, individually, and as an officer of said corporation, and trading and doing business as University Health & Beauty Discount Center, and Lamar Toland, and James Toland, individually and as officers of said corporation.

Consent order requiring a Los Angeles, Calif., manufacturer and mail order seller and distributor of drug and cosmetic preparations, among other things to cease misrepresenting their products prevent baldness, stimulate hair growth, or misrepresent their products prevent baldness, stimulate hair growth, or misrepresent their ingredients for hair care products or any other products do forthwith cease and desist from:

A. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in or affecting commerce as “commerce” is defined in the Federal Trade Commission Act, which advertisement represents directly or indirectly that:

1. Ingredients therein, to cause human hair to grow or regulate human metabolism so as to stimulate hair growth; or misrepresents in any manner the effect of respondents’ products, or any ingredients therein, on the structure or on any function of the body.

2. Respondents’ products, or any ingredients therein, constitute a treatment; or misrepresents in any manner that respondents’ products are the unique in that they have been tested for safety according to government or industry standards or in any manner the uniqueness of their products.

3. Disseminating, or causing the dissemination of any advertisements by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in or affecting commerce, as “commerce” is defined in the Federal Trade Commission Act, of respondents’ hair care products, or any other products, which advertisements contain any of the representations prohibited in Paragraph A hereof.

B. Communicating orally, visually, in writing, by product labels, displays, or in any other manner, directly or by implication, any of the representations prohibited in Paragraph A hereof.

C. In further order, each individual respondent named herein shall promptly notify the Commission of each change in his business or employment status, including discontinuance of any business or employment, and each affiliation with a new business or employment for a period of ten years following the effective date of this order, and shall promptly notify the Commission of the business or employment with which respondent is newly affiliated and a description of the business or employment as well as a description of the respondent’s duties and responsibilities in that business or employment.

It is further ordered, That:

A. Respondents deliver a copy of this order to all present and future distributors, franchises, licensees, and sales representatives and to any other person or entity connected with respondents engaged in the offering for sale or the sale of any of respondents’ products, or in any aspect of preparation, creation, or placing of advertising for the offering for sale, sale, or distribution of respondents’ products;

B. Respondents provide each person or entity described in Paragraph A above with a form, returnable to said respondents, clearly stating his or her intention to conform to the requirements of this order; and that said respondents are obligated to those persons or entities who engage in any manner the effect of such hormonal component.

7. Respondents’ product or ingredients, or any ingredients therein, to eliminate dandruff; or misrepresents in any manner the benefit of such products or ingredients on dandruff or any scalp disorder.

8. Respondents’ products, or any ingredients therein, prevent the loss of hair or baldness.

9. Respondents’ hair spray product provides the user with three times as much application as other hair sprays; or represents in any manner the capacity for application of any of their products, unless at the time of such representation respondents have a reasonably Substantially to substantiate such representation.

10. Everyone can use respondents’ products without possibility of harmful consequences; or represents in any manner the possibility of use of their products without harmful or allergic consequences, unless at the time of such representation respondents have adequate and reliable scientific documentation of such claims.

11. Respondents’ hair care products are unique in that they have been tested for safety according to government or industry standards or any manner the uniqueness of their products.

Provided, however, Respondents may state their years of experience in the compounding, blending, and manufacturing of cosmetics, including products with hormone ingredients.

6. The hormonal component of respondents’ products, or any ingredients therein, to cause human hair to grow or misrepresents in any manner the effect of such hormonal component.

7. Respondents’ product or ingredients, or any ingredients therein, to eliminate dandruff; or misrepresents in any manner the benefit of such products or ingredients on dandruff or any scalp disorder.

8. Respondents’ products, or any ingredients therein, prevent the loss of hair or baldness.

9. Respondents’ hair spray product provides the user with three times as much application as other hair sprays; or represents in any manner the capacity for application of any of their products, unless at the time of such representation respondents have a reasonably Substantially to substantiate such representation.

10. Everyone can use respondents’ products without possibility of harmful consequences; or represents in any manner the possibility of use of their products without harmful or allergic consequences, unless at the time of such representation respondents have adequate and reliable scientific documentation of such claims.

1. Copies of the Complaint, Decision and Order filed with the original document.
PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

New Process Company, Inc., ET AL.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.15 Business status, advantages or connections; § 13.18-20 Business methods and policies; § 13.15-225 Personnel or staff; § 13.175 Free goods or services; § 13.300 Sample, offer or order conformance; § 13.265 Scientific or other relevant facts. Subpart—Concealment, firms and/or requirements; § 13.533 Corrective actions and/or requirements; § 13.533-20 Disclosures; § 13.533-45 Maintain records; § 13.532-45 (k) Records, in general; § 13.533-55 Requirements; § 13.533-190 File records.

Subpart—Delaying or withholding corrections, adjustments or action owed; § 13.675 Delaying or withholding corrections, adjustments or action owed; § 13.676 Delaying or withholding corrections, adjustments or action owed; § 13.677 Delaying or withholding corrections, adjustments or action owed; § 13.678 Delaying or withholding corrections, adjustments or action owed.

Subpart—Furnishing means and instrumentalities of misrepresentation or deception; § 13.1055 Furnishing means and instrumentalities of misrepresentation or deception. Subpart—Misrepresenting oneself and goods—Business methods and policies; § 13.1395 Connections and arrangements with others; § 13.1520 Personnel or staff; § 13.1625 Free goods or services; § 13.175 Sample, offer, or order conformance; § 13.175-200 Sample, offer, or order conformance; § 13.175-205 Sample, offer, or order conformance; § 13.175-210 Sample, offer, or order conformance; § 13.175-215 Sample, offer, or order conformance; § 13.175-220 Sample, offer, or order conformance; § 13.175-225 Sample, offer, or order conformance.

Subpart—Neglecting, unfairly or deceptively, to make material disclosure; § 13.1855 Scientific or other relevant facts; § 13.1905 Terms and conditions; § 13.2063 Scientific or other relevant facts. Subpart—Securing orders by deception; § 13.2170 Securing orders by deception. Subpart—Shipment of merchandise, etc. in excess of or without order; § 13.2195 Substitution of product inferior to offer.

Subpart—Substitution of product inferior to offer; § 13.2263 Substituting product inferior to offer. Subpart—Threatening suits, not in good faith; § 13.2264 Debit account collection; § 13.2265 Threatening infringement suits, not in good faith.


In the Matter of New Process Company, Inc., a corporation, and Robert P. Eaton, an individual

Consent order requiring a Warren, Pa., mail order seller and distributor of wearing apparel, among other things to cease and desist from: (i) Discontinuing the distribution of their "free" trial wear period; and substituting inferior merchandise to that ordered without prior consumer authorization; misrepresenting their maintenance of a legal department; that collection letters are final notices before litigation; that non-payment of debts will result in local credit investigations and legal action; and misrepresenting that in the event of litigation, debtors will be required to pay all court costs, and their properties may be seized to satisfy judgments if found guilty.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

ORDER

1. It is ordered, That respondent New Process Company, Inc., a corporation, its successors, assigns, officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, sale, and distribution of merchandise, or any other products or services, and in connection with collection of, or attempt to collect, accounts allegedly due and owing to respondent New Process Company, Inc., in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, as amended, do forthwith cease and desist from:

1. Shipping or causing to be shipped, without the prior written or telephonic consent of a prospective customer, any merchandise which is not substantially similar in design, style, pattern, or in any other manner, to the merchandise which is ordered by that customer in response to any depiction or description in any of respondent's advertisements, mailings, literature, or any other offer, and refusing to give credit to the purchaser of respondent's merchandise.

2. Shipping, or causing to be shipped, any merchandise which is substantially similar to but differs in design, style, pattern, or in any other manner, to the merchandise which is ordered by that customer in response to any depiction or description in any of respondent's advertisements, mailings, literature, or any other offer, and refusing to give credit to the purchaser of respondent's merchandise.

The decision and order was issued by the Commission May 27, 1976.

CHARLES A. TORIN,
Secretary.

[FR Doc.76-18091 Filed 6-21-76;8:46 am]

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
made, as well as his or her right to reimbursement for the postage cost incurred in returning the substituted merchandise which the customer determines he or she does not want, for any reason; and

c. Respondent does in fact promptly refund such prepayment and reimburse such postage without further action of the customer.

3. Failing to maintain records which will be kept, for every substitution for a period of three (3) years following the effective date of this order, the identity of the customers to whom substitutions were sent and a description of the items that were ordered and substituted.

4. Using the word "free", "absolutely free", or any other word or words of similar import or meaning in advertisements, mailings, literature or any other offer, orally or in writing, that solicits the purchase of respondent's merchandise, to designate or describe a trial or examination period unless all of the conditions, obligations, costs and prerequisites to the utilization of such trial or examination period unless all of the conditions, obligations, costs and prerequisites are clearly and conspicuously disclosed in the offer so as to leave no reasonable probability that the terms of the trial or examination period are clearly and conspicuously disclosed in the offer, so as to leave no reasonable probability that the terms of the trial or examination period might be misunderstood; provided that it shall not be a violation of this provision if the aforesaid disclosure of all such conditions, obligations, costs and prerequisites is clearly and conspicuously made on each and every order blank for merchandise for which an offer of a free trial is made.

5. Representing, directly or by implication, orally or in writing, that any consumer's account will be referred to an attorney for the initiation of legal proceedings, or representing, directly or by implication, orally or in writing, that an attorney is or will be actively involved in collecting or reviewing any consumer's account; provided however, That it shall not be a violation of this paragraph where at the time such representation is made, and in each and every instance in which such representation is made, the representation is true.

6. Representing, directly or by implication, orally or in writing, that any consumer's account may be referred to an attorney to determine what action is appropriate; provided, however, That it shall not be a violation of this paragraph to represent that respondent may refer the account of a delinquent debtor to an attorney for evaluation of what action is appropriate where, in fact, respondent takes such action in a majority of cases in which such representation is made and payment has not been made on the account at the time of the representation.

7. Representing, directly or by implication, orally or in writing, that specific action will be taken by respondent upon nonpayment by a consumer, or within a specified number of days, after nonpayment, execution or other means and instrumentalities for making such collections, or sale or other change in the corporation which is engaged as well as a description of his duties and responsibilities.

It is further ordered, That respondent New Process Company, Inc. deliver a copy of this order to all present and future employees or other persons with responsibilities for the preparation and placing of respondent New Process Company, Inc.'s advertisements, brochures, fliers, letters or other material soliciting orders, or in any aspect of the collection of accounts, and that respondent New Process Company, Inc. secure from each such employee or other person a signed statement acknowledging receipt of a copy of said order.

It is further ordered, That respondent New Process Company, Inc. notify the Commission at least thirty (30) days prior to any proposed change in the corporate status such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the individual respondent Robert P. Eaton promptly notify the Commission of the discontinuance of this present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent Robert P. Eaton's current business address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and basis by which they have complied with this order.

The decision and order was issued by the Commission May 29, 1976.

CHARLES A. TOTE,
Secretary.
PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Pay Less Drug Stores Northwest, Inc.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly: 13.10-1 Availability of merchandise and/or facilities; § 13.156 Prices; § 13.203 Scientific or other relevant facts. Subpart—Neglecting, unfairly or deceitfully, to make material disclosure: § 13.1895 "Such" or other relevant facts. Subpart—Misrepresenting oneself and goods—Goods: § 13.1572 "Availability of advertised merchandise and/or facilities; § 13.1740 Scientific or other relevant facts. Subpart—Offering unfair, improper or deceptive inducements to purchase or deal: § 13.206 Scientific or other relevant facts.

In the Matter of Pay Less Drug Stores Northwest, Inc., a corporation.

Consent order requiring a Maryland corporation with its principal place of business in Beaverton, Ore., operating a chain of retail drug and general merchandise stores in Washington and Oregon, California, and other states, to make advertised items readily available for sale at or below the advertised prices, to sell advertised items in a manner that is clearly and conspicuously marked, and to post in its stores copies of advertisements and notices of the availability of rain checks for unavailable items or a substitute product of equal or better quality at the advertised price of the unavailable advertised item. The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

ORDER

I. It is ordered, That respondent Pay Less Drug Stores Northwest, Inc., a corporation, its successors or assigns, its officers, agents, and employees, shall: (A) Mislable in connection with the advertising, offering for sale, sale or presentation of drugs or other merchandise, hereinafter sometimes referred to as Items, offered or sold in its retail stores, in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from, directly or indirectly:

A. Disseminating, or causing the dissemination of any advertisement by any means, whether the limitations upon the availability of any advertised item for sale, unless throughout the effective period of the advertised offer at each retail store covered by the advertisement:

(1) Each advertised item is readily available for sale to customers in the public area of the store, or if not readily available there, a clear and conspicuous notice is posted where the item is regularly displayed which states that the item is in stock and may be obtained upon request, and said item is furnished on request;

(2) There is a sign or other conspicuous marking at the place where an item advertised below regular shelf price is displayed for sale clearly disclosing that the item is "as advertised" or "on sale" or at a price no higher than the advertised price;

(3) Each unit of each advertised item, which is usually and customarily individualized or marked at or below the advertised price;

(4) Each unit of each advertised item is sold to customers at or below the advertised price;

Provided, It shall constitute a defense to a charge of unavailability under subparagraph (1) if respondent maintains records and furnishes reasonable notice for inspection and copying upon the request of the Federal Trade Commission, such records as will show that:

(a) The advertised items were delivered to its stores in quantities sufficient to meet reasonably anticipated demand but were sold; (b) The advertised items were ordered but not delivered due to circumstances beyond respondent's control, and that respondent, upon notice or knowledge of such nondelivery acted immediately to contact the media to correct the advertisement, or proposed advertisement, of the unavailability or unavailability of each advertised item, and (c) Respondent immediately offered to customers on inquiry a "rain check" for each unavailable item, which entitled the holder to purchase the item in the near future at or below the advertised price, or a similar product of equal or better quality at or below the advertised price of the unavailable product.

Provided, further, That a coupon or book of coupons offered, presented, sold or distributed only at respondent's retail stores shall not be deemed an advertisement.

Provided, further, That in the case of advertised items the ultimate prices of whose units are determined by the use of a coupon, the customer is allowed to present the coupon in connection with the purchase of the items, whether individually at or below the advertised price, or any additional manner.

Provided, further, That if an advertised item is placed for sale in a large stack, pyramid or other display containing a great number of such items, all of which need not be individually marked at or below the advertised price, the items not marked individually at or below the advertised price are so situated that it would be difficult or impossible for a customer to select such item.

Provided, further, That it shall not be deemed a violation of the above subparagraphs (1) through (4) if respondent is complying with a special exemption, limitation or restriction with respect to store, item or price which is clearly and conspicuously disclosed in all advertising of the product in question.

II. It is further ordered, That throughout each advertised sale period in each of its retail stores covered by an advertisement, respondent shall post conspicuously, in an advertisement, a statement of similar import as appropriate, and disclosing on such sign or marking, the advertised price.

III. It is further ordered, That in the case of advertised items the ultimate prices of whose units are determined by the use of a coupon, the customer is allowed to present the coupon in connection with the purchase of the items, whether individually at or below the advertised price, or any additional manner.

IV. It is further ordered, That:

A. Respondent shall forthwith deliver a copy of this order to each of its operating divisions and to each of its present and future officers and other personnel.
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in its organization down to the level of and including assistant store managers and any other store level personnel who, directly or indirectly, have any responsibilities relating in any way to pricing and charging out of advertised items in any of the individual retail stores of respondent or who are engaged in any aspect of preparation, creation, or placing of advertising, and that respondent shall secure a signed statement acknowledging receipt of said order from each such person.

B. Respondent shall institute and maintain a program of continuing surveillance adequate to reveal whether the business practices of each of its retail stores conform to this order, and shall confer with any duly authorized representative of the Commission pertaining to such program when requested to do so by a duly authorized representative of the Commission;

C. Respondent shall, for a period of three (3) years subsequent to the date of this order:

1. Maintain business records which show the efforts taken to ensure continuing compliance with the terms and provisions of this order and any evidence of the results of such efforts;

2. Furnish to the Federal Trade Commission copies of such records which are requested by any of its duly authorized representatives;

D. Respondent shall, all other provisions of this order notwithstanding, every six months for a period of three years from the date this order becomes final, file with the Commission a report, in writing demonstrating the effectiveness of the steps or actions taken by respondent with regard to the aforesaid surveillance program, and setting forth in detail the manner and form in which it has complied with this order in the preceding year.

V. It is further ordered, That respondent shall notify the Commission at least thirty days prior to any proposed change in the corporate respondent, such as dissolution or sale, or otherwise resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the respondent which may affect compliance obligations arising out of this order.

The decision and order was issued by the Commission May 17, 1976.

CHARLES A. TOLMIE, Secretary.

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION UNIFORM SYSTEM OF ACCOUNTS

[Docket No. RM76-3; Order No. 549]


JUNE 15, 1976.

The Commission issued Notice of Proposed Rulemaking (40 FR 33998, August 13, 1975) in this Docket on August 7, 1975. This rulemaking essentially proposed to provide for more accounting detail and reporting disclosure of operating expenses incurred in the area of non-promotional customer service and informational expenses and to provide separate account classification for costs incurred in advertising and related activities not now provided for in the Uniform Systems of Accounts.

Views and comments were invited from interested parties to be submitted on or before September 22, 1976. Pursuant to this invitation, the Commission received comments from forty-one respondents (see Attachment A).

Basically, the subject Docket proposed:

1. For the Uniform Systems of Accounts for Class A and Class 7 Utilities and Licensees and Natural Gas Companies, it was proposed to establish:

(1) A new subsection of four accounts in the section of Operation and Maintenance Expenses, to be entitled Customer Service and Informational Expenses which included accounts designated as follows:

907. Supervision.
908. Customer assistance expenses.
909. Informational and instructional advertising expenses.
100. Miscellaneous customer service and informational expenses.

(2) A new account under the already existing Administrative and General Expenses subsection designated 930.1, General Advertising Expenses.

2. For the FPC Annual Report Form No. 1 it was proposed to revise Schedule Pages 355 and 356, Distribution of Salaries and Wages, Schedule Pages 419 and 420, Electric Operation and Maintenance Expenses, and Schedule Page 427, Miscellaneous General Expenses, and, for the FPC Form No. 2, it was proposed to revise Schedule Pages 355 and 356, Distribution of Salaries and Wages, Schedule Pages 531 and 532, Gas Operation and Maintenance Expenses, Schedule Pages 543, Miscellaneous General Expenses, to reflect the related proposed changes in the Uniform Systems of Accounts as described above.

3. For the Uniform Systems of Accounts for Class C and Class D Public Utilities and Licensees and Natural Gas Companies, it was proposed to establish:

(1) A new subsection of one new account in the Operation and Maintenance Expense accounts entitled Customer Service and Informational Expenses, the account to be designated 607, Customer Service and Informational Expenses, and
(2) a new account under Administrative and General Expenses designated 930.1, General Advertising Expenses.

4. For the FPC Annual Report Forms No. 1—F and No. 2—A it was proposed to revise Schedule Page 7, Electric (Gas) Operating and Maintenance Expenses, to reflect the related proposed changes to the Uniform Systems of Accounts as described above.

All of the respondents to the rulemaking stated or indicated general support for the proposed changes.

The major objection addressed by thirty-one of the respondents was the proposed effective period of the rulemaking, stating the undue burden of reviewing, locating and reclassifying the subject charges already recorded in the books the year as the reason. January 1, 1976, was suggested as a more reasonable effective date. The Commission agrees and has incorporated this change into the Order.

Eight of the respondents objected to some of the wording in the text of the proposed Customer Service and Informational Expense subsection accounts as too restrictive for various reasons. The Commission, after careful review of each objection, concludes that the wording of the account texts should remain essentially as proposed, so that the account classification will not be open to charges of a nature not contemplated in the original proposal. Some of the suggested changes, while individually wise and proper, are within the purview of the original intent of the proposal, have been incorporated into this order.

In addition to the above comments, the Commission received additional comments and suggestions received from interested parties. Certain of the minor constructive suggestions received appear to have merit for clarity purposes and have been included in the Order.

The Commission finds:

(1) The notice and opportunity to participate in this rulemaking by submission in writing of comments and suggestions described above are consistent and in accordance with the procedural requirements of section 553 of Title 5 of the United States Code.

(2) The amendments to Parts 101 and 104 of the Commission’s Uniform Systems of Accounts for Public Utilities and Licensees, and Annual Report Form Nos. 1, 1-F and 2-A prescribed by §§ 141.1 and 141.2, respectively, in Chapter I, Title 18 of the Code of Federal Regulations, herein prescribed, are necessary and appropriate for the administration of the Federal Power Act.

(3) The amendments to Part 201 and 204 of the Commission’s Uniform Systems of Accounts for Natural Gas Companies, and Annual Report Form Nos. 1, 1-F and 2—A prescribed by §§ 260.1 and 260.2, respectively, in Chapter I, Title 18 of the Code of Federal Regulations, herein prescribed, are necessary and appropriate for the administration of the Natural Gas Act.

(4) The amendments to Part 154, Subchapter E of the Regulations Under the Natural Gas Act, herein prescribed, are necessary and appropriate for the administration of the Natural Gas Act.

(5) Good cause exists for making these amendments to the Regulations Under the Natural Gas Act, Uniform Systems Accounts, and to provide for the FPC Form Nos. 1, 1-F, 2 and 2—A, adopted herein, effective as of January 1, 1976.

RULES AND REGULATIONS

(1) Stat. 501: 16 U.S.C. 796–797, 825, 825e, 832n), and to the provisions of the Natural Gas Act, particularly sections 8, 10 and 16 (52 Stat. 825–826, 530; 15 U.S.C. 717b, 717o), orders:

(A) The following amendments and revisions to be made to the Uniform System of Accounts for Class A and Class B Public Utilities and Licensees, Part 10, Chapter I, Title 18 of the Code of Federal Regulations:


As amended paragraph A of General Instruction 3 reads:

General Instructions

3. Numbering System.

A

* * *

900–949 Customer accounts, customer service and informational, sales, and general and administrative expenses.

* * *

(2) In the Balance Sheet Accounts section, amend the text of paragraph B of account "188, Research and Development Expenditures." As amended this portion of the text of account 189 reads:

Balance Sheet Accounts

ASSETS AND OTHER DEBITS

* * *

4. DEFERRED DEBITS

* * *

183 Research and development expenditures.

* * *

B. Costs that are minor or of a general or recurring nature shall be transferred from this account to the appropriate operating expense function or if such costs are allocated to the overall operations or cannot be feasibly allocated to the various operating accounts, then such costs shall be recorded in account 930.2, Miscellaneous General Expenses.

(3) Amend the Chart of Operation and Maintenance Expense Accounts as follows:

(a) Immediately following account "905, Miscellaneous Customer Accounts Expenses," add a new subsection to read: "5. Customer Service and Informational Expenses."

(b) Add four new accounts under the new subsection 5. Customer Service and Informational Expenses" to read as follows:

(1) "907 Supervision.

(2) "908 Customer Assistance Expenses.

(3) "909 Informational and Instructional Advertising Expenses.

(4) "910 Miscellaneous Customer Service and Informational Expenses."

(c) Amend item number "7," and "Note C" of account "913, Advertising Expenses."

(d) Redesignate present subsection "6. Administrative and General Expenses" as "7. Administrative and General Expenses."

(e) Add a new account under renumbered subsection "7. Administrative and General Expenses" immediately following account "929, Duplicate Charges—Credit," to be titled "930.1, General Advertising Expenses."

(f) Redesignate present account "930, Miscellaneous General Expenses," as "930.2.

As amended the Chart of Operation and Maintenance Expense Accounts reads:

Operation and Maintenance Expense Accounts

5. CUSTOMER SERVICE AND INFORMATIONAL EXPENSES

Operation

907 Supervision.

908 Customer assistance expenses.

909 Informational and instructional advertising expenses.

910 Miscellaneous customer service and informational expenses.

6. SALES EXPENSES

7. ADMINISTRATIVE AND GENERAL EXPENSES

Operation

929

930.1 General advertising expenses.

930.2 Miscellaneous general expenses.

931

(4) Amend the text of the Operation and Maintenance Expense Accounts as follows:

(a) Immediately following the text of account "905, Miscellaneous Customer Accounts Expenses," add a new subsection to read: "5. Customer Service and Informational Expenses."

(b) Redesignate present subsection 5. Customer Service and Informational Expenses" to read as follows:

(1) "907 Supervision.

(2) "908 Customer Assistance Expenses.

(3) "909 Informational and Instructional Advertising Expenses.

(4) "910 Miscellaneous Customer Service and Informational Expenses."

(c) Amend item number "7," and "Note C" of account "913, Advertising Expenses."

(d) Redesignate present subsection "6. Administrative and General Expenses" as "7. Administrative and General Expenses."

(e) Amend "Note" and item number "77" of account "921, Office Supplies and Expenses."

(f) Add a new account immediately following account "929, Duplicate Charges—Credit," to be titled "930.1, General Advertising Expenses."

(g) Redesignate present account "930, Miscellaneous General Expenses," to account "930.2., delete item number "12 and redesignate item number "13" as "12" of this account.

(h) Add "Customer Service and Informational" to the text of Account 931, Rents, following "Customer Accounts."

As amended the text of the Operation and Maintenance Expense Accounts reads:

Operation and Maintenance Expense Accounts

5. CUSTOMER SERVICE AND INFORMATIONAL EXPENSES

Operation

907 Supervision.

908 Customer assistance expenses.

909 Informational and instructional advertising expenses.

910 Miscellaneous customer service and informational expenses.

6. SALES EXPENSES

7. ADMINISTRATIVE AND GENERAL EXPENSES

Operation

929

930.1 General advertising expenses.

930.2 Miscellaneous general expenses.

931

907 Supervision.

908 Customer assistance expenses.

909 Informational and instructional advertising expenses.

910 Miscellaneous customer service and informational expenses.
and safety, to encourage environmental protection, to reduce their electric equip­
ment safely and economically, or to con­
serve electric energy.

2. Preparing informational materials for
newspapers, periodicals, billboards, etc., and
preparing and conducting informational mo­
tion pictures, radio and television programs.

3. Preparing informational booklets, bulle­
tins, etc., used in direct mailings.

4. Preparing informational window and
other displays.

5. Employing agencies, selecting media and
conducting negotiations in connection with
the placement and subject matter of infor­
mation programs.

6. Use of newspapers, periodicals, billboards,
radio, etc., for informational purposes.

7. Postage on direct mailings to customers
exclusive of postage related to billings.

8. Printing of informational booklets, dod­
gers, bulletins, etc.

9. Supplies and expenses in preparing in­
fomational materials by the utility.

10. Office supplies and expenses.

Note A.—Exclude from this account and
charge to account 930.3, Miscellaneous Gen­
eral Expenses, the cost of publication of
stockholder reports, dividend notices, bond
redemption notices, financial statements,
and other notices of a general corporate
character. Exclude also all institutional or
goodwill advertising. (See account 930.1,
General Advertising Expenses.)

7. ADMINISTRATIVE AND GENERAL
EXPENSES

921 Office supplies and expenses

Note.—Office expenses which are clearly
applicable to any group of operating ex­
penses other than the administrative and
general expenses which apply to the utility
as a whole rather than to a particular ad­
ministrative function shall be included in
account 930.3, Miscellaneous General Ex­
penses.

ITEMS

7. Membership fees and dues in trade,
technical, and professional associations paid
by a utility for employees. (Company mem­
berships are includible in account 930.2.)

930.1 General advertising expenses.

This account shall include the cost of
labor, materials used, and expenses in­
curred in advertising and related activi­
ties, the cost of which by their content
and purpose are not provided for else­
where.

ITEMS

Labor:
1. Supervision.
2. Preparing advertising material for news­
papers, periodicals, billboards, etc., and pre­
paring or conducting motion pictures, radio
and television programs.
3. Preparing booklets, bulletins, etc.,
used in direct mail advertising.
4. Preparing window and other displays.
5. Clerical and stenographic work.
6. Investigating and employing advertising
agencies, selecting media and conducting ne­
gotiations in connection with the placement
and subject matter of advertising.

Materials and Expenses:
7. Advertising in newspapers, periodicals,
billboards, radio, etc.
8. Advertising matter such as posters,
bulletins, booklets and related items.
9. Fees and expenses of advertising agen­
cies and commercial artists.
10. Postage and direct mail advertising.
11. Printing of booklets, dodgers, bulletins,
etc.
12. Supplies and expenses in preparing ad­
vertising materials.
13. Office supplies and expenses.

Note A.—Exclude from this account and
charge to account 930.2, Miscellaneous Gen­
eral Expenses, the cost of publication of
stockholder reports, dividend notices, bond
redemption notices, financial statements,
and other notices of a general corporate
character. Exclude also all institutional or
goodwill advertising. (See account 930.1,
General Advertising Expenses.)

930.2 Miscellaneous general expenses.

This account shall include the cost of
labor and expenses incurred in connec­
tion with the general management of
the utility not provided for elsewhere,

ITEMS

9. Supplies and expenses in preparing in­
fomational materials by the utility.
10. Office supplies and expenses.
11. Printing of booklets, dodgers, bulletins,
etc.
12. Public notices of financial, operating
and other data required by regulatory
statutes.

931 Rents.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

930.3 Miscellaneous general expenses.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

931 Rents.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

930.3 Miscellaneous general expenses.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

931 Rents.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

930.3 Miscellaneous general expenses.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

931 Rents.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

930.3 Miscellaneous general expenses.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

931 Rents.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

930.3 Miscellaneous general expenses.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

931 Rents.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

930.3 Miscellaneous general expenses.

This account shall include the cost of
labor, materials used, and expenses in­
curred for certain civic, political and related
activities, which are designed to solicit public support or the
support of public officials in matters of a
general nature.

931 Rents.
RULES AND REGULATIONS

5. CUSTOMER SERVICE AND INFORMATIONAL EXPENSES

Operation

907 Customer service and informational expenses.

6. SALES EXPENSES

Operation

921 Office supplies and expenses.

NOTE.—Office expenses which are clearly applicable to any group of operating expenses other than the administrative and general group shall be included in the appropriate account in such group. Further, general expenses which apply to the utility as a whole rather than to a particular administrative function shall be included in Schedule 930.2, Miscellaneous General Expenses.

ITEMS

Expenses:

12. Public notices of financial, operating and utility rates required by regulatory statute.

931 Rents.

This account shall be used in connection with customer accounts, customer service and informational.


As amended, this section reads:

§ 154.63 Changes in a tariff, executed service agreement or part thereof.


As amended, this section reads:

§ 154.63 Changes in a tariff, executed service agreement or part thereof.


(F) The following amendments and revisions to be made to the Uniform System of Accounts for Class A and Class B Natural Gas Companies, Part 201, Chapter I, Title 18 of the Code of Federal Regulations:

The provisions of this section shall not be applicable to filings made pursuant to §§ 154.80, unless such filing results in a change in rate, charge, classification or service.

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(f) Redesignate present account "930, Miscellaneous General Expenses," as "930.2."

As amended the Chart of Operation and Maintenance Expense Accounts read:

\[
\begin{align*}
\text{Operation and Maintenance Expense Accounts} & \\
\text{6. CUSTOMER SERVICE AND INFORMATIONAL EXPENSES} & \\
\text{Operation} & \\
907 & \\
908 & \\
909 & \\
910 & \\
7. SALES EXPENSES & \\
8. ADMINISTRATIVE AND GENERAL EXPENSES & \\
939 & \\
990.1 & General advertising expenses. \\
990.3 & Miscellaneous general expenses. \\
991 & \\
\end{align*}
\]

(4) Amend the text of the Operation and Maintenance Expense Accounts as follows:

(a) Immediately following the text of account "905, Miscellaneous Customer Accounts Expenses," add a new subsection to read "6. Customer Service and Informational Expenses."

(b) Add four new accounts under the new subsection "6. Customer Service and Informational Expenses" to read as follows:

(1) "907 Supervision."
(2) "908 Customer Assistance Expenses."
(3) "909 Informational and Instructional Advertising Expenses."
(4) "910 Miscellaneous Customer Service and Instructional Advertising Expenses."

(c) Amend present subsection "6. Sales Expenses" as "7. Sales Expenses."

(d) Redesignate present subsection "7. Administrative and General Expenses" as "8. Administrative and General Expenses."

(e) Amend "Note" and item number "7" of account "921, Office Supplies and Expenses."

(f) Add a new account immediately following account "929, Duplicate Charges—Credit," to be titled "930.1, General Advertising Expenses."

(g) Redesignate present account "930, Miscellaneous General Expenses," to account "930.2," delete item number "12" and redesignate item number "13" as "12" of this account.

(h) Add "Customer Service and Informational," to the text of account 931, Rents, following "Customer Accounts."

As amended the text of the Operation and Maintenance Expense Accounts reads:

**RULES AND REGULATIONS**

**FEDERAL REGISTER, VOL 41, NO. 121—TUESDAY, JUNE 22, 1976**
7. Advertising in newspapers, periodicals, etc., and preparing and conducting informational materials, programs and television programs.

8. Administrative and General Expenses

**Operation**

921 Office supplies and expenses.

Note.—Office expenses which are clearly attributable to any group of operating expenses other than the administrative and general group shall be included in the appropriate account in such group. Further, general expenses which apply to the utility as a whole rather than to a particular administrative function shall be included in account 930.2, Miscellaneous General Expenses.

**ITEMS**

- 7. Membership fees and dues in trade, technical, and professional associations paid by a utility for employees. (Company memberships are includible in account 930.2.)

**930.1 General advertising expenses.**

This account shall include the cost of labor, materials used, and expenses incurred in advertising and related activities, the cost of which by their content and purpose are not provided for elsewhere.

**ITEMS**

- 2. Preparing advertising material for newspapers, periodicals, billboards, etc., and preparing or conducting motion pictures, radio and television programs.
- 3. Preparing booklets, bulletins, etc., used in direct mail advertising.
- 4. Preparing window and other displays.
- 5. Clerical and stenographic work.
- 6. Investigating and employing advertising agencies, selecting media and conducting negotiations in connection with the placement and subject matter of advertising.
- Materials and Expenses:
  - 7. Advertising in newspapers, periodicals, billboards, radio, etc., and preparing or conducting motion pictures, radio and television programs.
  - 8. Advertising matter such as posters, bulletins, booklets and related items.
  - 9. Fees and expenses of advertising agencies and commercial artists.
  - 10. Postage and direct mail advertising.
  - 11. Printing of booklets, dodgers, bulletins, etc.
- 12. Supplies and expenses in preparing advertising materials.

**910 Miscellaneous customer service and informational expenses.**

This account shall include the cost of labor, materials used, and expenses incurred in connection with customer service and informational activities which are not includible in other customer information expense accounts.

**ITEMS**

- Labor: 1. General clerical and stenographic work not assigned to specific customer service and informational programs.
- 3. Communication service.
- 4. Printing, postage and office supply expenses.
- **7. SALES EXPENSES**

913 Advertising expenses.

**ITEMS**

- Materials and expenses:
  - 7. Advertising in newspapers, periodicals, billboards, radio, etc., for sales promotion purposes, but not including institutional expenses included in account 930.1, General Advertising Expenses.

Note C.—Exclude from this account and charge to account 930.2, Miscellaneous General Expenses, the cost of publication of stockholder reports, dividend notices, bond redemption notices, financial statements, and other similar items of a general corporate character. Exclude also all institutional or goodwill advertising. (See account 930.1, General Advertising Expenses.)

900-949 Customer accounts, customer service and informational, sales, and general and administrative expenses.
RULES AND REGULATIONS

10. SALES EXPENSES

11. ADMINISTRATIVE AND GENERAL EXPENSES

921 Office supplies and expenses.

Note.—Office expenses which are clearly applicable to any group of operating expenses other than the administrative and general expenses shall be included in the appropriate account in such group. Further, general expenses which apply to the utility as a whole rather than to a particular administrative function shall be included in account 930.3 Miscellaneous General Expenses.

ITEMS

7. Membership fees and dues in trade, technical, and professional associations paid by a utility for employees. (Company memberships are included in account 930.2.)

930.1 General advertising expenses.

930.2 Miscellaneous general expenses.

(a) Add a new account “904, Uncollectible Accounts,” add a new subsection to read “9. Customer Service and Informational Expenses.”

(b) Add a new account within subsection “9. Customer Service and Informational Expenses” to read “907, Customer Service and Informational Expenses.”

(c) Redesignate present subsection “9. Sales Expenses” as “10. Sales Expenses.”

(d) Redesignate present subsection “10. Administrative and General Expenses” as “11. Administrative and General Expenses.”

(e) Amend “Note” and item number “7” of account “921, Office Supplies and Expenses.”

(f) Add new account “930.1, General Advertising Expenses,” immediately following account “929, Duplicate Charges—Cr.”

(g) Redesignate present account “930, Miscellaneous General Expenses,” as “930.2,” and delete item number “12” as “13” of this account.

10. Administrative and General Expenses.

11. Management of utility not provided for elsewhere.

12. Public notices of financial, operating, and other data required by regulatory statutes.

931 Rents.

This account operated in connection with customer accounts, customer service and informational.

* * * * *

(3) Amend the text of the Operation and Maintenance Expense Accounts as follows:

(a) Immediately following account “904, Uncollectible Accounts,” add a new subsection to read “9. Customer Service and Informational Expenses.”

(b) Add a new account within subsection “9. Customer Service and Informational Expenses” to read “907, Customer Service and Informational Expenses.”

(c) Redesignate present subsection “9. Sales Expenses” as “10. Sales Expenses.”

(d) Redesignate present subsection “10. Administrative and General Expenses” as “11. Administrative and General Expenses.”

(e) Amend “Note” and item number “7” of account “921, Office Supplies and Expenses.”

(f) Add new account “930.1, General Advertising Expenses,” immediately following account “929, Duplicate Charges—Cr.”

(g) Redesignate present account “930, Miscellaneous General Expenses,” as “930.2,” and delete item number “12” as “13” of this account.

(h) Effective for the reporting year 1976, amend schedule page 1, Gas Operation and Maintenance Expenses, and 543, Miscellaneous General Expenses (Account 930), of FPC Form No. 2, Annual Report for Natural Gas Companies (Class A and Class B), prescribed by § 260.1, Chapter I, Title 18 of the Code of Federal Regulations, all as set out in Attachment D hereto.

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMS,
Secretary.

ATTACHMENT A

RESPONDENTS—R676-3

Associations
American Gas Association
American Public Power Association
Edison Electric Institute
Tennessee Valley Public Power Association

Electric Cooperatives
Four County Electric Membership Corporation

Electric Utilities

Cleveland Electric Illuminating Company
Columbus and Southern Ohio Electric Company
Commonwealth Edison
Consumers Power Company
Detroit Edison Company
Duke Power Company
Florida Power Corporation

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
§ 520.2260b Sulfamethazine sustained release boluses.

(d) (1) Sponsor. Sec. No. 011519 in § 510.600(e) of this chapter.
(3) Conditions of use. It is used in nonlactating cattle as follows:
(i) The drug is used for the treatment of infections caused by organisms sensitive to sulfamethazine, such as in hemorhagic septicemia (shipping fever complex), bacterial pneumonia, foot rot, and calf diphtheria, and as an aid in the control of bacterial diseases usually associated with the shipping and handling of cattle.
(ii) It is administered orally, one tablet for each 150 pounds of body weight as a single dose. If no response is evident within 2 to 3 days, reevaluate therapy.
(iii) Tablets may be halved. Do not crush.
(iv) Treated animals must not be slaughtered for food within 28 days after the latest treatment.
(v) Federal law restricts this drug for use by or on the order of a licensed veterinarian.

Effective date: This amendment shall be effective June 22, 1976.

Sec. 512(1), 82 Stat. 347 (21 U.S.C. 360b(i)).

Dated: June 9, 1976.

FRED J. KINGMA, Acting Director, Bureau of Veterinary Medicine.

[FR Doc. 76-17999 Filed 6-21-76: 8:45 am]

Title 21—Food and Drugs
CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS
PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Sulfamethazine Sustained Release Boluses

The Commissioner of Food and Drugs has evaluated a new animal drug application (40 CFR 514.11(e) (2) (ii) (C) 204(b) (3) (D) and 505, Employee Retirement Income Security Act of 1974) and under the authority delegated to the Commissioner (21 C.F.R. 204.1) (recodification published in the Federal Register of June 15, 1976 (41 FR 24262)) § 520.2260b is amended by adding a new paragraph (d) to read as follows:

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Florida Power & Light Company
Idaho Power Company
Kansas City Power & Light Company
Long Island Lighting Company
Pacific Gas and Electric Company
Pacific Power & Light Company
Pennsylvania Power & Light Company
Philadelphia Electric Company
Public Service Electric and Gas Company
Scurlock California Edison Company
Tucson Gas & Electric Company
Union Electric Company
U.S. Power & Light Company
West Texas Utilities Company
Wisconsin Electric Power Company, Wisconsin Michigan Power Company
Wisconsin Public Service Corporation

GAS COMPANIES

Iowa-Illinois Gas and Electric Company
Long Star Gas Company
Northern Natural Gas Company
South Carolina Gas Company
Texas Gas Transmission Corporation

Governmental

North Attleborough Electric Department, Oregon, Public Utility Commissioner of Seattle, Washington, Department of Lighting, Tennessee Valley Authority

[FR Doc. 76-17999 Filed 6-21-76: 8:45 am]

Title 21—Food and Drugs
CHAPTER XXV—OFFICE OF EMPLOYEE BENEFITS SECURITY, DEPARTMENT OF LABOR
PART 2509—INTERPRETIVE BULLETINS RELATING TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

An Interpretive Bulletin

In order to provide a concise and ready reference to some of the provisions of Title I of the Employee Retirement Income Security Act of 1974, the Department of Labor is publishing its interpretive bulletins in the Rules and Regulations section of the Federal Register.

Published in this issue of the Federal Register is ERISA IB 76–3, which withdraws the definition of seasonal industries from the ERISA Guidelines. See TIR No. 1415 (November 5, 1975) and ERISA IB 76–10 (published on November 5, 1975, originally numbered IB MS–75–1).

Copies of this interpretive bulletin may be obtained from the Office of Procurement, Labor-Management Services Administration, Room N432, New Department of Labor Building, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Sec. 2509.76–3 Interpretive bulletin withdrawing definition of seasonal industries from ERISA guidelines.

AUTHORITY: Secs. 202(a) (3) (B), 203(b) (2) (C), 204(b) (3) (D) and 505, Employee Retirement Income Security Act of 1974.

§ 2509.76–3 Interpretive bulletin withdrawing definition of seasonal industries from ERISA guidelines.

(a) The Department of Labor, with the concurrence of the Internal Revenue Service, has determined that the definition of seasonal industries should be withdrawn from the ERISA Guidelines. See TIR No. 1415 (November 5, 1975) and ERISA IB 76–1, published at 41 FR 7749. The Department, on February 20, 1976, issued an interpretive bulletin rescinding such guidelines. See ERISA IB 76–2 published at 41 FR 7749.

(c) The definition of seasonal industries is currently part of the ERISA Guidelines. For employers who wish to adopt new plans or amend existing plans to take advantage of the Special Reliance Procedure, see TIR No. 1415, released on November 5, 1975, the ERISA Guidelines provide a fixed body of law for such purposes. In consideration of the need for employers who wish to take advantage of the Special Reliance Procedure to act promptly, and in view of the time delays which may be involved in formulating a revised definition of seasonal industries, the Department intends to withdraw the definition of seasonal industries from the schedule of documents comprising the ERISA Guidelines.

(d) The Employee Retirement Income Security Act of 1974 (ERISA) and relevant provisions of the Internal Revenue Code of 1954 (the Code) provide that in the case of any seasonal industry where the customary period of employment is less than 1,000 hours during a calendar year, calendar year, the term "year of service", for eligibility purposes, shall be such period as may be determined under regulations prescribed by the Secretary of Labor. ERISA § 203(b) (2) (C) and 204(b) (2) (D) and Code §§ 410(a) (5) (C) and 411(b) (3) (D). Presently, there is no published guidance concerning the definition of a seasonal industry with a customary period of employment of less than 1,000 hours during a calendar year nor any special rules—concerning the definition of a year of service or a year of participation for benefit accrual purposes.
RULES AND REGULATIONS

PART 120—WATER QUALITY STANDARDS
Navigable Waters of the State of Arizona

The purpose of this notice is to amend 40 CFR Part 120 to establish Federal water quality standards for the State of Arizona pursuant to section 303(b) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1351, 1313(b)); 86 Stat. et seq., Pub. L. 92-500 (the notice proposing such water quality standards was issued on October 15, 1974 (39 FR 36866-36867)).

Section 303 of the Act establishes a procedure for the Environmental Protection Agency (EPA) review of a State's water quality standards. When a State fails to respond to requests of the EPA to bring its water quality standards into conformance with the requirements of the Act, the EPA Administrator is authorized to promulgate Federal standards to be implemented in the State's water quality control program. The Regional Administrator notified the Governor of Arizona on January 18, 1973 and March 2, 1973, that certain revisions to Arizona's water quality standards were necessary to make the standards consistent with the applicable requirements of the Act.


These revisions adopted by the State do not fully meet the requirements of the Act. Arizona has established no quantitative nutrient criteria. Accordingly, pursuant to section 303(b)(1), EPA Region IX developed the proposed nutrient limitations in order that the State's water quality standards be consistent with the applicable requirements of the Act. The Standards document is available for inspection and copying at the U.S. Environmental Protection Agency, 100 California Street, San Francisco, California 94111. The U.S. EPA information regulation 40 CFR Part 2 provides that a fee may be charged for making copies.

§ 120.10 [Amended]
In consideration of the foregoing, 40 CFR Part 120 is hereby amended by deleting from §120.10 the paragraph entitled "Arizona" and adding a new §120.104 to read as set forth below.

§ 120.104 Arizona.
(a) State water quality standards for the navigable waters of the State of Arizona are those adopted by Arizona on July 18, 1968, December 10, 1973, and August 14, 1974, and the Federal promulgation of December 18, 1974 (39 FR 43721-43723) are the effective water quality standards under section 303 of the Act for interstate and intrastate waters within that State. Where the regulations set forth below are inconsistent with referenced State standards, these regulations will supersede such standards to the extent of the inconsistency.

The standards document is available for inspection and copying by the U.S. Environmental Protection Agency, 100 California Street, San Francisco, California 94111. The U.S. EPA information regulation 40 CFR Part 2 provides that a fee may be charged for making copies.

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RULES AND REGULATIONS

those established by Federal promulgation on December 18, 1974 (39 FR 43721-43723) as set forth below:

(1) "Colorado River System" means that portion of the Colorado River and its tributaries within the United States of America.

(2) It shall be the policy that the flow weighted average annual salinity in the lower main stem of the Colorado River system be maintained at or below the average value found during 1972. To carry out this policy, water quality standards for salinity and a plan of implementation for salinity control shall be developed and implemented in accordance with the principles of paragraph (3) below.

(3) The States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming are required to adopt and submit for approval to the Environmental Protection Agency on or before October 1, 1975:

(i) Adopted water quality standards for salinity including numerical criteria consistent with the policy stated above for appropriate points in the Colorado River System; and

(ii) A plan to achieve compliance with these standards as expeditiously as practicable providing that:

(A) The plan shall identify State and Federal regulatory authorities and programs necessary to achieve compliance with the plan.

(B) The salinity problem shall be treated as a basinwide problem that needs to be solved in order to maintain lower main stem salinity at or below 1972 levels while the basin States continue to develop their compact apportionment waters.

(C) The goal of the plan shall be to achieve compliance with the adopted standards by July 1, 1983. The date of compliance with the adopted standards shall take into account the necessity for Federal salinity control actions set forth in the plan. Abatement measures within the control of the States shall be implemented immediately or forthwith.

(D) Salinity levels in the lower main stem may temporarily increase above the 1972 levels if control measures to offset the increases are included in the control plan. However, compliance with 1972 levels shall be a primary consideration.

(E) The feasibility of establishing an interstate institution for salinity management shall be evaluated.

(4) The States are required to submit to the respective Environmental Protection Agency Regional Administrator established procedures for achieving (a), (b), and (c) above within 30 days of the effective date of these regulations and to submit progress reports quarterly thereafter. EPA will on a quarterly basis determine the progress being made in the implementation of salinity standards and the implementation plan.

(e) Article 6, Part 2 is amended as follows:

(1) Reg. 6-2-6.11 shall read:

Reg. 6-2-6.11 Nutrient Standards. A. The mean annual total phosphate and mean annual total nitrate concentrations of the following waters shall not exceed the values given below nor shall the total phosphate or total nitrate concentrations of more than 10 percent of the samples in any year exceed the 90 percent values given below. Unless otherwise indicated, values apply to tributaries to the named waters.

<table>
<thead>
<tr>
<th>Total phosphate as P</th>
<th>Total nitrate as NO₃⁻</th>
<th>Mean 60 percent annual value</th>
<th>Mean 90 percent annual value</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.04</td>
<td>0.06</td>
<td>4</td>
<td>7</td>
</tr>
<tr>
<td>0.06</td>
<td>0.10</td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td>0.08</td>
<td>0.12</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>0.10</td>
<td>0.15</td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td>0.10</td>
<td>0.20</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>0.10</td>
<td>0.30</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>0.10</td>
<td>0.40</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>0.20</td>
<td>0.30</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>0.30</td>
<td>0.50</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>0.30</td>
<td>0.60</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>0.30</td>
<td>0.80</td>
<td>15</td>
<td>15</td>
</tr>
</tbody>
</table>

B. The above standards are intended to protect the beneficial uses of the named waters. Regulations may, on or before July 22, 1976, file written objections with the

Any person adversely affected by this regulation may, on or before July 22, 1976, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street, SW, East Tower, Room 1019, Washington, DC 20460. Such objections should be submitted in quintuplicate and specify the provisions for the regulation deemed objectionable and the grounds for the objections. If a hearing is requested the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective: June 22, 1976.

40 CFR 180.259 is amended as set forth below.


EDWIN L. JOHNSON, Deputy Assistant Administrator
Title 40, Part 180, Subpart C § 180.259, is amended and revised as follows.

§ 180.259 Propargite: tolerances for residues.

Tolerances are established for residues of propargite (2-(p-tert-butylphenoxy) cyclohexyl 2-propynyl sulfite) in or on the following raw agricultural commodities.

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Parts per million</th>
</tr>
</thead>
<tbody>
<tr>
<td>Almonds</td>
<td>0.1</td>
</tr>
<tr>
<td>Almonds, hulls</td>
<td>50</td>
</tr>
<tr>
<td>Apples</td>
<td>3</td>
</tr>
<tr>
<td>Apricots</td>
<td>7</td>
</tr>
<tr>
<td>Beans, dry</td>
<td>0.2</td>
</tr>
<tr>
<td>Beans, succulent</td>
<td>20</td>
</tr>
<tr>
<td>Cattle, fat</td>
<td>0.1</td>
</tr>
<tr>
<td>Cattle, mxbp</td>
<td>0.1</td>
</tr>
<tr>
<td>Cattle, meat</td>
<td>0.1</td>
</tr>
<tr>
<td>Corn, fodder</td>
<td>10</td>
</tr>
<tr>
<td>Corn, forage</td>
<td>10</td>
</tr>
<tr>
<td>Corn, grain</td>
<td>0.1</td>
</tr>
<tr>
<td>Cottonseed</td>
<td>0.1</td>
</tr>
<tr>
<td>Cranberries</td>
<td>10</td>
</tr>
<tr>
<td>Eggs</td>
<td>0.1</td>
</tr>
<tr>
<td>Figs</td>
<td>0.1</td>
</tr>
<tr>
<td>Goats, fat</td>
<td>0.1</td>
</tr>
<tr>
<td>Goats, mxbp</td>
<td>0.1</td>
</tr>
<tr>
<td>Goats, meat</td>
<td>0.1</td>
</tr>
</tbody>
</table>

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
RULES AND REGULATIONS

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 1—PRACTICE AND PROCEDURE

Corporate Ownership Reporting and Disclosure by Broadcast Licensees

By the Commission: Commissioner Robinson absent.

BACKGROUND OF THE PROCEEDING

1. The Commission has under consideration comments filed in response to the Notice of Proposed Rule Making, adopted June 11, 1975, 40 FR 26542, which proposed to amend the Commission's ownership reporting rules (47 CFR 1.615) to provide that corporate broadcast licensees having fifty or less shareholders (hereinafter referred to as widely-held licensees) must report every three years at the licensee renewal time on the holdings of all officers, directors, and shareholders regardless of the size of the holdings. However, corporate broadcast licensees having more than 50 shareholders (hereinafter referred to as widely-held licensees) need report every three years only on the holdings of officers, directors, and one percent or more holders of the voting or non-voting stock. The current rule, however, requires that a supplemental ownership report must be filed within 30 days after any change occurs in the previously reported information for both widely-held and widely-held corporate licensees.

2. The Notice proposed to change the definition of widely-held corporate licensee to any corporation having 500 or more stockholders and to require that these widely-held licensees file annual ownership reports on their stockholdings of officers, directors, and one percent or more shareholders of its voting stock. These widely-held licensees would no longer be required to submit supplemental ownership reports, except to report changes in directors or principal officers (i.e., those officers having duties pertaining to broadcasting operations) within 30 days of such change. The Notice also proposed to require licensees to report on the stockholdings of officers, directors, and certain shareholders in other broadcast and non-broadcast corporations and to describe various types of debt instruments issued by licensees. Commenting parties supported the proposal.

3. We would like to point out that this First Report and Order is not intended to dispose of all of the issues raised in the Notice of Proposed Rule Making. We believe, with the suggestion of many commenting parties in this proceeding (NBC, ABC, WGN Continental Broadcasting, Rust Craft, American Business Association, G.E. Broadcasting, and Financial Services (Bar Association)) that most of the issues should be the subject of future Commission action so that the Commission may itself determine what information is required, whether the information is required to be held in the possession of dealers, brokers, or others, and in what form. However, for reasons to be explained below, we have decided to adopt a new reporting procedure for widely-held licensees on an interim basis until we have had an opportunity to consider further all of the issues involved in this docket in light of the Commission's findings regarding the Securities and Exchange Commission's "beneficial ownership" proceedings, which was begun on August 29, 1975 (40 FR 4212). The proposed SEC rules would impose certain reporting requirements directly on stockholders rather than on the reporting publicly held companies, define "beneficial ownership" more precisely than we have in the past, and establish a higher reporting benchmark (i.e., 5 percent) than our present and proposed 1 percent level. We believe that this deferral until the SEC has determined what information is required from publicly held companies will serve the goals of simplified reporting and uniformity among agencies. However, for reasons to be explained below, we have decided to adopt a new reporting procedure for widely-held licensees on an interim basis until we have had an opportunity to consider further all of the issues involved in this docket in light of the Commission's findings regarding the Securities and Exchange Commission's "beneficial ownership" proceedings. In addition, we are continuing to observe with interest the actions of other regulatory agencies with regard to uniformity of corporate reporting.

DEFINING A WIDELY-HELD CORPORATION

4. As mentioned in paragraph 3 above, the proposed rule provides that corporate licensees having 500 or more stockholders will file annual ownership reports on the stockholdings of officers, directors, and one percent or more holders of the voting or non-voting stock. The current rule requires that a supplemental ownership report must be filed within 30 days after any change occurs in the previously reported information for both widely-held and widely-held corporate licensees.

5. We conclude that the definition of a widely-held corporation should continue to be any corporation having more than 50 stockholders because this is the definition which is used in the Commission's multiple ownership rules and which was originally anticipated. In the companion Report and Order concluding the institutional ownership proceeding (Docket 20520), in that document we explained that the proposed rule would not be in the public interest because it would prevent many broadcasting companies from having fewer than 500 shareholders from obtaining capital that will assist in their growth. We also pointed out in the institutional ownership Report and Order that at the time the Notice in that proceeding, as well as the Notice in the present proceeding, were issued, we did not know that the number of broadcast licensees which have between 50 and 500 shareholders is about twice as large as originally anticipated.

ANNUAL REPORTING

6. The Notice proposed that a widely-held licensee shall file an annual ownership report for its company,1 on or before April 1 of each year and shall give the requested information as of December 31 of the previous year. As mentioned in paragraph 3 above, these widely-held licensees would no longer be required to file supplemental ownership reports within 30 days after any change in the reported information. The commenting parties all supported

1 Under the Notice's proposed rule, a "controlling" company or individual is one which has a 10 percent or greater "equity interest" in the licensee. The definition of "control" differs from the provisions of present section 1.615(a)(1)(iv)(b) of the Commission rules which set forth that a license must provide the same ownership information for any controlling company, or any company holding 25 percent or more of the licensee's outstanding voting or non-voting stock, as is required of the licensee. The decision on whether or not a controlling company or individual will be the subject of subsequent Commission action. In the interim, the present provisions of section 1.615(a)(1)(iv)(b) will continue to be operable.
the Notice’s concept of the establishment of a comprehensive once-a-year ownership report and the elimination of the present supplemental reports as needed improvements in existing procedures. Here I am in a position that the Comments of Broadstreet Communications et al., and Rust Craft) suggested that the annual reports should be filed at the end of a corporation’s fiscal year because, the Commission would be facilitated in that the annual reports would come in on a calendar basis and because the information to be reported would not be readily available to corporations which are not on a calendar year. In contrast, Lin Broadcasting, Inc., asked the Commission to require annual filing on or before September 1 of each year for holdings as of May 31 of that year because from January to April, the legal staff of many companies of Lin’s size are busy preparing the annual report to shareholders, proxy statements, and the annual SEC filings.

In order to reduce the burdensome reporting requirements on widely-held licensees, the Commission, in 1970, proposed to amend both the multiple ownership rules (§§ 73.35, 73.240, 73.620 which are identical) and the cable television cross-ownership rules (§ 76.501). These rules establish limitations for “ownership, operation, or control” of broadcast stations and cable systems in order to promote maximum competition as well as to promote diversity of programming sources and viewpoints. In Re Amendment of Multiple Ownership, 9 R.R. 1564, 1568 (1953). For purposes of the rules, as they apply to corporate broadcast licensees or cable systems, the Commission, for many years, considered that ownership of 1 percent or more of the stock of a corporate broadcast licensee or cable system having more than 50 voting shareholders constitutes a cognizable interest because of the belief that “owners of 1 percent of the stock may have considerable influence in determining policies of a broadcast or cable corporation.” Id. at 1568.

However, for reasons to be explained below, the Commission subsequently raised the benchmark for certain institutional investors. In 1968, the Commission increased the 1 percent benchmark to 3 percent for investment companies as defined by section 80(a)(3) of the Investment Company Act of 1940. Report and Order, 15627, 13 F.C.C. 2d 357, 369–70 (1968). In 1972, the Commission amended the multiple ownership rules by raising the benchmark for banks from 1 percent to 5 percent for the stock of a corporation or cable system having more than 50 voting shareholders, held by banks in their trust departments in trust accounts, but the cable television cross-ownership rules were not amended to apply the 5 percent benchmark to bank holdings in cable systems. Report and Order, Docket No. 1751, 34 F.C.C. 2d 889 (1972).

1. In order to equalize the institutional ownership benchmarks, the Notice proposed to amend both the multiple owner-
The multiple ownership rules consist of two main parts, commonly referred to as the "duopoly" and "seven-station" rules, which are aimed at concentration of control of broadcast licensees on both a local (or regional) and a national level respectively. The duopoly rule originally prohibited "ownership, operation, or control" of two or more stations in the same broadcast service. The modified duopoly rule was extended to prohibit cross-ownership of two or more stations in different broadcast services if a specified concentric-county area was encompassed by the community of license of the other station. (See the Notice for a discussion of the concentric-circle rule.)

Even more recently, the duopoly rule was further modified to proscribe common ownership of a daily newspaper and a broadcast station if the community of publication of the newspaper is encompassed by the specified contour of the broadcast station. This modification also required divestiture of newspaper-broadcast combinations under certain circumstances. (See Report and Order, 50 F.C.C. 2d 1919 (1974), by Members of the Commission and Opinion and Order, 28 F.C.C. 2d 662 (1971).)

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INSURANCE COMPANIES

5. As pointed out in paragraph 3 above, the Notice proposed to increase the benchmark for insurance companies from 1 percent to 5 percent for broadcast or cable stock held in the insurance companies' separate segregated accounts. The parties propose that the 5 percent benchmark should continue to be applied to broadcast, cable, and newspaper companies having more than 50 voting stockholders.

*In the related ownership reporting proceedings, the Commission today reaffirmed that the definition of a "widely-held corporation" for purposes of the ownership reporting rule will continue to be any corporation having more than 50 stockholders. See Report and Order, Docket No. 30581, pars. 4-5 (1970).*

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the 5 percent benchmark is applied to both general and special accounts, property and liability insurance companies, who constitute a significant potential source of capital for broadcast and cable companies. (1) Any general accounts or special accounts, and not aggregates of stock, will be restricted to a 1 percent benchmark; (2) the Commission has not previously distinguished between separate and general account stock holdings; and (5) stock insurance law and special accounts in regard to how have not differentiated between general much stock an insurance company can acquire in a particular corporation.

8. We believe that the above arguments are valid, and consequently, the amendments to the multiple ownership and cable television cross-ownership rules are hereby changed to delete any reference to separate segregated accounts. The public interest will best be served by treating insurance companies in the same manner as banks and investment companies.

RAISING OF THE BENCHMARK TO 5 PERCENT

9. The Notice (para. 56-58) proposed using 5 percent as the standard for determining a cognizable ownership interest for insurance companies, banks, and investment companies. Almost all commentaries support this proposal. The reason most frequently suggested for adoption of the increased benchmark is that banks, insurance companies, and investment companies are "passive" investors who cannot exercise managerial influence over their portfolio companies. Most commentators point out that the charters and prospects of these institutional investors as well as state and federal regulation limit the amount of stock they can purchase in any one company. Consequently, these parties believe that banks, insurance companies, and investment companies are "passive" investors who all play the same passive investment role, should be subject to the same benchmark. Also, these commentators recognize that it is a reasonable and realistic benchmark because it will have a beneficial effect on the degree of investment in the broadcast and cable businesses and at the same time will guard against any undue concentration of control. However, several parties (Investment Company Institute, Association of Closed-end Investment Companies, Mass. Financial Services, and T. Rowe Price Associates) urge the Commission to adopt a 10 percent benchmark for investment companies. In addition, one party (RKO) wants the 5 percent benchmark applied not only to banks, investment companies, and insurance companies but also to other investors as a general ownership standard.

10. In contrast, the National Citizens Committee for Broadcasting (NCCB) requests the Commission to abstain from adopting the 5 percent benchmark because they believe that these institutional investors are not "passive." NCCB refers to a study conducted in 1966 by the Securities and Exchange Commission for the House Committee on Interstate and Foreign Commerce which showed that because mutual funds are sufficiently important shareholders, the views of mutual fund managers on the policies of portfolio companies are given a favorable hearing by the management of portfolio companies. As an example of the possible effect of such influence, NCCB points out that if the board of directors of a mutual fund were debating the question of not paying a dividend this year so that more earnings could be channeled into improved facilities and better local programming, the threat by a large institutional investor to sell 5 million dollars worth of the broadcast company's stock and to depress its value might influence the board to issue the dividend. NCCB also adds that cross-directorships where officers or directors of institutional investors serve as directors of broadcast licensees are another way in which the institutional influence is held by the board of directors of broadcasters. NCCB believes that these influences by institutional investors on the management of portfolio companies take institutional investors outside of the ambit of being passive investors.

11. Senator Lee Metcalf (D-Mont.) submitted comments (which were generally supported in informal comments by Citizens for Responsible Broadcasting, Pennsylvania, et al.) requesting deferral of the decision to raise the benchmark to 5 percent until the Commission has considered the Model Corporate Disclosure Regulations and has adopted new disclosure rules as part of the proceeding in Docket 20521. Senator Metcalf believes that this delay would enable the Commission to collect more accurate information about insurance companies, banks, and investment companies which should be considered before raising the benchmark to 5 percent. Senator Metcalf is also concerned that an institutional investor is not "passive" as long as it can vote, buy, or sell a substantial block of stock of a portfolio company.

12. Since it is our judgment that we have sufficient information upon which to make a reasonable decision, we are now amending the multiple ownership and cable television cross-ownership rules by adopting a 5 percent benchmark for insurance companies, banks, and investment companies. We believe that increasing the benchmark for these institutions is in the public interest because it will enable the private pension fund and is managed by the financial manager of an investment company. The Notice further proposed to apply a 1 percent benchmark to each pension fund managed by the financial manager of an investment company. These proposals were tentative made in recognition of the fact that the financial manager of an investment company only has a revocable proxy right to vote the stock which is owned by the pension fund. Since the ultimate voting power is vested in the pension fund, through revocation of the proxy, the proposal attributes cognizable ownership interest to the pension fund rather than to the financial manager of the investment company. The Notice further established a 5 percent benchmark for each pension fund managed by the investment company's financial manager.

INVESTMENT COMPANIES

13. The Notice (para. 55) proposed that for purposes of applying the 5 percent benchmark the Commission should not aggregate broadcast stock owned by an investment company (i.e., a mutual or a closed-end investment company) with stock which is owned by a private pension fund and is managed by the financial manager of an investment company. The Notice further proposed to apply a 1 percent benchmark to each pension fund managed by the financial manager of an investment company. These proposals were tentative made in recognition of the fact that the financial manager of an investment company only has a revocable proxy right to vote the stock which is owned by the pension fund. Since the ultimate voting power is vested in the pension fund, through revocation of the proxy, the proposal attributes cognizable ownership interest to the pension fund rather than to the financial manager of the investment company. The Notice further established a 5 percent benchmark for each pension fund managed by the investment company's financial manager.

14. The commenting parties (Investment Company Institute, Investors Di-
Association of Closed-end Investment Companies support the Commission's proposals. These parties point out that since many investment companies, acting through their financial managers, do not own stock owned by outside funds, it is reasonable for the Commission not to aggregate said stock with the broadcast stock actually owned by investment companies. In addition, one party (the Investment Company Institute) suggests that each pension fund managed by an investment company's financial manager should be allowed to own 10 percent of the stock of a broadcast, cable, or newspaper company before the pension fund is considered to have a cognizable ownership interest.

15. However, on further consideration of the matter, we shall now aggregate broadcast, cable, or newspaper stock owned by an investment company with stock of a private pension fund which can be owned by an investment company under state securities laws, each investment company having a common financial manager, the majority of the board of directors of each investment company which it manages. Because the stock owned by investment companies under common management is voted by a single manager, we feel that aggregation is precluded but suggests that if the common financial manager is also the principal underwriter for its investment companies, then holdings should not be aggregated because under Section 10(b) (2) of the Investment Company Act of 1940, less than a majority of the board of directors of each investment company can be interested persons of the common investment adviser.

17. We now reaffirm our policy of aggregating holdings of investment companies under common management. As the commentators point out, the Investment Company Act of 1940 permits the investment manager of investment companies or persons affiliated with the managers to have 60 percent representation on the board of directors of an investment company. However, the principal underwriter of the investment company, the manager can control 50 percent of the board of directors. This means that the financial manager has either direct control or veto power over the board of directors of each investment company which it manages. Because the stock owned by Investment companies under common management is voted by a single manager, we feel that aggregation is necessary to prevent undue concentration of control in broadcast, cable, and newspaper corporations. We further believe that if the 5 percent benchmark as opposed to the suggested 10 percent or 15 percent standard, should be applied to these aggregated holdings to insure that broadcast, cable, and newspaper companies will be free from control by investment companies under common management.

18. Two commenting parties (American Bankers Association and Security Pacific National Bank) propose that the Commission eliminate the portion of Note 4 of the multiple ownership rules which provides that "holdings by investment companies under common management shall be aggregated." These parties point out that federal regulation protects against concerted attempts by investment companies under common management to alter the composition or influence over the management of a portfolio company. Specifically, they explain that the Investment Act of 1940 requires investment companies having a common financial manager, the majority of the board of directors of each such investment company composed of directors unaffiliated with the common financial manager. These parties also argue that under federal and state securities laws, each investment company is allowed to own up to 10 percent of a portfolio company regardless of whether or not said investment company is part of a complex of investment companies under common financial management. However, in the event the Commission reaffirms its policy of aggregating holdings of investment companies under common management, these parties propose in the alternative that the Commission adopt a 5 percent or 15 percent benchmark for the aggregate holding of all funds under common management. Finally, one party (Investors Diversified Services) agrees that holdings by investment companies under common management should be aggregated but suggests that if the common investment adviser is also the principal underwriter for its investment companies, then holdings should not be aggregated because under Section 10(b) (2) of the Investment Act of 1940, less than a majority of the board of directors of each investment company can be interested persons of the common investment adviser.

19. We believe that banks, like investment companies and insurance companies, should be subject to a 5 percent benchmark as to all stock over which the bank has any voting power. Since our goal in this proceeding is to treat banks, investment companies, and insurance companies equitably, we feel that no compelling reason has been shown to us for treating banks different from insurance and investment companies. As long as these institutional investors have the power to vote a substantial block of stock, there is a potential for concentration of control of broadcast, cable, and newspaper companies which can only be prevented by aggregating all stock which these parties vote. In addition, although not written into the amended rules adopted today, we shall upon application temporarily waive the 5 percent ownership benchmark for banks when they involuntarily receive a large block of stock placing them above the benchmark provided that the banks voluntarily divest the stock and submit a reasonable plan for speedy divestiture.

Miscellaneous Matters

Disclaimers

20. The Notice (para. 54) proposed eliminating the requirement that banks, insurance and investment companies file with the Commission disclaimers of intent to control the management or policies of portfolio companies before they can take advantage of the 5 percent benchmark. However, the proposed Notes 4 and 5 of the multiple ownership rules and proposed Note 3 of the cable television cross-ownership rules state that the 5 percent benchmark applies to banks, insurance companies, and investment companies provided they "exercise no control over the management of portfolio companies before they can take advantage of the 5 percent benchmark." However, the proposed Notes 4 and 5 of the multiple ownership rules and proposed Note 3 of the cable television cross-ownership rules state that the 5 percent benchmark applies to banks, insurance companies, and investment companies provided they "exercise no control over the management or policies of the corporation" invested in. All commenting parties except Metromedia are in favor of this proposal.

Metromedia objects to the proposal because this system has worked well in the past and because the disclaimer provides a ready reference in the licensee's ownership file in the event some question arises in regard to the investor's holdings.

21. We hereby adopt the Notice's proposal eliminating the need to file a disclaimer.
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claim, We believe that the proviso in the proposed notes requiring banks, investment and insurance companies not to exercise control over portfolio companies will work as well as the disclaimer did and was intended to do in the present case. These institutions, institutional investors and the Commission. In addition, the proposal eliminates the inequitable treatment of banks and investment companies under the present notes which require banks to file disclaimers but not mutual funds who have disclaimer language in their prospectuses.

ACTINA'S PROPOSAL

22. Actina Life & Casualty Company requests the Commission to rule on its particular situation. Actina's wholly owned subsidiary, Actina Investment Management, is the financial manager of two mutual funds. The parent company, Actina Life & Casualty, owns 20.55 percent and 3.83 percent of the stock of both of these mutual funds respectively. The question arises as to whether or not the holdings of the mutual funds managed by Actina's wholly owned investment management company. We believe, for the same reasons mentioned in paragraph 17, above, that aggregation is necessary because Actina actually has voting control over the broadcast, cable, and newspaper stocks owned by itself as well as the stock owned by the two mutual funds which are in effect, managed by Actina Life & Casualty. To do otherwise would enable Actina to vote blocks of stock in excess of five percent in any given broadcast, cable, or newspaper company and could create situations of undue concentration of control in these companies.

CLAIRIFICATION OF THE MEANING OF “INVESTMENT COMPANY”

23. The Association of Closed-End Investment Companies (Association) requests the Commission to clarify the meaning of “investment company” as defined in section 80(a) (3) of the Investment Company Act of 1940, as amended, in applying the provisions of paragraphs (a), (b) and (c) of this section to the stockholders of a corporation which has more than 50 voting stockholders, only those stockholders need be considered who exercise control over portfolio companies or indirectly own 1 percent or more of the outstanding voting stock.

Note 5.—In applying the provisions of paragraphs (a), (b) and (c) of this section to the stockholders of a corporation which has more than 50 voting stockholders, an insurance company need be considered only if it owns 5 percent or more of the outstanding voting stock. That the bank or insurance company exercises no control over the management or policies of the corporation, Holdings by investment companies under common management shall be aggregated.

Note 6.—In calculating the percentage of ownership of voting stock under the provisions of this section on a corporate daily newspaper as it owns of outstanding voting stock of the corporation standing between it and the licensee corporation or corporate daily newspaper. If a bank, insurance company, need not be considered under the 5 percent rule.

Appendix A

Part 73 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

§ 73.35 Multiple ownership.

We agree with the Association and consequently remove the phrase “commonly called a mutual fund” from the above cited notes.

THE TIAA/CREF PROBLEM

24. The Teachers Insurance and Annuity Association of America (TIAA) and College Retirement Equities Fund (CREF) are sister non-profit institutions which were organized to provide insurance policies and variable pension plans respectively for 400,000 employees in 2,800 educational institutions. TIAA will be able to take advantage of the 5 percent benchmark because it is an insurance company; however, CREF petitions for a declaration that it be subject to the 5 percent benchmark also. CREF is not an “investment company” within the meaning of the Investment Company Act and thus is governed by the 1 percent benchmark. However, in 1973, the Commission decided to permit CREF to be subject to the 3 percent benchmark because CREF “has many of the indicia of a mutual fund * * * and does not invest in securities or exercise control over portfolio companies.” 35 F.C.C. 2d 885 (1972). We shall continue to treat CREF like an insurance company and to allow CREF to take advantage of the 3 percent benchmark. Our action is based on the fact that CREF is a passive investor and a unique institution which performs a valuable service to employees of educational institutions in that these employees are able to purchase fully vested pension plans while working for one educational institution and later to become employees of different educational institutions without loss of benefits.

25. Authority for the adoption of rules concerning the matters involved in this proceeding is contained in sections 4(1) and 303 of the Communications Act of 1934, as amended.

26. In view of the foregoing, it is ordered, That effective July 26, 1976, §§ 73.35, 73.240, 73.836 and 76.501 of the Commission's rules and regulations are amended as set forth in Appendix A.

27. It is further ordered, That this proceeding is terminated.


Adopted: June 10, 1976.

Released: June 18, 1976.

FEDERAL COMMUNICATIONS COMMISSION, VINCINT J. MULLINS, Secretary.

APPENDIX A

Part 73 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. In § 73.35, Note 5 is redesignated Note 6; Note 6 is redesignated Note 5; and Notes 3 and 4, and Notes 5 and 6 as redesignated, and Note 7 are amended to read as follows:

§ 73.35 Multiple ownership.

* * *

Note 5.—Except as provided in Notes 4 and 5 of this section, in applying the provisions of paragraphs (a), (b) and (c) of this section to the stockholders of a corporation which has more than 50 voting stockholders, only those stockholders need be considered who exercise control over portfolio companies or indirectly own 1 percent or more of the outstanding voting stock.

Note 6.—In applying the provisions of paragraphs (a), (b) and (c) of this section to the stockholders of a corporation which has more than 50 voting stockholders, an insurance company need be considered only if it owns 5 percent or more of the outstanding voting stock. That the bank or insurance company exercises no control over the management or policies of the corporation, Holdings by investment companies under common management shall be aggregated.

Note 5.—In applying the provisions of paragraphs (a), (b) and (c) of this section to the stockholders of a corporation which has more than 50 voting stockholders, a bank holding stock through its trust departments or other financial services, an insurance company need be considered only if it owns 5 percent or more of the outstanding voting stock. That the bank or insurance company exercises no control over the management or policies of the corporation, Holdings by investment companies under common management shall be aggregated.

Note 5.—In applying the provisions of paragraphs (a), (b) and (c) of this section to the stockholders of a corporation which has more than 50 voting stockholders, a bank holding stock through its trust departments or other financial services, an insurance company need be considered only if it owns 5 percent or more of the outstanding voting stock. That the bank or insurance company exercises no control over the management or policies of the corporation, Holdings by investment companies under common management shall be aggregated.

Note 7.—In cases where record and beneficial ownership of voting stock of a corporate broadcast station licensee or corporate daily newspaper which has more than 50 voting stockholders are not identical, e.g., bank nominees holding stock as record owners for the benefit of mutual funds, brokerage houses holding stock in street names for the benefit of mutual funds, brokerage houses holding stock as record owners for the benefit of designated parties, and insurance companies holding stock, the party having the right to determine how the stock will be voted is considered to own it for the purposes of these rules.
and Notes 3 and 4, and Notes 5 and 6, as redesignated, and Note 7 are amended to read as follows:

§ 73.2410 Multi-ple ownership.

Note 3.—Except as provided in Notes 4 and 5 of this section, in applying the provisions of paragraphs (a) (1), (a) (2), and (c) of this section to the stockholders of a corporation whose stockholders are not identical, e.g., bank nominees holding stock in street names for the benefit of customers, trusts holding stock in street names for the benefit of designated parties, and insurance companies holding stock in street names for the benefit of customers, trusts holding stock as record owners for the benefit of mutual funds, brokerage houses holding stock for clients, etc., the party having the right to determine how the stock will be voted will be considered to own it for the purposes of these rules.

3. In § 73.636, Note 5 is redesignated Note 6; Note 6 is redesignated Note 5; and Notes 3 and 4, and Notes 5 and 6, as redesignated, and Note 7 are amended to read as follows:

§ 73.636 Multi-ple ownership.

Note 3.—Except as provided in Notes 4 and 5 of this section, in applying the provisions of paragraphs (a) (1), (a) (2), and (c) of this section to the stockholders of a corporation which has more than 50 voting stockholders, an investment company as defined in 15 U.S.C. section 80a-3 need be considered only if it directly or indirectly owns 5 percent or more of the outstanding voting stock, only those stockholders need be considered who are officers or directors or who directly or indirectly own 1 percent or more of the outstanding voting stock.

N ote 4.—In applying the provisions of paragraphs (a) (1), (a) (2), and (c) of this section to the stockholders of a corporation which has more than 50 voting stockholders, a bank or insurance company has any right to determine how the stock will be voted, Provided, however, That the investment company exercises no control over the management or policies of the corporation. Holdings by investment companies under common management shall be aggregated.

Note 5.—In applying the provisions of paragraphs (a) (1), (a) (2), and (c) of this section to the stockholders of a corporation which has more than 50 voting stockholders, a bank, insurance company or any investment company as defined in 15 U.S.C. section 80a-3 need be considered only if it directly or indirectly owns 5 percent or more of the outstanding voting stock, Provided, however, That the bank or insurance company or investment company exercises no control over the management or policies of the corporation. Holdings by banks or insurance companies shall be aggregated as it owns of outstanding voting shares of the company standing between it and the bank or insurance company as defined in 15 U.S.C. section 80a-3 need be considered only if such bank or insurance company directly or indirectly owns 5 percent or more of the outstanding voting stock, Provided, however, That the bank or insurance company exercise no control over the management or policies of the corporation, the bank or insurance company or investment company need be considered only if officers or directors of the intermediate company have any right to determine how the stock will be voted.

Note 6.—In calculating the percentage of ownership of voting stock under the provisions of Notes 4 and 5, if an investment company, bank or insurance company, directly or indirectly owns voting stock in a company which in turn directly or indirectly owns 50 percent or more of the voting stock of a company which in turn directly or indirectly owns a bank, insurance company or daily newspaper, the investment company, bank or insurance company shall be considered to own the same percentage of outstanding voting shares of the company standing between it and the intermediate company: Provided, however, That such holdings need not be considered where the intermediate company owns less than 50 percent of the voting stock, but officers or directors of the intermediate company who are representatives of the intermediate company shall be deemed to be representatives of the investment company, bank or insurance company.

Note 7.—In cases where record and beneficial ownership of voting stock of a corporate broadcast station licensee or corporate daily newspaper, the holding of the investment company, bank or insurance company, need not be considered under the 5-percent rule, but, officers or directors of the intermediate company shall be deemed to be representatives of the investment company, bank or insurance company.
The Commission has under consideration its Notice of Proposed Rule Making adopted September 24, 1975, in the above-entitled matter to provide for the licensing of ship earth stations in the maritime mobile-satellite service which was published in the Federal Register on October 3, 1975 (40 FR 45850). The dates for filing comments and reply comments thereto have passed.

2. All comments and reply comments have been fully considered and the major points raised will be discussed herein. Comments were submitted by the following parties:

- Allstate Insurance Company
- Atlantic Richfield Company (ARCO)
- Central Committee on Telecommunications of the American Petroleum Institute (API)
- Columbia Broadcasting System (CBS)
- Continental Illinois National Bank
- GTE Satellite Corporation (GTESC)

- Magnavox
- MARISAT participants—COMSAT General Corporation (COMSAT General), RCA Communications, Inc. (RCA), United States Lines, and ITT World Communications, Inc. (ITT).

Reply comments were submitted by the American Radio Officers Union, AFL-CIO, and the Radio Officers Union, AFL-CIO. The Office of Telecommunications Policy of the Executive Office of the President has also commented in this proceeding.

3. Only issues pertaining to certain technical requirements, eligibility, station licensing, and operator licensing are addressed in this order. A second report and order will be released at a later date which will consider the remaining issues. Responses to our notice indicate that retention of flexibility to encourage the development of the maritime mobile-satellite service is a desirable objective of any rules which the Commission may adopt. Comments take issue with certain proposed technical requirements. In our notice on the basis that these are unnecessarily strict and would tend to frustrate development and add unnecessarily to the cost of ship station equipment. In addition, API suggests that the Commission broaden its eligibility requirements to include licensing of communications subsidiaries and to provide for the operation of earth stations at temporary locations under a ship earth station license. Further, responses to our operator licensing proposal were divided sharply, with labor unions supporting the Commission's proposals and the shipping industry opposing it as unduly restrictive on the basis that the operator of ship earth station equipment to be used in the system will not have access to controls which could effect station parameters such as the transmitter frequency, power output or stability. Thus minimum P-2 licensing requirements ought not to apply. Finally MARISAT participants have questioned the need for certain specificities of communications proposed by the Commission.

4. In its notice the Commission did not propose to impose type approval or type acceptance requirements on equipment authorized to operate in the MARISAT system in the frequency bands available under its proposed rules in the full scope of development might be encouraged. The notice did, however, propose certain technical standards to minimize intersystem and intrasystem interference. Responses to our notice indicated the desirability of encouraging flexibility to promote development and we agree with this objective. Accordingly, pending further operational experience in maritime satellite systems and further rule making only technical requirements pertaining to frequency tolerance, classes of emission, authorized bandwidth, transmitter power, and emission limitations are being adopted. The proposed technical requirements included in the Commission's Notice of Proposed Rule Making are being adopted subject to modification and comment. In its technical requirements the MARISAT participants opposed the Commission's proposal on the basis that such limitations are 9dB more stringent than those contained in its technical requirements for MARISAT mobile terminals and that these requirements were developed through careful study of potential intersystem and intrasystem interference possibilities. The Commission has agreed to the proposed spurious emission limitations on a Department of Commerce's Office of Telecommunications technical specification. The Office of Telecommunications, has advised the Commission that the spurious emission suppression levels proposed by the MARISAT participants would afford sufficient protection. Accordingly, the Commission adopts the proposal noting that the MARISAT participants' filing replaces the band 1636.5 to 1644 MHz by 1634 MHz to 1647.5 MHz for the 60 dB attenuation value. MARISAT participants also objected to the Commission's limiting ship earth stations to P3, F9, P0 and F9 emissions. In the absence of any supporting reasons for its objections, the Commission believes that these designators will suffice for emissions contemplated in the maritime satellite systems for the foreseeable future. Thus, we adopt these rules as proposed. Proposed technical requirements as to frequency tolerance, authorized bandwidth and transmitter power met with no objection and are adopted.

5. Although the Commission will not, at this time adopt ship earth station standards for antenna performance, antenna axial ratio or receiver noise temperatures, this does not mean that we will not be more specific in future rule making as our experience is gained with an operating maritime satellite system. For example, the Commission encourages operation of ship earth stations at elevation angles below 10°, to determine what multi-path interference may exist and what effect, if any.
such interference may have on user service. Full information as to problems and results experienced in the operating system will be necessary to aid the Commission in its efforts, and extensive comments and reports from licensees in these respects will be most useful.

ELIGIBILITY REQUIREMENTS

6. Turning to the question of eligibility, AFI has requested that the Commission in addition to authorizing the ownership of ships permitted any qualified 'member' of a corporate 'family' to obtain a station authorization allowing it to provide the actual user entity with a non-profit radio communications service.7 Such provision would allow the communication subsidiary corporations utilized by many petroleum and gas companies that own or operate ships, to be the licensee. Since this is consistent with licensing arrangements in the maritime mobile service, the Commission agrees. AFI also suggests that the Commission consider including provision for the temporary participation by merchant marine owners or operators aboard and these will likely be persons possessing qualifications of at least a P-2 type license. Most other parties contend that the operator of the station will only be able to perform limited functions either by being a member of a corporate 'family' or by a third class radiotelephone operator's license; that he cannot adjust the transmitter power, transmit frequency or emissions which are controlled, assigned or adjusted at the shore based earth station; that a requirement for first or second class operator license will likely eliminate the satellite option for many smaller vessels of less than 100 tons gross, since such vessels have limited living quarters and could not economically justify a full time radio officer; and that only if satellite equipment becomes compulsory and replaces radiotelegraph equipment on ships to meet the Safety of Life at Sea requirements, should the Commission consider a second class radiotelephone license as a minimum to operate the station. All parties agree that functions such as satellite terminal installation, maintenance and repair must be performed by, or under the supervision of, the holder of at least a radiotelephone second-class operator permit.

OPERATOR LICENSING

7. In proposing that operators of ship earth stations hold at least a second class radiotelephone license,1 the Commission had considered the need for flexibility in the operation of stations, while at the same time we recognized that satellite communications to and from ships is an emerging service which will likely require special skills, particularly in the maintenance and repair of ship terminal equipment. Also, we considered that larger vessels will already have a first or second class operator aboard and these will likely be the kinds of vessels to be initially outfitted with satellite terminals. The American Radio Association, (ARA), AFL-CIO and the Radio Officer’s Union, (ROU), AFL-CIO have supported the Commission’s proposal, stating that the second class license is the minimum technical type license for which an applicant must possess, as qualifications, a knowledge of electricity and radio sufficient to station, available and repair telecommunications equipment, and that maintenance needed to keep equipment in operational condition and restore it to operational condition if it malfunctions, be performed by a holder of a person possessing qualifications of at least a P-2 type license. Most other parties agree that is only possible by a third person possessing qualifications of at least a P-2 type license. Most other parties contend that the operator of the station will only be able to perform limited functions. By operation of the rule on frequency control, call priority and antenna orientation—functions which appropriately may be performed by unhindered persons or, at most, by persons holding a third class radiotelephone operator's license; that he cannot adjust the transmitter power, transmit frequency or emissions which are controlled, assigned or adjusted at the shore based earth station; that a requirement for first or second class operator license will likely eliminate the satellite option for many smaller vessels of less than 100 tons gross, since such vessels have limited living quarters and could not economically justify a full time radio officer; and that only if satellite equipment becomes compulsory and replaces radiotelegraph equipment on ships to meet the Safety of Life at Sea requirements, should the Commission consider a second class radiotelephone license as a minimum to operate the station. All parties agree that functions such as satellite terminal installation, maintenance and repair must be performed by, or under the supervision of, the holder of at least a radiotelephone second-class operator permit.

8. Reply comments of ARA/ROU opposed the arguments of the other parties on the basis that such arguments blur or ignore the benefits of use of the ship earth station equipment and the operation and supervision of its use. It is the view of ARA/ROU that use of the ship earth station for communication to non-holders of P-2 licenses such as Deck Officers, passengers or others but that the operation and supervision of its use should be performed by holders of P-2 licenses or higher. In the view of ARA/ROU, adjustment, troubleshooting, maintenance and repair of equipment as well as operation and supervision of its operation are properly functions to be performed by holders of at least P-2 permits. Moreover, ARA/ROU state that present practice aboard vessels of the U.S. merchant marine, which have high frequency single sideband radiotelephone transmitters, is that the equipment is located in the radio room and is operated under the supervision of the holder of a second-class license which is P-2 or higher while such equipment is on the vessel’s bridge by Deck Officers.

9. The issue before the Commission with respect to operator licensing is whether functions which require a first or second class radiotelephone operator permit (RP) which requires no oral or written examination. In lieu thereof, applicants are required to certify in writing to a declaration which states that the applicant has need for the requested permit, can receive and transmit spoken messages, including facsimile, can keep at least a P-2 type license. Moreover, ARA/ROU state that present practice aboard vessels of the U.S. merchant marine, which have high frequency single sideband radiotelephone transmitters, is that the equipment is located in the radio room and is operated under the supervision of the holder of a license which is P-2 or higher while such equipment is on the vessel’s bridge by Deck Officers.

10. Accordingly, the Commission is adopting as a minimum operator requirement a restricted radiotelephone operator permit (RP) which requires no oral or written examination. In lieu thereof, applicants are required to certify in writing to a declaration which states that the applicant has need for the requested permit, can receive and transmit spoken messages, including facsimile, can keep at least a P-2 type license. Moreover, ARA/ROU state that present practice aboard vessels of the U.S. merchant marine, which have high frequency single sideband radiotelephone transmitters, is that the equipment is located in the radio room and is operated under the supervision of the holder of a license which is P-2 or higher while such equipment is on the vessel’s bridge by Deck Officers.

1. A radiotelephone third-class operator permit may be awarded to an applicant who demonstrates an ability to transmit and receive spoken messages, including facsimile, and passes a written examination comprising questions concerning elements of basic law, basic operating practices, and other matters particularly applicable to the operation of radiotelephone stations other than broadcast.

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9. The issue before the Commission with respect to operator licensing is whether functions which require a first or second class radiotelephone operator permit (RP) which requires no oral or written examination. In lieu thereof, applicants are required to certify in writing to a declaration which states that the applicant has need for the requested permit, can receive and transmit spoken messages, including facsimile, can keep at least a P-2 type license. Moreover, ARA/ROU state that present practice aboard vessels of the U.S. merchant marine, which have high frequency single sideband radiotelephone transmitters, is that the equipment is located in the radio room and is operated under the supervision of the holder of a license which is P-2 or higher while such equipment is on the vessel’s bridge by Deck Officers.

10. Accordingly, the Commission is adopting as a minimum operator requirement a restricted radiotelephone operator permit (RP) which requires no oral or written examination. In lieu thereof, applicants are required to certify in writing to a declaration which states that the applicant has need for the requested permit, can receive and transmit spoken messages, including facsimile, can keep at least a P-2 type license. Moreover, ARA/ROU state that present practice aboard vessels of the U.S. merchant marine, which have high frequency single sideband radiotelephone transmitters, is that the equipment is located in the radio room and is operated under the supervision of the holder of a license which is P-2 or higher while such equipment is on the vessel’s bridge by Deck Officers.

11. MARISAT participants have also suggested that § 83.177 which provides for an extensive priority communications system is unnecessary for a maritime
satellite system. It is argued that such a scheme was required as a result of congestion and delay in communications encountered in terrestrial services but, because of the communications capacity and reliability of the MARISAT system, the probability of satellite failure or loss is low. The importance of a message is very high. Although the MARISAT system does provide for assigning four different priorities to allow priority assignment of channels to different messages, the necessity for assigning messages priority over others is required, even at this early stage of operation. As a result, we have included in our rules a provision which affords distress, urgency and safety messages priority over others.

13. With respect to obtaining Commission licenses, applicants must file FCC Form 501 for authorization to use frequencies available under these rules.

14. In consideration of the foregoing, the Commission finds that amendment of its rules to permit the licensing and operation of ship earth stations in the maritime mobile-satellite service is in the public interest and should be approved.

Authority for the rule amendments adopted herein is contained in Sections 47 U.S.C. 303(b), (c), (d), (h) and (r) of the Communications Act of 1934. Accordingly, it is ordered, that, effective July 23, 1976, Part 83 of the Commission's Rules are amended as set forth below.

(See 4, 106 Stat., as amended, 1068, 1069; 47 U.S.C. 154, 106.)

Adopted: June 9, 1976.
Released: June 18, 1976.

FEDERAL COMMUNICATIONS COMMISSION, VINCENT J. MULLINS, Secretary.

Part 83 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. In § 83.2 paragraph (b) is amended and new paragraphs (w), (x), (y) and (z) are added to read as follows:

§ 83.2 General.

(w) Space Radiocommunication. Any radiocommunication involving the use of one or more space stations or the use of one or more passive satellites or other objects in space.

(x) Terrestrial Radiocommunication. Any radiocommunication other than space radiocommunication or radio astronomy.

(y) Terrestrial Station. A station effecting terrestrial radiocommunication.

(z) Terrestrial Communication. Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, visual or other electromagnetic systems.

2. Section 83.4 is amended by adding new paragraphs (t), (u) and (v) to read as follows:

§ 83.4 Maritime Radiodetermination Service.

(t) Radiodetermination-satellite service. A radiodetermination service involving the use of radiodetermination and the use of one or more space stations.

(u) Radiodetermination-satellite service. A radiodetermination-satellite service used for the same purposes as the radiodetermination navigation system; in certain cases this service includes transmission or retransmission of supplementary information necessary for the operation of the navigational system.

(v) Maritime radionavigation-satellite service. A radionavigation-satellite service in which mobile earth stations are located on board ships.

3. New § 83.8 is added to read as follows:

§ 83.8 Maritime mobile-satellite service.

(a) Mobile-satellite service. A radiocommunication service.

(1) Between mobile earth stations and one or more space stations; or between space stations used by this service.

(2) By one or more mobile earth stations-by means of one or more space stations; or

(3) And if the system so requires, for connection between these space stations and one or more earth stations at specified fixed points.

(b) Maritime mobile-satellite service. A mobile-satellite service in which mobile earth stations are located on board ships. Survival craft stations and emergency position indicating radio beacon stations may also participate in this service.

(c) Space system. Any group of cooperating earth and/or space stations employing space radiocommunication for specific purposes.

(d) Satellite system. A space system using one or more artificial earth satellites.
§ 83.131 Authorized frequency tolerances.

(a) Authorized frequency tolerances for ship earth stations in the maritime mobile-satellite service:

Frequency range:

Ship Earth Stations

<table>
<thead>
<tr>
<th>Band</th>
<th>Tolerance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1636.5–1644 MHz</td>
<td>+ 65 dB</td>
</tr>
<tr>
<td>1644–1645 MHz</td>
<td>+ 65 dB</td>
</tr>
</tbody>
</table>

(b) An amount equal to 43 dB plus 10 times the logarithm (to the base 10) of the transmit power in watts where the center frequency is removed from the assigned frequency by more than 250 percent of the authorized bandwidth;

(c) For transmitters operating in the band 1636.5–1644 MHz the peak power of spurious emissions and noise at the input to the transmit antenna shall be attenuated below the peak output power of the transmitter, in any 4 kHz band as follows:

- At 1535 MHz, 125 dB increasing linearly to 90 dB at 1622.5 MHz;
- 90 dB at 1622.5 MHz increasing linearly to 60 dB at 1634.0 MHz;
- 60 dB from 1634.0 MHz to 1647.5 MHz, except at frequencies near the transmitted carrier where the requirements of paragraphs (d)(1) through (d)(3) apply;
- 60 dB at 1647.5 MHz decreasing linearly to 90 dB at 1660 MHz;
- 90 dB at 1660 MHz decreasing linearly to 125 dB at 1750 MHz;
- 125 dB outside above range, except for harmonics which shall comply with paragraph 83.136(a)(3).

(d) Within the frequency bands 1636.5–1644 MHz the maximum Equivalent Isotropic Radiated Power (EIRP) by ship earth station in any direction in the horizontal plane or in the direction of the space shall not exceed +40 dBW in any 4 kHz band in the main beam, except upon a satisfactory showing of need for greater power, in which case a maximum of +65 dBW may be authorized. EIRP, dBW/4 kHz, refers to the equivalent radiated power in watts relative to an isotropic radiator per 4 kHz bandwidth.

10. In Section 83.136 paragraph (a) is amended and new paragraphs (d), (e), and (f) added to read as follows:

§ 83.136 Emission limitations.

(a) Except as otherwise provided in paragraphs (b), (c), (d), and (e) of this section, the mean power of emissions originating in transmitters authorized under this part (except radiotelegraph survival craft transmitters and transmitters authorized solely for developmental stations) shall be attenuated below the mean power of the transmitter in accordance with the following schedule:

- For transmitters operating in the bands 1636.5–1644 MHz the mean power of emissions shall be attenuated below the mean output power of the transmitter, in any 4 kHz band, as follows:

11. In § 83.139 paragraph (a) is amended and paragraph (g) is added to read as follows:

§ 83.139 Acceptability of transmitters for licensing.

(a) Except as provided by paragraphs (e), (d), (f), and (g) of this section, each radiotelephone transmitter authorized in a ship station or marine-utility station (other than transmitters authorized solely for developmental stations) must be type accepted by the Commission.

(b) Except as provided in paragraphs (a), (d) and (g) of this section, each radiotelephone transmitter authorized in a ship station or marine-utility station (other than transmitters authorized solely for developmental stations) shall be type accepted by the Commission.

(c) Pending the establishment of additional technical standards, type acceptance is not required for transmitters operating in the MARISAT system in the band 1636.5–1644 MHz; provided that, such equipment shall comply with all the technical standards contained in this subpart and that, information required in paragraph 83.51 of Subpart B is submitted with the application for license.

12. In § 83.152, paragraph (a) is amended to read as follows:

§ 83.152 Operator required.

(a) Except as otherwise provided in § 83.164, the actual operation of transmitting apparatus in any radio station in the maritime mobile, maritime mobile-satellite or maritime radiodetermination services on board a ship of the United States shall be performed only by a person holding a commercial radio operator license or permit of the required class. The minimum class of radio operator authorization required for operation of each specific classification of station is set forth in this subpart; subject, however, to the provisions of §§ 83.160, 83.161, and 83.162.
§ 83.841 Scope of communications.
Ship earth stations shall be used for communications related to the operation of ships and for public correspondence of persons on board.

§ 83.842 Order of priority of telecommunications.
The order of priority of telecommunications for ship earth stations on any frequency used for this service shall be:
(a) Distress calls.
(b) Urgency.
(c) Safety.
(d) General communications.

§ 83.843 Frequencies available.
(a) The frequency bands listed in the following table may be authorized to ship earth stations in the maritime mobile-satellite service. The conditions of use applicable to the respective bands are set forth in paragraph (b) of this section.

<table>
<thead>
<tr>
<th>Band (MHz)</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1626.5 to 1644</td>
<td>1, 2, 3, 6</td>
</tr>
<tr>
<td>1644 to 1645</td>
<td>2, 3, 4, 8</td>
</tr>
</tbody>
</table>

(b) Authorization to operate in the frequency bands designated in paragraph (a) of this section shall be subject to the express limitations and conditions set forth in this paragraph.

(c) The use of the band 1636.5-1644 MHz is limited to transmissions from ship earth stations in the maritime mobile-satellite service to space stations for communication and/or radiodetermination purposes.

(d) Authorized for developmental operations only.

(e) The use of the band 1644-1645 MHz is limited to transmissions from earth to space stations in the aeronautical mobile-satellite (R) and maritime mobile-satellite (M) services for communication and/or radiodetermination purposes. The use of this band is subject to prior operational coordination between the two services.

(f) Network pilot transmissions may be used in the band 1636.5-1644 MHz as necessary to provide translation frequency error compensation and signal level compensation.

1. On December 16, 1974, the Commission released a notice of proposed rulemaking in this proceeding which was published in the Federal Register on December 20, 1974, (39 FR 44042). Comments were due July 16, 1975, and reply comments by July 16, 1976. The due dates for both comments and reply comments were extended, and the final cut-off dates were set at July 16, 1976, and September 1, 1976, respectively.

2. The purpose of the notice was to consolidate into one rulemaking proceeding the many petitions we had received which dealt one way or another with changing the structure of the Amateur Radio Service. We recognized that the requests found in the petitions were often interrelated, and should not be handled on a piecemeal basis. For this reason, we undertook a fundamental review of the entire structure of the Amateur service and proposed various changes in that structure.

3. The major proposed rule changes contained in the Notice were the following:

(a) Creation of a “dual ladder” licensing structure.
(b) Creation of a Communicator Class license having no telegraph privileges or examination requirement;
(c) Establishment of new power limits based on transmitter peak envelope power output;
(d) New restrictions on licenses obtained by means of a volunteer-administered mail examinations;
(e) Issuance of Amateur Extra Class operator licenses; and
(f) Modification of the frequencies and modes available to certain license classes.

4. An estimated 4,000 comments and reply comments were filed in this Docket. They ranged from postcards to multi-page typewritten statements, often with signatures of several people affixed or, in some cases, with comments coupled with suggested revisions thereto. All of these comments have been read and carefully considered. Also, in addition to these documents, we have closely examined all proposals elicited by the American Radio Relay League (ARRL) which elicited responses from many thousands of that organization’s members.

5. Because of severe manpower and time restrictions brought about by the recent surge in Citizens Radio Service applications, we are unable at this time to undertake the preparation of a comprehensive Report and Order which would address all of the issues raised in the Notice. We are therefore releasing this First Report and Order in which several major issues are addressed, and we plan to prepare additional Reports and Orders in the future as our workload permits.

6. Firstly, we will address the matter of examinations administered by volunteer examiners. Under the system put forth in the Notice, all licenses obtained in this way, except Novice licenses and licenses granted in those instances where the applicant qualified by a volunteer-administered examination on the basis of a protracted disability which prevented travel to a Commission examination point, were to be non-renewable. Such licenses were to be temporary, and the licensees would have been required to successfully complete a regular Commission examination in order to remain licensed. This arrangement would have required all presently licensed Technician (C) and Conditional licensees to undergo reexamination by the Commission. Following their successful completion of the Commission-supervised examination would have meant that the licensee could not have continued to renew his license upon expiration.

7. As one of the broad objectives in this proceeding, we stated in the Notice that we desired to preclude, or at least minimize, any adverse impact upon presently licensed amateurs. The sentiments in the comments overwhelmingly supported this posture, and we continue to believe it to be the only reasonable course of action. Many comments objected to the proposal for non-renewability of volunteer-administered examinations as being detrimental to amateur radio in general and excessively burdensome to thousands of licensees who, for valid reasons, could not meet the Commission-supervised examination requirements. Moreover, inasmuch as the Technician Class license program has always been, by Commission intent, based primarily on volunteer-administered examinations, a mass recall of these persons does not now appear equitable. We are in basic agreement with these objections, and have modified our proposal to blunt any ill effects on present licensees. We believe the limited resources available to us can be best utilized elsewhere.

8. However, our experience with the volunteer examination program has shown that it has been abused. Our routine call-in program of Technician (C) and Conditional Class licensees has shown that over 90 percent of such persons fail to appear for re-examination, or if they do, fail the examination. Such results tend to confirm the suspicion that some such licensees obtained their licenses fraudulently. We desire to preclude, or at least minimize, the availability of volunteer-administered examinations to the following categories of applicants:

(a) Applicants for the Novice license; and
(b) Applicants who show by physician’s certification that they are unable to appear at a Commission examination point because of a protracted disability preventing travel.

All applications for mail examinations on the basis of a protracted disability should now be sent to the FCC field office nearest the applicant, rather than to the Commission’s offices in Gettysburg, Pennsylvania. Such examinations will be conducted by a volunteer examiner selected by the Commission, or by Commission staff.

9. Persons now holding licenses obtained on the basis of a mail examination will not be adversely affected by this rule change. All such licenses may continue to be renewed, and Rule § 97.25 is being
modified to indicate that examination credit will be given for those elements which were passed without Commission supervision. For instance, a Technician (C) licensee will automatically be given credit for the exam 3 and 4 which were passed without Commission supervision. For instance, a Technician license will automatically be given credit for the exam 3 which was passed without Commission supervision. Upon application for license modification or renewal, all present Conditional Class licensees will be issued General Class licenses, and all Technician licensees will be issued General Class licenses. Henceforth, all applicants passing Elements 1(B) and 3 on a volunteer-administered examination will be issued a General Class license. The Conditional Class will no longer be issued.

10. The elimination of the 175 mile distance eligibility criteria for the Conditional Class will no longer be considered. In our view, impose an undue hardship on those persons sincerely interested in obtaining an amateur license. The number of such applicants is so small in comparison to the enlargement of the Commission’s examination schedule for remote points all but eliminates the usefulness of the 175 mile criterion. With respect to the Technician Class license, we do not foresee any significant adverse impact resulting from its elimination. The vast majority of persons seeking that license live within convenient travel distance to a Conditional Class examination. Our examination policy with respect to the Technician Class is now consistent with our policy governing all license classes except Novice. As proposed, we are also deleting the availability of mail examinations on the basis of eligibility criteria set out in § 97.27 (c) and (d).

11. A related issue we will address at this time involves the Novice Class license. Many thousands of Novice examinations are given each year, and this has been the gateway to Amateur radio for over half of all present licensees. We believe the experience of taking the Novice test to be very worthwhile, inasmuch as there is no overlap in the Novice examination questions and the questions found on more advanced examinations. We are therefore amending the Rules to require that all persons entering the Amateur Radio Service, at any level, successfully complete examination element 2 in addition to the other examination elements, if applicable, required for the license examination being undertaken. We are also at this time deleting the provision in § 97.9 (f) which prohibits the issuance of a Novice Class license to a person who has held within the prior 12 month period any class of Amateur radio license. We believe this provision serves no useful purpose and has prohibited otherwise qualified persons from obtaining an Amateur radio license.

12. The final matter we will touch on in this First Report and Order involves the privileges available to Technician and Novice Class licensees. Until several years ago, it was permissible for a licensee to hold both the Novice and Technician Classes of license at the same time. Such dual licensing was subsequently prohibited in § 97.9 (f), which states that the Novice Class license may not be concurrently held with any other class of license. We have received several petitions to lift this restriction, and in our Notice we proposed to include this change for two reasons; firstly, it will mean that a Novice can buy equipment which will be readily usable when he upgrades to Technician license. We are herein adopting that proposal, which was widely supported in the comments. We are also modifying the maximum permissible transmitter power input which Novices, and all other license classes, may utilize when operating on Novice frequencies. We are limiting to 250 watts the maximum power input which may be used by any class of operator transmitting in Novice subbands. We are adopting this change for two reasons; firstly, it will mean that a Novice can buy equipment which will be readily usable when he upgrades to General Class and above. Presently, in order to conform to the 75 watt power limit, Novices often times are forced to buy low power transmitters which they have limited usefulness outside Novice subbands; and secondly, we see no reason to permit non-Novices to utilize high power in a sub-band where such power is not justified or needed.

13. In view of the foregoing, we are of the opinion that the amended rules as discussed above are in the public interest, convenience, and necessity. Accordingly, pursuant to authority contained in section 4(d) and 303 of the Communications Act of 1934, as amended, it is ordered, That Part 97 of the Commission’s rules is amended as set forth below. These amendments become effective July 23, 1976.

Adopted: June 9, 1976.
Released: June 15, 1976.

Chapter 1, Part 97 of Title 47 of the Code of Federal Regulations is amended as follows:

1. In § 97.7, paragraphs (b), (c) and (d) are amended and (e) is added to read as follows:

§ 97.7 Privileges of operator licenses.

(b) General Class. All authorized amateur privileges except those exclusive operating privileges which are reserved to the Advanced Class and/or Amateur Extra Class.

c) Conditional Class. Same privileges as General Class. New Conditional Class licenses will not be issued. Present Conditional Class licensees will be issued General Class licenses at time of renewal or modification.

d) Technician Class. All authorized amateur privileges on the frequencies 50.1-54 MHz and 145-148 MHz and in the Amateur bands above 220 MHz. Such licenses also carry the full privileges of the Technician Class license.
(e) Novice Class. Radiotelegraphy in the frequency bands 3700-3750 kHz, 7100-7150 kHz (7050-7075 kHz when the terrestrial station location is not within Region 2), 21,100-21,300 kHz, and 28,100-28,200 kHz, using only Type A1 emission.

2. In § 97.9 the introductory text is amended to read as follows:

§ 97.9 Eligibility for new operator license.

Anyone except a representative of a foreign government is eligible for an amateur operator license.

3. Section 9711(b) is amended to read as follows:

§ 97.11 Application for operator license.

(b) An application (FCC Form 610) for a new operator license, including an application for change in operating privileges, which requests an examination supervised by a volunteer examiner under the provisions of § 97.27, shall be submitted to the FCC field office nearest the applicant. Applications for the Novice Class license should be sent to the Commission’s offices in Gettysburg, Pa. 17325. All applications should be accompanied by any necessary filing fee.

4. Section 97.23 is amended to read as follows:

§ 97.23 Examination requirements.

Applicants for operator licenses will be required to pass the following examination elements:

N - Amateur Extra Class: Elements 1, 2, 3, 4(A) and 4(B);
(b) Advanced Class Elements 1, 2, 3, 4(A);
(c) General Class: Elements 1(B), 2, and 3;
(d) Technician Class: Elements 1(A), 2, and 3;
(e) Novice Class: Elements 1(A) and 2.

5. Section 97.25(a) is amended to read as follows:

§ 97.25 Examination credit.

(a) An applicant for a higher class of amateur operator license who holds any valid amateur license will be required to pass only those elements of the higher class examination that are not included in the examination for the amateur license held.

6. Section 97.27 is retitled and the introductory text amended to read as follows:

§ 97.27 Mail examination for applicants unable to travel.

The Commission may permit the examinations for an Amateur Extra, Advanced, General, or Technician Class...
license to be administered at a location other than a Commission examination point by an examiner chosen by the Commission when it is shown by physician's certification that the applicant is unable to appear at a regular Commission examination point because of a protracted disability preventing travel.

7. Section 97.26 is retitled and amended to read as follows: §97.26 Manner of conducting examinations. (a) Except as provided in §97.27, all examinations for Amateur Extra, Advanced, Operator Class licenses will be conducted by authorized Commission personnel or representatives at locations and times specified by the Commission. Examinations for an operator license will be conducted by an examiner selected by the Commission. Any applications for consideration of eligibility under §97.27 should be filed on FCC Form 610, and should be sent to the FCC field office nearest the applicant. (A list of these offices appears in § 0.121 of the Commission's Rules and can be obtained from the Field Operations Bureau, FCC, Washington, D.C. 20554, or any field office.)

(b) Unless otherwise prescribed by the Commission, examinations for the Novice Class license will be conducted and supervised by a volunteer examiner selected by the applicant. The volunteer examiner shall be at least 21 years of age, shall be certified to the examination by the Commission, and shall be the holder of an Amateur Extra, Advanced, or General Class operator license. The written portion of the Novice examination, Element 2, shall be administered in the posession and presence of the applicant in accordance with the following procedure:

(1) Within 10 days after successfully completing telegraphy examination elements 1(A) and 1(B) of application (FCC Form 610) to the Commission's office in Gettysburg, Pennsylvania 17325. The application shall include a written request from the volunteer examiner, for the application papers for Element 2. The examiner's written request shall include (i) the name and permanent addresses of the examiner and the applicant, (ii) a description of the examiner's qualifications to administer the examination, (iii) the examiner's statement that the applicant has passed telegraphy element 1(A) under his supervision within the 10 days prior to submission of the request, and (iv) the examiner's written signature. Examination papers will be forwarded only to the volunteer examiner.

(2) The volunteer examiner shall be responsible for the proper conduct and necessary supervision of the examination. Administration of the examination shall be in accordance with the instructions included with the examination papers.

(3) The examination papers, either completed or unopened in the event the examination is not taken, shall be returned by the volunteer examiner to the Commission's office in Gettysburg, Pa., no later than 30 days after the date the papers are mailed by the Commission. (The date of mailing is normally stamped by the Commission on the outside of the examination envelope.)

(c) The code test required of an applicant for an amateur radio operator license, in accordance with the provisions of §§ 97.21 and 97.23 shall determine the applicant's ability to transmit by hand key (straight key or, if supplied by the applicant, a semi-automatic or electronic key, but not a keyboard keyer) and to receive by ear, in plain language, messages in the International Morse Code at not less than the prescribed speed during a five minute test period. Each five characters shall be counted as one word. Each punctuation mark and numeral shall be counted as two characters.

(d) All written portions of the examinations for amateur operator privileges shall be completed by the applicant in legible handwriting or hand printing. Whenever the applicant's signature is required, the normal signature shall be used. Applicants unable to comply with these requirements, because of physical disability, may dictate their answers to the examination questions and the receiving code test, if the examination or any part thereof is dictated, the examiner shall certify the nature of the applicant's disability and the name and address of the answering board and transcribing the applicant's dictation.

§97.29 [Removed].

8. Section 97.29 is deleted and redesignated as reserved.

9. Section 97.31(a) is amended to read as follows:

§97.31 Grading of examinations. (a) Code tests for sending and receiving are graded separately.

10. Section 97.33 is revised to read as follows:

§97.33 Eligibility for re-examination. An applicant who fails a written examination for an amateur radio operator license may not take another written examination for the same or higher class license within 30 days.

§97.35 [Removed].

11. Section 97.35 is deleted.

12. In §97.67 paragraph (a) is amended and (d) is added to read as follows:

§97.67 Maximum authorized power.

(a) Except for power restrictions as set forth in §97.61 and paragraph (d) below each amateur transmitter may be operated with input not exceeding one kilowatt to the plate circuit of the final amplifier stage of an amplifier oscillator transmitter or to the plate circuit of an oscillator transmitter. An amateur transmitter operating with a power input exceeding 900 watts to the plate circuit shall provide means for accurately measuring the plate power input to the vacuum tube or tubes supplying power to the antenna.

(d) In the frequency bands 3700-3750 kHz, 7100-7150 kHz (7050-7075 kHz when the terrestrial location of the station is within Region 2) 11000-21200 kHz, and 28000-38200 kHz, the maximum plate input power which may be utilized is 250 watts.

[FR Doc.76-18116 Filed 6-21-76; 8:45 am]

Title 49—Transportation

SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION

[OST Docket No. 1; Arndt. 1-117]

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Delegation Under the Energy Policy and Conservation Act

The purpose of this amendment is to delegate to the National Highway Traffic Safety Administrator functions vested in the Secretary by the Energy Policy and Conservation Act, Pub. L. 94-163, which added Title V to the Motor Vehicle Information and Cost Savings Act of 1972 (49 U.S.C. 1902 et seq.). Since this amendment relates to Departmental management, procedures and practices, notice and public procedure thereon are unnecessary and it may be made effective in fewer than 30 days after publication in the Federal Register.

In consideration of the foregoing, paragraph (1) of §1.50 of Part I of Title 49, Code of Federal Regulations, is revised to read as follows:

§1.50 Delegation to National Highway Traffic Safety Administrator. The National Highway Traffic Safety Administrator is delegated authority to:

(f) Carry out the functions vested in the Secretary by the Motor Vehicle Information and Cost Savings Act of 1972, as amended (49 U.S.C. 1902 et seq.) except section 512.

Effective date: This amendment is effective June 22, 1976.

(See. 9(e), Department of Transportation Act (49 U.S.C. 1657(e)))

Issued in Washington, D.C., on June 15, 1976.

JOHN W. BARNEY, Acting Secretary of Transportation.

[FR Doc.76-18090 Filed 6-21-76 7:08:45 am]

Title 50—Wildlife and Fisheries

CHAPTER II—NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 260—INSPECTION AND CERTIFICATION

Final Amendments—Fees and Charges

In the Federal Register of Friday, January 16, 1976, 41 FR 2396, Interim Amendments were published by the National Marine Fisheries Service to amend
certain sections of Part 260—Inspection and Certification, pertaining to Fees and Charges. The interim amendments were made to adjust the rates for fees and charges upward to provide for the recovery of costs attributable to the inspection program, as required in the Agricultural Marketing Act, as amended (7 U.S.C. 1622). The increase in rates was necessary due to the increased costs incurred in conducting the program, and was in accordance with the full cost recovery policy contained in Departmental Administrative Order 203-5. The amended rates became effective January 16, 1976, the date of their publication in the Federal Register.

Interested persons were given until February 17, 1976, to submit written comments regarding the interim amendments. Two comments were received. Both were from fishery products processing firms which participate in the inspection program, and objected to the rate increases.

A study of recent program costs and revenue, and a projection of them through the remainder of FY 1976 based on the best available information, indicates that the fees and charges established by the interim amendments will enable the program to attain full program cost recovery. The Administrator has determined that the increased rates are necessary for the program to meet the Departmental policy regarding full cost recovery. Therefore, the fees and charges established in the Interim Amendments are finally adopted effective upon the date of publication of this notice.

Dated: June 16, 1976.

ROBERT M. WHITE, Administrator.
This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 917]

FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Approval of Plum Commodity Committee Expenses and Fixing of Rate of Assessment for the 1976-77 Fiscal Period and Carryover of Unexpended Funds

This notice invites written comment relative to the proposed budget and rate of assessment to be paid by handlers for local administration of the Plum Commodity Committee under Marketing Order 917, regulating shipments of fresh California pears, plums, and peaches. The proposed Plum Commodity Committee budget is $848,650 and the rate of assessment is $0.0075 per bag of peaches handled by handlers under the program.

Consideration is being given to the following proposals submitted by the Plum Commodity Committee, established under the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 41 FR 17528), as the agency to administer the provisions thereof. Said agreement and order regulate the handling of fresh pears, plums, and peaches grown in the State of California and are effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The proposals are as follows:

(a) That expenses that are reasonable and likely to be incurred during the fiscal period from March 1, 1976, through February 28, 1977, will amount to $848,650.

(b) That the rate of assessment for such fiscal period payable by each handler in accordance with § 917.37 be fixed at seven and five-tenths cents ($0.075) per No. 22D standard lug box of plums, or its equivalent in other containers or in bulk.

(c) That unexpended assessment funds in excess of expenses incurred during the fiscal period ending February 28, 1976, be carried over in accordance with § 917.38 of said marketing agreement and order.

Terms used in the amended marketing agreement and this part shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and this part, and “No 22D standard lug box” shall have the same meaning as set forth in § 1387.11 of the Regulations of the California Department of Food and Agriculture.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than July 16, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: June 16, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76-18067 Filed 6-21-76; 8:45 am]

DEPARTMENT OF LABOR

Employment and Training Administration

[20 CFR Part 602]

PUBLIC EMPLOYMENT OFFICES

Minimum Wage Rates for Temporary Foreign Agricultural Labor

Pursuant to section 1104, of Title 8, United States Codes, § 214.2(h) of title 8, Code of Federal Regulations, and Secretary's Order No. 4-75, I hereby propose to amend 20 CFR §§ 602.10(b), 602.10(f) and 602.10(b)(1) as set forth below.

The regulations at §§ 602.10, 602.10a and 602.10b of title 20, Code of Federal Regulations are utilized to assist the Secretary of Labor in carrying out his advisory duties required under the Immigration and Nationality Act at section 1184 of Title 8, United States Code, and the regulations promulgated thereunder at § 214.2(h) of title 8, Code of Federal Regulations.

Pursuant to his advisory duties under the above-mentioned statute and regulations the Secretary of Labor has promulgated regulations at §§ 602.10, 602.10a and 602.10b of title 20, Code of Federal Regulations which set forth the requirements and procedures applicable to requests for certification from employers seeking the services of temporary foreign workers in agriculture. These regulations provide for determining the "availability" of domestic workers and the amelioration of the "adverse effect" occasioned by the presence of temporary foreign agricultural labor.

The regulations at § 602.10 of Title 20, Code of Federal Regulations describe the certification process. Paragraph (b) concerns the filing of offers of employment and requests for certification at the local office of the State employment service. At the present time 30 days are provided to allow the Employment and Training Administration to determine the availability of domestic workers. It
is proposed that this period be changed to 60 days to allow the Employment and Training Administration the time to explore more carefully the availability of workers in the supply States.

The regulations at § 602.10 of title 20, Code of Federal Regulations set forth the conditions under which job offers must be made to U.S. workers. Paragraph (f) sets forth the charges that may be made by the employer for furnishing three meals per day to the workers. At the present time the maximum charge permitted is $3.40 per day for three meals. This maximum charge has not been increased for approximately six years. In order to provide some relief for increased costs it is proposed that a new maximum of $4.00 per person per day be permitted when evidence is submitted to the Administrator to support the change.

The regulations at § 602.10b of title 20, Code of Federal Regulations set forth the wage rates that must be offered to agricultural workers. The Secretary of Labor in carrying out these regulations each year sets wage rates which are subject to adjustment by the percentage change in the United States Department of Agriculture (USDA) for seasonal wage rates in agriculture has the effect of lowering prevailing wage rates, the Secretary has constructed these minimum, “adverse effect” wage rates for agriculture to reflect and rectify the adverse effect of the importation of foreign workers. The rates are revised on an annual basis to reflect changing labor market conditions in each State wherein a significant number of seasonal agricultural workers are employed.

Last year, and since 1968, the prior year’s adverse effect rate was adjusted by the percentage change in the United States Department of Agriculture (USDA) hourly farm wage rate (without room or board). This data was published in the USDA publication Farm Labor (Publication Code No. La 1). The data was expressed as a yearly average on a State by State basis.

In 1974, which was a transition year, USDA began utilizing a different survey method, publishing average farm wage rates on a quarterly basis, and publishing rates expressed by method of pay and type of work performed. No annual data is published. Data is listed in a State by region format with the New England States not reported separately. In view of this new manner of expressing average wage data by USDA, it is necessary that the Department of Labor adjust its method of adjusting its “adverse effect” rates.

The movement of wage rates and the absence of average wage data for seasonal workers made it desirable to update the § 602.10b adverse effect rates for workers performing similar tasks, therefore, it was deemed desirable that the choice of what data to utilize from USDA should coincide with the crop affected. In the States for which adverse effect rates are being published, temporary foreign agricultural workers are imported primarily for crop harvesting activities, e.g. to pick apples in the eastern seaboard States and to cut sugar cane in Florida. It is reasonable, therefore, to utilize the average wage rate that most closely coincides with the type of work performed by these workers. The category which closely resembles that for which data is obtained by USDA is Field and Livestock Workers.

A decision was made to use data based upon Piece-Rate methods of pay to farmworkers, this data was determined to be less desirable than the data utilized in view of the limited data available from some States, and the inclusion of Packing House Workers, Machine Operators and Supervisors in this category.

To determine the adverse effect rate for this year the Department of Labor sought, and in the case of certain hourly wage rates for Field and Livestock Workers from USDA for calendar years 1974 and 1975. This data is not published by USDA. However, the primary data on which this information is based is data on Farm wage rates for Farm Labor was utilized in responding to the Department of Labor’s request. The USDA’s response was as follows:

The sample design for the Quarterly Agricultural Labor Survey is such that the valid rate the prior year’s rate was adjusted by the percentage change in the U.S.D.A. for calendar years 1974 and 1975. This data is not published by USDA. However, the primary data on which this information is based is data on Farm wage rates for Farm Labor was utilized in responding to the Department of Labor’s request. The USDA’s response was as follows:

This rate and that for the other 5 states you requested are as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>New England</td>
<td>2.61</td>
</tr>
<tr>
<td>Florida</td>
<td>2.42</td>
</tr>
<tr>
<td>New York</td>
<td>2.09</td>
</tr>
<tr>
<td>Virginia</td>
<td>2.69</td>
</tr>
<tr>
<td>West Virginia</td>
<td>1.78</td>
</tr>
</tbody>
</table>

Note—For documentation of the methodology utilized in the Quarterly Agricultural Labor Survey, we suggest that the section on “Sources and Reliability of Estimates” as published on p. 2 of the latest Farm Labor release be used.

To obtain this year’s adverse effect rate the prior year’s rate was adjusted by the percentage change in the USDA’s farm wage rate for Agricultural or Farm Workers between 1974 and 1975. For the individual New England States the prior year’s adverse effect rates for each State was adjusted by the percentage change in all the New England States.

Any person interested in this proposal may file a written statement of data, views, or arguments to the Assistant Secretary for Employment and Training, United States Department of Labor, 8th and D Streets, NW, Washington, D.C. 20213. Attention: William B. Lewis, Administrator, United States Employment Service.

In consideration of the foregoing it is proposed to amend 20 CFR Part 602 as follows:

§ 602.10 The certification process.

(b) Agricultural or logging employers, including association employers anticipating a labor shortage may request a certification for temporary foreign labor, provided that the employer or the association and those of its members for whom the services of foreign workers are requested, prior to making such a request, have filed at the local office of the State employment service an offer of employment for U.S. workers to fill such employment needs in accordance with the provisions of this section and § 602.10a and 602.10b. Such offers of employment, wage rates for the individual States for which certification is requested, are imported primarily for crop harvesting activities, in addition to the time necessary for the employer to secure foreign workers by the date of need if the certification is approved.

2. By revising § 602.10b(a) (1) and (7) to read as follows:

§ 602.10b Wage rates.

(a) (1) Except as otherwise provided in this section, the following hourly wage rates (which have been found to be the rates necessary to prevent adverse effect upon U.S. workers) shall be offered to agricultural workers in accordance with § 602.10a(f):

<table>
<thead>
<tr>
<th>State</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connecticut</td>
<td>2.61</td>
</tr>
<tr>
<td>Florida (sugar cane only)</td>
<td>3.04</td>
</tr>
<tr>
<td>Maine</td>
<td>2.60</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>2.56</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>2.68</td>
</tr>
<tr>
<td>New York</td>
<td>2.48</td>
</tr>
<tr>
<td>Vermont</td>
<td>2.75</td>
</tr>
<tr>
<td>Virginia</td>
<td>2.44</td>
</tr>
<tr>
<td>West Virginia</td>
<td>2.74</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>State</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>New England</td>
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<td>2.42</td>
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</tr>
<tr>
<td>Virginia</td>
<td>2.69</td>
</tr>
<tr>
<td>West Virginia</td>
<td>1.78</td>
</tr>
</tbody>
</table>

Note—For documentation of the methodology utilized in the Quarterly Agricultural Labor Survey, we suggest that the section on “Sources and Reliability of Estimates” as published on p. 2 of the latest Farm Labor release be used.

Permit no charge by the employer in excess of $2.55 per worker for furnishing 3 meals per day except where the Director, when evidence submitted to him of average actual cost for a representative pay period supports a greater charge, has approved a charge not to exceed $4.00 per worker for furnishing three meals per day. Evidence submitted to support meal charges of more than $2.55 per day should include the costs of goods and services directly related to the preparation and serving of meals. Cost of the following items may be included:

Food: Including soups other than those with fat, such as lunch bags and soap; labor costs which have a direct relation to food service operations, such as wages of cooks and restaurant supervisors; fuel,
PROPOSED RULES

In all other respects the terms of the original Federal Register notices remain in effect, and the locations, dates and times for the public information-gathering meetings remain unchanged.

Therefore, notice is hereby given that the period for submitting written data, views and arguments is extended from June 22, 1976 to July 22, 1976.

Sec. 6, 84 Stat. 1593 (29 U.S.C. 655); Secretary of Labor's Order No. 8-76.

Signed at Washington, D.C. this 17th day of June, 1976.

MORTON CORN,
Assistant Secretary of Labor.

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WALKING-WORKING SURFACES, ANHYDROUS AMMONIA, AND FIRE PROTECTION

Extension of Comment Period

On April 23, 1976, notices were published in the Federal Register (41 FR 17102; 41 FR 17227; 41 FR 17255) announcing information-gathering meetings and requesting written data necessary for the revision of the standards for walking-working surfaces (Subpart D of 29 CFR Part 1910, §§ 1910.21–1910.23), the standards on anhydrous ammonia (29 CFR § 1910.111), and the standards on fire protection (Subpart L of 29 CFR Part 1910, §§ 1910.158–1910.165(b)). Interested persons were given until June 22, 1976 to submit written data, views and comments with respect to revision of these standards.

Requests for extension of time to file written comments have been received from persons interested in commenting on these standards. The reasons given for these requests are the late receipt of the Federal Register notices and the large number of the requirements on which comment is solicited. The requesting parties state that more time is essential in order to properly respond to the requests for information.

We find that these requests have merit. As stated in the notices, OSHA is interested in gathering as much relevant data and comment from as many interested persons as possible. Moreover, extension of the comment period would afford interested parties an opportunity to submit additional data and comments after completion of all the information-gathering meetings. Accordingly, in order to provide all interested persons with sufficient time to compile information, data and comments relevant to all issues attendant to revision of the standards on walking-working surfaces, the standards on anhydrous ammonia, and the standards on fire protection, we have decided to extend the period for submission of written comments for another thirty days. We do not anticipate that any further extensions of the comment period will be made.

WILLIAM H. KOLBERG,
Assistant Secretary for Employment and Training.

[FR Doc. 76-1792 Filed 6-21-76; 8:45 am]

WALKING-WORKING SURFACES, ANHYDROUS AMMONIA, AND FIRE PROTECTION

Proposed Supplements to Approved Plan

1. Background. Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures for section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) under which the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter referred to as the Assistant Secretary) will review changes and progress in the development and implementation of State plans which have been approved in accordance with section 18(e) of the Act and 29 CFR Part 1903. On July 20, 1973, a notice was published in the Federal Register (38 FR 19368) of the approval of the Iowa plan and adoption of Subpart J of Part 1952 containing the decision and describing the plan. On August 6, 1973, March 10, 1975, February 5, 1976 and February 12, 1976, the State of Iowa submitted supplements to its plan involving changes under 29 CFR Part 1903 and State-initiated changes pursuant to Subparts B and E of 29 CFR Part 1953.

2. Description of the Supplements. The submissions and changes concern an extensive revision of the State's compliance manual and the Review Commission Procedures. Also submitted for approval are Chapters 3, 4, and 5 of the Iowa occupational safety and health regulations, which correspond to the Federal regulations in 29 CFR Part 1903 (Inspections, Citations, and Proposed Penalties), 29 CFR Part 1904 (Recordkeeping and Reporting Occupational Injuries and Illnesses), and 29 CFR Part 1905 (Rules of Practice for Variances, Limitations, Variances and Proposed Penalties). This chapter covers such items as advance notice of inspections, concealment of government secrets, walkaround and consultation rights of employees, posting of citations, and informal conferences.

3. Location of the plan and its supplements for inspection and copying. A copy of the proposed supplements and changes along with the approved plan may be inspected and copied during normal business hours at the following locations: Office of the Assistant Secretary for Regional Programs, Occupational Safety and Health Administration, Room N3620, 200 Constitution Avenue, N.W., Washington, D.C. 20210; Office of the Regional Administrator, Occupational Safety and Health Administration, 911 Walnut Street, Room 3000, Kansas City, Missouri 64106; Iowa Bureau of Labor, State House, East 7th and Court Avenue, Des Moines, Iowa 50319.

4. Public participation. Interested persons are hereby given until July 22, 1976, in order to submit written data, views and arguments concerning the Iowa regulation are available for inspection for a period of 1 year.

(8 U.S.C. 1184, 8 CFR 214.2 (h))

Iowa

[29 CFR Part 1952]
PROPOSED RULES

Associate Assistant Secretary for Regional Programs at his address as set forth above, where they will be available for inspection and copying.

Any interested person may request an informal hearing concerning the proposed amendments by filing particularized written objections with respect thereto within the time allotted for comments specified above. If in the opinion of the Assistant Secretary, substantial objections are filed which warrant further public discussion, a formal or informal hearing on the subjects and issues involved may be held. The Assistant Secretary shall consider all relevant comments, arguments and requests submitted in accordance with this notice and shall thereafter issue his decision as to approval or disapproval of the supplements and changes, make appropriate amendments to Subpart J of Part 1952 and initiate appropriate further proceedings if necessary.

Signed at Washington, D.C., this 15th day of June 1976.

MORTON CORN,
Assistant Secretary of Labor.

Wage and Hour Division

[29 CFR Part 570]

PROGRAMS UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973

Employment of Minors Between 14 and 16 Years of Age

In 1967 an exception to the requirement that employment be confined to periods outside of school hours was provided in present § 570.35(b) of Title 29 of the Code of Federal Regulations for minors between 14 and 16 years of age enrolled in training programs under Part B of Title I of the Economic Opportunity Act of 1964 (42 U.S.C. 2721-2726), subject to the assurance that the employment was restricted to periods which did not interfere with the children's schooling and to conditions which did not interfere with their health and well-being. The Comprehensive Employment and Training Act of 1973, 29 U.S.C. 801, et seq., replaced Part B of Title I of the Economic Opportunity Act of 1964.

Therefore, it is proposed to revise § 570.35(b) by deleting reference to the repealed statute and by providing new requirements with respect to the employment during school hours of minors between 14 and 16 years employed under a training program pursuant to the provisions of the Comprehensive Employment and Training Act of 1973. This variation from the provisions of Child Labor Regulation No. 3 would be acceptable when the prime sponsor of such training program has obtained a written certification from the Regional Administrator for Employment and Training that the minor's employment confined to such periods will not interfere with the minor's health and well-being, and concurring in a certification, pursuant to the provisions of paragraph (b)(1) of this section, that the minor's employment will not interfere with the minor's schooling. A copy of the written statement or agreement set forth in paragraph (b)(1) of this section, and has on file for each minor an unrevoked written statement from the Regional Administrator for Employment and Training setting out the periods which the minor will work, certifying that the minor's employment confined to such periods will not interfere with the minor's health and well-being, and that he concurs with the certification provided pursuant to paragraph (b)(1)(iv) of this section that employment in such periods will not interfere with the minor's schooling.

The Regional Administrator for Employment and Training shall be forwarded to the Administrator of the Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210, on or before August 6, 1976.

Part 570 of Title 29 of the Code of Federal Regulations is proposed to be amended as follows:

§ 570.35 Periods and conditions of employment

(b) In the case of employees of a prime sponsor of a program conducted under the provisions of the Comprehensive Employment and Training Act of 1973, there is an exception to the requirement of paragraph (a)(1) of this section, if the prime sponsor has applied for, pursuant to the provisions of paragraph (b)(1) of this section, and has on file for each minor an unrevoked written statement from the Regional Administrator for Employment and Training setting out the periods which the minor will work, certifying that the minor's employment confined to such periods will not interfere with the minor's health and well-being, and concurring in a certification, pursuant to the provisions of paragraph (b)(1)(iv) of this section, that the minor's employment will not interfere with the minor's schooling. A copy of the written statement or agreement set forth in paragraph (b)(1) of this section, and has on file for each minor an unrevoked written statement from the Regional Administrator for Employment and Training setting out the periods which the minor will work, certifying that the minor's employment confined to such periods will not interfere with the minor's health and well-being, and concurring in a certification, pursuant to the provisions of paragraph (b)(1)(iv) of this section, that the minor's employment will not interfere with the minor's schooling.

(ii) The minor's name, social security number, address, age, duties, hours of work, place of employment and wages.

(iii) Certification by the prime sponsor that the employment will be in compliance with the provisions of the Fair Labor Standards Act, as amended, and regulations issued thereunder, and in compliance with all applicable State laws.

(iv) Certification by the principal of the school which the minor is attending that the minor's employment during the periods specified will not interfere with the minor's schooling.

In the event that a minor is no longer attending school due to a court order, etc., a certification on the application to that effect would be required from the agency which authorized the release from school, signed by the appropriate official.

(2) The Regional Administrator for Employment and Training shall approve the application, or give prompt notice of any denial and the reasons therefor. When approved he shall certify that the minor's employment confined to the periods set out therein will not interfere with the minor's health and well-being and that he concurs with the certification provided pursuant to paragraph (b)(1)(iv) of this section that employment in such periods will not interfere with the minor's schooling.

The application when so certified becomes the written statement of approval and shall be forwarded to the prime sponsor, with a copy to the Administrator of the Wage and Hour Division.

Signed at Washington, D.C., this 7th day of June 1976.

RONALD J. JAMES
Administrator,
Wage and Hour Division.

[FR Doc. 76-17974 Filed 6-21-76; 8:45 am]

CIVIL AERONAUTICS BOARD

[14 CFR Part 221a]

[EDR-285C: Docket 27769; Dated: June 17, 1976]

FARE SUMMARIES

Proposed Publishing and Distribution Requirements

Notice is hereby given that the Civil Aeronautics Board is proposing a new Part 221a of Title 14, Code of Federal Regulations, that would require all air carriers with certificated domestic passenger routes to publish and distribute fare summaries, presenting in a clear manner the various types of available fares, with actual amounts and associated conditions, to selected destinations from a particular origin point.

This rulemaking proceeding was initiated by a petition from the Aviation Consumer Action Project (ACAP). Advance notice of proposed rulemaking EDR-385 was issued in response to the petition on June 16, 1975, 40 FR 24740. The principal features of the proposed amendments are detailed in the attached Explanatory Statement. The amendments are proposed under the authority

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of sections 204, 403, of the Federal Avia­
743, 758, as amended, 49 U.S.C. 1324, 1373.

Interested persons may participate in the
proposed rulemaking through submission
of comments or by participating in public
hearings. Interested persons may submit
written comments, or views, or arguments addressed to
the Docket Section, Civil Aeronautics
Board, Washington, D.C. 20428. All rele­
vant material received on or before Au­
gust 6, 1976, and on or before August 20, 1976 will be con­
sidered by the Board before taking final
action on the proposed rule. Copies of
such communications will be available for
examination by interested persons in the
Docket Section of the Board, Room
710, Universal Building, 1825 Connecticut
Avenue, N.W., Washington, D.C., upon
request.

Those persons planning to file com­
ments or responsive comments who wish to be
served with such comments filed by
others, and are willing to undertake to
serve their comments on others, shall
file with the Docket Section at the above
address by June 28, 1976, a request to be
placed on the Service List in Docket
27769. The Service List will be prepared
by the Docket Section and sent to the
persons named on it. Those persons are
to serve each other with comments or re­
sponsive comments at the time of filing.

A list of all persons filing comments
will be prepared by the Docket Section
and sent to the persons named on it.
In addition to those on the Service List who
filed comments, persons filing responsive
comments who wish to serve any person
whose comment is dealt with in their
responsive comment.

Individual members of the general pub­
lic who wish to express their interest as
consumers by participating informally in
this proceeding may do so through sub­
mission of comments in letter form to the
Docket Section at the above address,
without the necessity of filing additional
copies.

By the Civil Aeronautics Board,

PHYLLE T. KAYLOM,
Acting Secretary.

EXPLANATORY STATEMENT

The petition for rulemaking filed by the
Aviation Consumer Action Project
(ACAP), which initiated this rulemak­ing
proceeding, suggested that “for each of the
910 most heavily traveled city-pair
markets, carriers should be required to
provide a concise and comprehensible
outline of all available fares and their
attendant restrictions.” ACAP stated that
in recent years the number of different
fare types offered the public by the
major carriers has greatly increased,
along with the complexity of their
structures and conditions associated with the vari­
ous fares. ACAP asserted that the travel­
ling public has no practicable way to
determine what all the options are available
for discretionary travel, since the official
fare tariffs are unintelligible to the aver­
age layman, and travel agents and airline
ticket-sales employees often do not pre­
vent all the possible fare options and as­
 sociated conditions.

By its advance notice of proposed rule­
making, EDR-283, issued on June 10,
1975, 40 FR 24740, the Board outlined
various possible means of satisfying the
consumer need cited by ACAP: carrier
fare sheets along the lines suggested by
the petition; summary descriptions of
discount fare types with their conditions,
along with sample comparisons with nor­
mal fares; excerpts from the official tar­
iffs containing fare information, stat­
ing that “it would indeed be tragic if the
cost savings of the many discount fares
recently approved by the Board could not
be realized as a result of confusion
and misunderstanding on the part of the
traveling public concerning the existence
of such fares, the terms of their applica­
bility and restrictions.” The Department
urged that any rule adopted require air­
carriers to publish a “fare brochure,” ex­
plaining regular and promotional fares in
“uniform and readily understandable
language.” It suggested that such a fare
brochure “should also describe the fare
in sample markets, which might be the
carrier’s most heavily-traveled city
pairs.” The Department opposed extract­
ing tariff pages, on the ground that the
public would not be interested in the
charts, and proposed that the persons
who file comments, or who request
manner of written information to which
the notice was specifically directed. How­
ever, insofar as the comments from the
public addressed the issue of disseminating
simplified fare information, they generally supported
the positions taken by ACAP, Consumers
Union, and the U.S. Department of
Transportation.

The American Society of Travel Agents
supported the objective of the advance
notice, but expressed doubt that any sim­
plification available to the public would
be worth the cost. Indeed, the general
Public Interest Panel of the Association
advocated changing tariff procedures to make
information more readily accessible, together
with “standardization and uniformity of
rules and regulations for promotional
fares.” Comments by individual members
of the travel industry also doubted
the efficacy of providing written information
to the public, and argued for simplifica­

1 Some of the comments included substan­
tialization of the allegation that airline personnel
and travel agents do not consistently pro­
vide complete or correct information. These
comments reflected the common misapprehension
that the CAB devises the different fares and their
attendant restrictions. Several commented that
the overall effect of discount fares is to keep
fares at a high level, and that eliminating
tickets would result in lower fares for all.
Finally, a few of the comments suggested
that the CAB should not regulate rates, and
suggested that “price competition” should prevail, ex­
cept that the market operations established
by the carriers should be changed or abolished.

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tion of fares and reliance on well-trained travel agents.

The ATA opposed the issuance of any regulation on the subject, asserting that, on the basis of the number of complaints they received, there is no demonstrated need for such regulations. ATA argued that the various carriers were using different means to disseminate their fare information, including advertising, travel agents, and more sophisticated computer systems. It stated that one set of rules could not apply fairly to all carriers, and that any type of joint statement of fare conditions would be too bulky and complex as to be unusable by the public. ATA particularly opposed a requirement for dissemination of specific fare amounts, on the grounds that they would be difficult to keep current.

The supplementary comment of TWA, although opposing issuance of any regulation on the subject, presented an example of a fare summary form which provides essential fare information, listing fare amounts from a particular origin point on all TWA domestic routes to and from that point. The summary form illustrates the practicability of fare presentation in a form which can be used by the public. ATA, which represents an industry of very limited route structure, believes that a system of fare presentation similar to that illustrated by TWA can be used by the industry to disseminate fare information to the public.

Aspen Airways asked to be exempted from the requirement because of its very limited route structure. Pacific Western Airlines doubted the efficacy or the costworthiness of providing summary information, and suggested that an advisory committee be established to deal with the problem. Frontier Airlines stated that there was no need for a regulation requiring additional information for consumers, and that travel agents with computers were capable of giving travelers all the information they needed. Foreign carriers (Alitalia, Varig, British Airways, and Air New Zealand) asserted that fare dissemination is no problem in the international market, and that travel agents are carrying out their tasks satisfactorily.

GENERAL DISCUSSION

Upon consideration of the comments received in this proceeding to date, the Board believes that the public interest warrants the promulgation of a proposed rule, in order to consider further the adoption of a requirement that air carriers publish specific information on the various fare plans they offer, including both dollar amounts and the important qualifying conditions, in a form that can be understood by the public. The Board is unpersuaded by the carriers' assertions that there is no need for more readily available public information as to airfares. On the contrary, the comments from the public, together with materials submitted by ACAP, CU, and the U.S. Department of Transportation, indicate that the public need as a result of the many different types of fares, the complexity of their associated conditions, and the frequency with which they are changed. The Board believes that the public interest warrants the promulgation of a proposed rule, in order to consider further the issuance of an advance notice, that there is a real need for more readily available public information concerning the choice of alternative fares available to the consumer. Such information is especially relevant for the "discretionary traveler," who has some flexibility as to the times, dates, and possibly even the origin and destination points of his travel, and who typically is interested in cost-saving fares, including the "deepest" discounts that are usually conditioned on the most complex restrictions.

At present, the average traveler is heavily dependent on on-the-spot information provided to him either by airline employees or travel agents. Both ACAP and CU reported informal surveys that indicated that substantial amount of information provided concerning specific fares. It is not necessary to impute lack of candor or incompetency on the part of the employees or agents. These circumstances, it is probably unreasonable to expect airline employees and travel agents to interrogate each customer extensively as to how flexible his plans are—whether he could fly at night, whether he could travel via a different destination, whether he could tolerate the uncertainty of his flight time, whether his flight would leave, or various combinations of these and other questions. The public interest would be present in any event as a result of the many different types of fares, the complexity of their associated conditions, and the frequency with which they are changed. In these circumstances, it is probably unreasonable to expect airline employees and travel agents to interrogate each customer extensively as to how flexible his plans are—whether he could fly at night, whether he could travel via a different destination, whether he could tolerate the uncertainty of his flight time, whether his flight would leave, or various combinations of these and other questions. The public interest would be present in any event as a result of the many different types of fares, the complexity of their associated conditions, and the frequency with which they are changed.

Some of the comments of the domestic carriers involved acknowledgment of the need for more specific and useful public information concerning the availability of various fares. However, they all argued against any regulation on the subject, citing the various improvements that either have been made by individual carriers or are being discussed and pre-
The Board agrees that in this area of consumer information, where the effectiveness of particular approaches is difficult or impossible to predict, the way should be left open for innovation and variation in methods of presentation. Notwithstanding review of the comments that have been received, the Board continues to believe that it should consider adopting a regulation requiring carriers to publish summaries. These summaries would encompass several airports. The origin point, are included in that carrier’s top 100 city-pairs, measurement rules are intended to provide prospective travelers with information affording a reasonably good idea of the air transportation cost of a trip which may be planned from a given origin point to various destination points among the most-traveled routes of that carrier.

Applicable summaries would be required to be stocked at each location at which the carrier sells tickets through its own employees. While it may reasonably be anticipated that travel agents could obtain stocks of these summaries for the benefit of their clients, overhead costs would not be incurred.

The rule envisons innovation and compatibility rather than firm and rigid prescriptions of format. Carriers would, of course, be encouraged to add any other conditions that might interest a significant number of prospective passengers, such as occupation (military, clergy, students, etc.), special number in group; and any land-package or other combinations. The only requirement of format would be that summaries should be reasonably current when submitted by ACAP (both tabular data and footnotes included). Applicable summaries would be accompanied by the information in the most recent reissuance available at each of its locations. Within 7 days of receipt of such request, the carrier would be required to mail the requested summary.

Each summary would apply to a particular origin point, which for the purposes of this rule could be either a specific airport or a conglomeration of airports within a given mileage radius. The carrier’s top 100 city-pairs, as measured by the number of revenue passengers, are included in that carrier’s top 100 city-pairs, as determined by the number of revenue passengers per day is carried. The carrier’s largest number of passenger traffic (but not less than 10 revenue passengers daily) to and from the origin point, plus any other cities that, with the origin point, are included in that carrier’s top 100 city-pairs. The origin point, as determined by statistics would be on an origin-destination basis, specified in the rule as referring to the initial and final points between which the carrier carries a passenger on a given trip. The rule would require that carrier’s top 100 city-pairs. All of these summaries would be on an "origin-destination" basis, specified in the rule as referring to the initial and final points between which the carrier carries a passenger on a given trip. The reissuance had become incorrect. This would be left open for innovation and compatibility rather than firm and rigid prescriptions of format. Carriers would, of course, be encouraged to add any other conditions that might interest a significant number of prospective passengers, such as occupation (military, clergy, students, etc.), special number in group; and any land-package or other combinations. The only requirement of format would be that summaries should be reasonably current when submitted by ACAP (both tabular data and footnotes included). Applicable summaries would be accompanied by the information in the most recent reissuance available at each of its locations. Within 7 days of receipt of such request, the carrier would be required to mail the requested summary.

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PROPOSED RULES

Accordingly, it is proposed that a new Part 221a of the Economic Regulations (14 U.S.C. Part 221a) be issued to read as follows:

PART 221a—FARE SUMMARIES

Sec.
221a.1 Purpose.
221a.2 Applicability.
221a.3 Availability and public notice.
221a.4 Contents.
221a.5 Format.
221a.6 Coverage.
221a.7 Reissuance of summaries.
221a.8 Filing with the board.

§ 221a.1 Purpose.
The purpose of this part is to require scheduled air carriers to make available to the public concise and easily understandable information concerning the various normal and discount passenger fares they offer, so that persons contemplating travel may make an informed choice of the alternative fares and select those best suited to their needs. The requirements are stated in general terms in order to allow variation, innovation, and competition by the carriers in designing their summary formats for maximum dissemination and greatest usefulness to the general public. The specific intent is to have each air carrier provide to the public, at each ticket-selling location, information regarding fares from that city, or a reasonably nearby city, to at least a representative selection of destinations served by that carrier, in sufficient detail to enable consumers to make an informed choice of fare plan, upon consideration of the variations in the cost of each available fare as well as the variations in the conditions and rules attached to such fare.

§ 221a.2 Applicability.
This part applies to each air carrier carrying passengers in interstate or overseas air transportation authorized by a certificate issued by the Board under section 401 of the Act (hereafter referred to as "carrier"), with respect to routes in interstate and overseas air transportation.

§ 221a.3 Availability and public notice.
(a) Each carrier shall provide applicable fare summaries, as specified in § 221a.6(d), conforming to this part, at each of its stations, offices, or other locations that is in the charge of a person employed exclusively by the carrier, or by it jointly with another person, and at which tickets for passenger transportation are sold (hereafter referred to as "locations").
(b) Each carrier shall require the fare summaries to be placed in a spot, such as a ticket counter, that is in plain view of persons utilizing the location's services, and from which such persons can and may take a summary during the location's working hours without the assistance of personnel employed at the location.

§ 221a.4 Contents.
(a) A fare summary shall describe each type of passenger fare, except for group fares, offered to the public by a carrier from the city (airport or metropolitan area) to which the summary applies, to selected destinations, as set forth in § 221a.6. For purposes of this requirement, "group fares" means fares applicable only to groups of more than nine persons that are not assembled by the carrier or by a travel agent.
(b) The fare description shall include both the actual amount of each fare in dollars and the general rules and conditions under which the fare is offered. The rules and conditions described shall include as a minimum the following:
(1) Dates of the year on which the fare does or does not apply, such as holidays and peak and off-peak seasons;
(2) Hour-of-the-day and day-of-the-week limitations;
(3) Minimum-and maximum-stay periods;
(4) Round-trip or one-way requirements;
(5) Advance reservation, deposit, and refund or forfeit provisions;
(6) Differential fares for children;
(7) Provisions regarding the itinerary or number of the passengers, such as occupation or minimum number in group; and
(8) Land-package or other additional purchase requirements.
(c) Each fare summary shall bear the date as of which the information summarized is represented as being accurate, together with a statement to the following effect:
This is only a general summary of the rules and conditions that apply to the listed fares as of the date shown above. The official tariffs of current fares for air travel to or from a location where tickets are sold are available for examination at that location.
§ 221a.5 Format.
(a) The fare amounts may be included in the description of rules and conditions, or may be set forth in a separate tabular form.
(b) The description of rules and conditions shall be set forth in a form, such as a table, that allows ready comparison of the various types of fares offered.
§ 221a.6 Coverage.
(a) Origin points.—The origin points on which fare summaries are based shall as a minimum include each of the cities in 100 origin-destination city-pairs between which the carrier carries the largest number of its revenue passengers.
(b) Destination points.—Except as provided in paragraph (b) of this section, each fare summary shall cover destinations that include as a minimum—
(1) The 10 cities or metropolitan areas to or from which the carrier carries the largest number of its origin-destination revenue passengers from or to the origin point; and
(2) Any other cities or metropolitan areas that, with the origin point, are included in the 100 origin-destination city-pairs between which the carrier carries the largest number of its revenue passengers.
(c) Minimum traffic.—Notwithstanding the provisions of paragraph (b) of this section, a carrier's fare summary need not cover any city-pair between which it carries an average of less than 10 passengers per day.
(d) Applicable summaries.—The fare summary that is stocked at each location,
in accordance with § 221a.3(a), shall be the summary for the origin point, included in the group described in paragraph (e) for that region, that is closest to the location. However, if a carrier has more than one such origin point within 100 miles of a location, it shall make summaries available at that location for each such origin point.

(c) For purposes of this section, "origin-destination" refers to the initial and final points between which the carrier in question carries a passenger on a given trip, and not to intermediate stops by that carrier, or to points before or after those initial and final points, respectively.

Illustration: A passenger whose trip could be diagrammed as follows:

Carrier X → Carrier A → Carrier Y

for purposes of this section, would be counted by Carrier A as a passenger carried from Carrier X to Carrier Y.

§ 221a.7 Reissuance of summaries.

(a) When a major change occurs in a carrier's fares, the carrier shall, within 30 days after the change becomes effective, reissue summaries reflecting the change and superseding previously issued summaries, and shall withdraw from circulation any superseded summaries. For purposes of this requirement, a "major change" means one or more changes that cumulatively affect at least one-quarter of the fare amounts shown in any one summary, or the addition or deletion of one or more of the types of fares shown in a summary.

(b) In addition to reissuances resulting from major changes, as required by paragraph (a) of this section, a carrier shall reissue its summaries in a manner that is consistent with the fullest extent practicable, with existing national commitments to protect the public from adverse health effects.

The superseded summaries shall promptly be removed from all locations.

§ 221a.8 Filing with the Board.

Each carrier shall send three copies of each of the fare summaries that it is required by this part to issue, or to reissue, to the Civil Aeronautics Board, Tariffs Section, Washington, D.C. 20442, not later than the time at which the carrier is required by this part to make the summary available to the public. If the Board finds that any fare summary is at variance with any provision of this part, the Board may order specific changes to be made in the fare summary so that it will conform to the provisions of this part.

PROPOSED RULES

ENVIRONMENTAL PROTECTION AGENCY

[ 40 CFR Part 55 ]

ENERGY RELATED AUTHORITY

Georgia: Proposed Compliance Date Extension

The Administrator of the Environmental Protection Agency proposes to amend 40 CFR Part 55 by adding to it a new Subpart L to provide for the issuance of a compliance date extension to Savannah Electric and Power Company for its Fort Wentworth Generating Station Units 1, 2, and 3, located in Fort Wentworth, Georgia. This extension will require that the control equipment needed to meet the New Source Performance Standard (NSPS) Plan emission limitations for particulate matter be installed before the conversion of the three units to the burning of coal. These units are presently burning oil or natural gas and are in compliance with the Georgia Rules and Regulations for Air Quality Control. This proposed rulemaking is based upon the superseded summaries.

Illustration: A passenger whose trip could be diagrammed as follows:

Carrier X → Carrier A → Carrier Y

for purposes of this section, would be counted by Carrier A as a passenger carried from Carrier X to Carrier Y.

The superseded summaries shall promptly be removed from all locations.

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the use of coal as their primary energy source pursuant to FEA prohibition orders are eligible for compliance date extensions for applicable air pollution requirements if the Administrator of EPA determines that the source has submitted a compliance plan with certain specified features. Upon the grant of a compliance date extension, EPA, in accordance with section 119(d)(1)(B), will certify to the Administrator of FEA the source and the manner in which a compliance date extension may be issued to a source situated in non-attainment AQCR, in which the source is located i.e., whether NPAQS are or are not being attained, will dictate the manner in which a compliance date extension applies to the source.

1. Extensions in attainment AQCR's. If the NPAQS for a particular pollutant are being attained in the AQCR in which the source is situated, the Administrator may permit, for a specified period of time, the burning of coal resulting in emissions of the pollutant in excess of applicable air pollution requirements, including State implementable plan requirements for primary standard conditions or regional limitations. This certification date represents the earliest date on which the Administrator will certify to the Administrator of FEA, its prohibition order effective against the source.

2. Extensions in non-attainment AQCR's. If a source is situated in an AQCR in which the NPAQS is being extended for a specified pollutant, an additional condition, the "regional limitation", is imposed in connection with the issuance of a compliance date extension under section 119(c)(2)(D). The Administrator will no longer be subject to the regional limitation. Extensions in non-attainment AQCR's are being met but standards for particulate matter are not being met, may receive a compliance date extension and could exceed applicable SIP emission limitations for sulfur oxides as long as the source complies with prescribed primary standard conditions for sulfur oxides. The source will be required to meet the regional limitation (the implementation plan requirements) for particulate matter at all times, even after conversion to coal, and it would have to be taken in steps before conversion to assure that those requirements would be met by the effective date of the FEA's prohibition order. If it is determined at any subsequent time that the regional limitations are being attained in the AQCR, the source will no longer be subject to the regional limitation and necessary primary standard conditions for particulate matter will be prescribed. The source will be able to burn coal under an extension of SIP particulate matter requirements as soon as such primary standard conditions are met.

3. Interim requirements which must be met prior to conversion to coal (such as meeting increments contained in compliance schedules for primary standard conditions, regional limitations, and all applicable air pollution requirements) must be imposed by EPA, in consultation with appropriate States. Primary standard conditions are emission limitations, requirements respecting the pollution characteristics of coal, or other enforceable measures for the control of emissions which the Administrator determines must be met by a converting source in order to assure, throughout the term of the extensions, that the burning of coal by that source will not cause and contribute to concentrations of any air pollutant in excess of any national primary ambient air quality standard.

Once the primary standard condition is met, the source may begin burning coal which is available to it in compliance with all applicable air pollution requirements without an extension: (2) during the period of the extension the source will be able to comply with all applicable primary standard conditions and any applicable regional limitations; and (3) the source has submitted and EPA has approved a compliance plan with certain specified features. Upon the grant of a compliance date extension, EPA, in accordance with section 119(d)(1)(B), will certify to the Administrator of FEA the source and comply with any applicable primary standard condition or regional limitation. This certification date represents the earliest date on which the Administrator will certify to the Administrator of FEA, its prohibition order effective against the source.

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PROPOSED RULES

3. Approvable compliance schedules. Before a compliance date extension can be issued, the source must submit and EPA must approve, or modify if necessary, a plan for compliance (based upon continued usage of coal as primary energy source) with the requirements of the applicable SIP and any applicable New Source Performance Standards or National Emission Standard for Hazardous Pollutants for which an extension, if granted, will be required. Specifically, EPA must require that the source achieve the most stringent degree of emission reduction that such source would have been required to achieve under the applicable implementation plan which was in effect on the date the NOE is served, in accordance with the compliance plan submitted by the source.

Such compliance plans are enforceable by EPA under section 119(g)(2). Once an extension is granted, it will extend the date for compliance with the applicable SIP and any applicable New Source Performance Standards or National Emission Standard for Hazardous Pollutants for which an extension, if granted, will be required. Such requirements may be those imposed at the State, Federal, or local level, whether or not they are included in the applicable State Implementation Plan. The requirements affected by an extension are not federally enforceable (e.g., State or local requirements which are not part of an EPA-approving implementation plan). EPA must, in order to make the appropriate certification to FEA, require submission of a compliance plan for meeting these requirements to determine the date by which the source can comply, but EPA does not have authority to enforce such compliance plans. However, State and local authorities may independently establish, adopt, and enforce appropriate schedules for each of their own requirements so long as the burning of coal by the source is not thereby prohibited prior to January 1, 1979.

4. Reporting and monitoring requirements. Notice of extension of a compliance date (including those subject to the regional limitation) must furnish regular status reports to the Enforcement Division of EPA's regional office (or the appropriate authority) in accordance with the issuance of the compliance date extension, as required by 40 CFR 55.04(g). Such status reports will summarize the source's progress towards achieving compliance with all applicable air pollution requirements. Sources are also required, at 40 CFR 55.04(a) (2) (I) (F) or 55.04(a) (2) (II) (F), to notify the appropriate EPA regional office of the public information. A claim for confidentiality will be made only after the date by which each incremental step towards final compliance is required to be completed that it has, in fact, been completed (or if not, the reason for failure to be so completed).

The Administrator may find that new or additional ambient air quality monitors are needed to monitor ambient air concentrations of pollutants to determine the effect on air quality of a conversion to coal, and in some cases to determine compliance with primary standard conditions. Where this finding is made, the source will be required, under 40 CFR 55.04(f), to install such monitors, and to report on the data so obtained in the source's semi-annual report under 40 CFR 55.04 (g).
the opportunity for oral and written presentations of data, views, and arguments. Information upon which the Administrator bases this proposed rulemaking is available during regular business hours at the Region IV office of the Environmental Protection Agency, 1421 Peachtree Street, NE., Room 301, Atlanta, Georgia 30309.

Information available includes: the EPA Region IV officer’s Evaluation Summary for the action proposed herein, including an evaluation of the expeditiousness of proposed compliance schedule; compliance schedules, including increments of progress, providing for meeting the regional limitation for particulate matter; information submitted by Savannah Electric and Power Company under 40 CFR Part 55, including the source’s documentation on the issue of coal availability; air quality data and analyses relevant to the source, including ambient air quality monitoring records for the Savannah Intrastate AQCR, in which the source is situated; and copies of the FEA prohibition order and regulations for the Savannah Intrastate AQCR, in which the source is situated; and

The Administrator specifically invites the public to comment on the following aspects of the proposed compliance date extension:

(1) The availability of coal for the purpose of meeting air pollution requirements.
(2) The ability of the source to meet all proposed regional limitations, and
(3) The expeditiousness of the proposed compliance schedules for meeting State implementation plan requirements on the basis of coal usage.

Comments and requests for public hearing must be received on or before July 22, 1976. All such comments and requests should be directed to:

Mr. Paul J. Traina, Hearing Officer, U.S. Environmental Protection Agency, Region IV, 1421 Peachtree Street, NE., Atlanta, Georgia 30309.

Requests for public hearing must be accompanied by a statement supporting the need for such a hearing, including an indication of which issues are to be raised and a brief summary of the information to be offered at the hearing.

If the hearing officer finds that there is significant public interest or that there is pertinent and substantial information to be offered, a public hearing will be held no sooner than July 22, 1976. If such a hearing is deemed appropriate, prominent notice will be published in the Savannah Intrastate AQCR, identifying the date, time, place and subject of such a hearing and describing the rules under which the hearing will be conducted.

Due consideration shall be given to all timely relevant public comment, whether submitted as a written comment or adduced at a public hearing, and where appropriate, proposed rulemaking then under consideration will be modified to reflect such comments.

This proposed rulemaking is based upon the authority of sections 119 and 301 of the Clean Air Act (42 U.S.C. 1857 et seq.).

Dated: May 21, 1976.

JOHN A. LITTLE,
Deputy Regional Administrator,
Region IV.

Part 55 of Chapter I, Title 40, Code of Federal Regulations, is proposed to be amended by adding a new subpart L as follows:

Subpart L—Georgia

§53.570 Compliance date extension.

(a) The Administrator issues a compliance date extension to the Savannah Electric and Power Company, Port Wentworth Generating Station, Units 1, 2, and 3 in Port Wentworth, Georgia, upon the following conditions:

(1) Regional Limitation. The Source shall comply with section 391-3-1-02 (2) (d) of the Georgia Rules and Regulations for Air Quality Control within 27 months from the date that FEA issues its Notice of Effective, in accordance with the schedule below. This regulation deals with particulate emission limits for fuel-burning equipment. The Savannah Electric Company shall complete the following test in respect to Units 1, 2, and 3 of its Port Wentworth Generating Station on or before any time limit specified below reckoning from the date that Notice of Effectiveness is served:

(i) Completed—Submit to the Director of the EPA Region IV Enforcement Division (hereafter in this paragraph referred to as the Director), a final control plan describing the steps which will be taken to achieve compliance with applicable particulate emission limiting regulations.

(ii) One (1) month—Negotiate, submit to the Enforcement Division Director for approval, and sign all necessary contracts for particulate emission control systems or issue orders for the purchase of component parts to accomplish particulate emission control following the conversion to coal.

(iii) One (1) month—Initiate on-site construction or installation of particulate emission control equipment.

(iv) Twenty-one (21) months—Submit to the Director coal contracts for coal of the appropriate specifications to enable compliance with all applicable air pollution requirements in conjunction with the particulate emission control system specified in (ii) above.

(v) Twenty-five (25) months—Complete on-site construction or installation of particulate emission control equipment and initiate use of such equipment.

(vi) Twenty-six (26) months—Complete stackdown operations and performance tests on the control equipment required by this sub-paragraph; also, achieve compliance with Georgia particulate emission limiting regulation 391-1-02(2)(d), and certify such compliance to the Director.

(vii) The Savannah Electric and Power Company must give the Director ten (10) days notice before conducting any performance tests in order to afford him an opportunity to approve the test procedure and to have an observer present. All tests must conform to the procedures provided in 40 CFR Parts 60, 68.

(2) The Savannah Electric and Power Company is required to notify the Director no later than ten (10) days after the completion of each time period specified in this paragraph, as to whether the corresponding incremental step towards compliance has been completed. The company must also submit status reports to the Director at six-month intervals.

(3) The source shall not, until January 1, 1979, be prohibited from burning coal which is available to such source by reason of the application of any air pollution requirement except as provided in section 119(d) (3) of the Clean Air Act (42 U.S.C. 1857, et seq.).

(4) The source shall not, until January 1, 1979, be prohibited from burning coal which is available to such source by reason of the application of any air pollution requirement except as provided in section 119(d) (3) of the Clean Air Act (42 U.S.C. 1857, et seq.).

[40 CFR Part 55]

[FR 565-3]

ENERGY RELATED AUTHORITY

North Carolina: Proposed Compliance Date Extension

The Administrator of the United States Environmental Protection Agency proposes to amend 40 CFR Part 55 by adding to it a new subpart II to provide for the issuance of a compliance date extension to the Carolina Power and Light Company’s L. V. Sutton Plant, Units 1, 2, and 3, in Wilmington, North Carolina. A condition of this extension will require the upgrading of the existing air pollution equipment while coal is being burned in the three units already converted. This proposed rulemaking is based upon the authority granted to the Administrator by sections 119 and 301 of the Clean Air Act, as amended (42 U.S.C. 1857 et seq.), and is in accordance with the procedures provided in 40 CFR Part 55, promulgated on April 28, 1975 (40 CFR 18438), and amended on December 18, 1975 (40 FR 58644).

BACKGROUND

On June 22, 1974, Congress enacted the Energy Supply and Environmental Coordination Act of 1974 (ESECA) as amended by the Energy Policy and Conservation Act (Pub. L. 94-163), “to provide for a means to assist in meeting the essential needs of the United States for fuels in a manner which is consistent, to the fullest extent practicable, with existing national commitments to protect and improve the environment * * *” (15 U.S.C. 791).

Section 2(a) of ESECA authorizes and directs the Administrator of the Federal Energy Administration (FEA) to prohibit until January 1, 1983, the use of petroleum products or natural gas as the primary energy source at certain power plants and major fuel burning installations. Section 3 of ESECA, which forms a new section 119 in the Clean Air Act (42 U.S.C., et seq.)
PROPOSED RULES

U.S.C. 1857c–10), provides that the Administrator of the Environmental Protection Agency (EPA) must take certain actions in response to the issuance of FEA prohibition orders.

Section 119 requires the Administrator of EPA to take action to assure that national primary ambient air quality standards (NAAQS) are not jeopardized by increased emissions resulting from the burning of coal by those sources not to exceed specified limits on the amounts of pollutants emitted into the ambient air. These emission limitations, the dates by which they must be met, and other applicable air pollution requirements may be the subject of compliance date extensions under section 119(e).

RELATIONSHIP BETWEEN ESECA AND THE CLEAN AIR ACT

Under sections 2(a) and 2(b) of ESECA, the Administrator of the Federal Energy Administration (FEA) must by order prohibit any power plant from burning natural gas or petroleum products as its primary energy source if he finds that burning coal at any power plant so ordered is practicable and consistent with the purposes of ESECA, (2) coal and coal transportation facilities will be available during the period the order is in effect; (3) the burning of coal will not impair the reliability of service at the power plant, and (4) the power plant, on June 22, 1974, had the capability and necessary plant equipment to burn coal. (3) The Administrator of FEA issued orders under section 2 of ESECA to 74 generating units at 32 power plants. FEA's authority to issue prohibition orders extends to June 30, 1977, and its authority to enforce prohibition orders will expire on January 1, 1985.

Section 119 of the Clean Air Act additionally provides that sources which on or after September 15, 1973, convert to the use of coal as their primary energy source pursuant to FEA prohibition orders are eligible for compliance date extensions under the Clean Air Act. A brief explanation of the statute is appropriate.

The Clean Air Act, As Amended

Under the Clean Air Act, as amended, each State submitted a plan (known as the State implementation plan or SIP) for approval by EPA's Administrator. Each SIP is designed to provide for attainment and maintenance of the NAAQS. The North Carolina plan was approved by the Administrator on May 31, 1972, (37 FR 10842). Under section 110 of the Clean Air Act, all NAAQS are to be met as expeditiously as practicable. The attainment date for the State of North Carolina was May 31, 1975.

National primary standards are established at levels calculated to protect the public from adverse health effects. National implementation plans were established to assure that the ambient air concentration levels harmful to property and crops (welfare related), and are equal to or more stringent than national primary standards. Pollutants for which standards have been promulgated are sulfur oxides, particulate matter, hydrocarbons, carbon monoxide, nitrogen oxides, and photochemical oxidants. But increased coal burning will most significantly result in increased emission of sulfur oxides and particulate matter.

The SIP's now in effect generally provide for meeting national ambient air quality standards (NAAQS) established at levels calculated to protect the public from adverse health effects. The attainment date for the State of North Carolina was May 31, 1975.

Each SIP is designed to provide for attainment and maintenance of the NAAQS, once the Administrator determines that certain other conditions are met. Section 119(c) provides that the Administrator of EPA determines certain other conditions in sections 119(c) and (d) are met. Section 119(c) provides that a compliance date extension may be issued only if the EPA Administrator finds that: (1) The source cannot burn coal which is available to it in compliance with all applicable air pollution requirements without an extension; (2) during the period of the extension the source will be able to comply with all applicable primary standard conditions and any applicable regional limitations; and (3) the source has submitted and EPA has approved a compliance plan with certain specified features. Upon the grant of a compliance date extension, EPA, in accordance with section 119(d)(1)(B), will certify to the Administrator of FEA the earliest date the source can burn coal and comply with any applicable primary standard condition or regional limitation. This certification date represents the earliest date by which FEA can make its prohibition order effective against the source.

Any compliance date extension will be specific to an individual source and will be issued on a unit-by-unit basis. It may affect requirements for one pollutant or more than one pollutant being emitted from the source. The measured ambient pollution concentration is the average concentration of all pollutants emitted from the source. The regional limitation applies to the source is located i.e., whether NAAQS are or are not being attained, will dictate the manner in which a compliance date extension applies to the source.

1. Extensions in attainment AQCR's.

If the NAAQS for a particular pollutant are being attained in the AQCR in which the source is situated, a compliance date extension applies to the source for a specified period of time, the burning of coal resulting in emissions of the pollutant in excess of applicable air pollution requirements, including State implementation plans and limitations, and the pollutant for which the standard is being met, so long as all NAAQS are maintained. Sources granted such extensions must achieve compliance with State implementation plans as soon as practicable, but no later than December 31, 1978; meanwhile, the source must enter into an enforceable compliance schedule to assure compliance with air pollution requirements by the time the extension expires.

In addition, when a compliance date extension is issued to a source situated in an AQCR in which the NAAQS are being attained for the pollutant for which the compliance date extension is granted, "primary standard conditions" must be imposed by EPA. In consultation with appropriate States, Primary, for a specified period of time, the burning of coal resulting in emissions of the pollutant in excess of applicable air pollution requirements, including State implementation plans and limitations, and the pollutant for which the standard is being met, so long as all NAAQS are maintained.

Section 119(c) provides that the Administrator of EPA determines certain other conditions in sections 119(c) and (d) are met. Section 119(c) provides that a compliance date extension may be issued only if the EPA Administrator finds that: (1) The source cannot burn coal which is available to it in compliance with all applicable air pollution requirements without an extension; (2) during the period of the extension the source will be able to comply with all applicable primary standard conditions and any applicable regional limitations; and (3) the source has submitted and EPA has approved a compliance plan with certain specified features. Upon the grant of a compliance date extension, EPA, in accordance with section 119(d)(1)(B), will certify to the Administrator of FEA the earliest date the source can burn coal and comply with any applicable primary standard condition or regional limitation. This certification date represents the earliest date by which FEA can make its prohibition order effective against the source.
For example, a source located in an AQCR in which primary standards for sulfur oxides are being met but standards for particulate matter are not being met may receive a compliance date extension and could exceed applicable SIP and ambient air quality requirements for sulfur oxides as long as the source complies with prescribed standard conditions for sulfur oxides. The source, however, would be required to meet the regional limitations and any applicable requirements necessary for particulate matter to be prescribed. The source will be able to burn coal under an extension of SIP particulate matter requirements if it can show that the source can comply with all applicable primary standard conditions and that the appropriate primary standard conditions are met.

Interim requirements which must be met prior to conversion to coal (such as meeting increments contained in compliance schedules for primary standard conditions, regional limitations, and all extended requirements) may be imposed and enforced by EPA under section 119 of the Clean Air Act. However, the source will not be granted a compliance extension with any applicable air pollution requirement until it has fulfilled all applicable conditions on the extension (primary standard conditions or regional limitations), and has actually made the conversion to coal. The "effective date" of the compliance date extension is, therefore, the date on which the conditions are met and compliance with applicable air pollution requirements is excused as provided by the terms of the compliance date extension.

Determining Whether a Compliance Date Extension May Be Granted

Within 90 days after the issuance of a section 2(a) prohibition order, a source eligible for a compliance date extension is required by 40 CFR Part 55 (40 FR 18438, April 28, 1975) to submit specified information necessary to enable the Administrator of EPA either to find that the source can comply with all applicable air pollution requirements without a compliance date extension or to issue a compliance date extension and impose appropriate conditions, limitations, and interim requirements thereon. Information submitted under 40 CFR Part 55, ambient air quality monitoring data, atmospheric simulation modeling data, and any other source-specific information available to the Administrator will form the basis for his findings as to a source's ability to meet applicable primary standard conditions and regional limitations and the approvability of plans for compliance.

1. Coal availability. In order to receive a compliance date extension, a source must show that it cannot burn coal which is available to it in compliance with all applicable air pollution requirements without a compliance date extension. This showing must include documentation of efforts to obtain coal of such quality that it can be burned in compliance with applicable requirements. Such documentation might include copies of advertisements for coal of suitable specified quality or within a suitable specified range of characteristics, records of contracts with named suppliers, telephone or telegraphic correspondence, or telephone memoranda.

2. Ability to comply with primary standard conditions and regional limitations. A compliance date extension may be granted only after EPA has determined the appropriate primary standard conditions necessary to protect the NPAQSs throughout the period that applicable requirements are extended. EPA has determined whether the regional limitations apply, and has determined that the source can comply with applicable primary standard conditions and requirements as soon as such primary standard conditions or regional limitations may involve several more limited findings. For example, the Administrator may find that a specific source can meet applicable primary standard conditions and/or regional limitations by one or more of the following: Obtaining through advertising, or suitable specified range of characteristics, records of contracts with named suppliers, telephone or telegraphic correspondence, or telephone memoranda.

3. Approvable compliance schedules. Before a compliance date extension can be issued, the Administrator must approve any plan, and EPA must approve, or modify, or modify as necessary, a plan for compliance (based upon continued usage of coal as primary energy source) with the requirements of primary standard conditions and any applicable New Source Performance Standard or National Emission Standard for Hazardous Pollutants for which an extension has been granted. Specifically, EPA must require that the source achieve the most stringent degree of emission reduction that such source would have been required to achieve under the applicable implementation plan which was in effect on the date of submission of such compliance plan under 40 CFR Part 55 or, if no applicable implementation plan was in effect on such date, under the date of application for extension, a plan which takes effect after such date.

Such compliance plans are enforceable by EPA under section 119(g)(3). Once an extension is granted, it will extinguish the source's compliance with specified air pollution requirements. Such requirements may be those imposed at the State, Federal, or local level, whether or not they are included in the applicable State implementation plan. Where the requirements affected by an extension are not federally enforceable (e.g., State or local requirements which are not part of an EPA-approved implementation plan), EPA must, in order to make the appropriate certification to FEA, require submission of a compliance plan by the source. EPA may determine the date by which the source can comply, but EPA does not have authority to enforce such compliance plans. However, State and local authorities may impose their own enforceable air quality standards, and enforce appropriate schedules for each of their own requirements so long as the burning of coal by the source is not thereby prohibited prior to January 1, 1979.

4. Reporting and monitoring requirements. Any source subject to a compliance date extension (including those subject to the regional limitation) must furnish regular status reports to the Enforcement Division of EPA's regional office at six-month intervals dating from the date of the compliance date extension, as required by 40 CFR 55.04(g). Such status reports will summarize the source's progress towards achieving compliance with all applicable air pollution requirements. Sources are also required, at 40 CFR 55.04(a) (1) (i) or 55.04(a) (2) (ii) (P), to notify the appropriate EPA regional office no later than ten days after the date by which each incremental step towards final compliance is required to be completed that it has, in fact, been completed (or if not, the reason for failure and a schedule for completion).

The Administrator may find that new or additional ambient air quality monitors are needed to monitor ambient air concentrations of pollutants to determine the effect on air quality of a conversion to coal and, in some cases, to determine compliance with primary standard conditions. Where this finding is made, the source will be required, under section 119(g)(2), to install and operate ambient air quality monitors, and to report on the data produced at those monitors in the source's semi-annual report under 40 CFR 55.04(g).

Findings Under Section 119

The Administrator of the Environmental Protection Agency, based upon information submitted pursuant to 40 CFR Part 55, and other information available to him, proposes to issue a compliance date extension to the Carolina Power and Light Company for its L. V. Sutton Plant, Units 1, 2, and 3, located near Wilmington, North Carolina, for North Carolina Emission Control Standard (NCECS) 1.16, which limits the emissions of particulate matter and sulfur dioxide from fuel burning sources. The proposed extension is based upon these preliminary findings:

1. The sources are subject to Section 119(a) FEA Prohibition Orders 061, 062, and 063, respectively, and have converted after September 15, 1973, to coal as their primary energy source.

The Administrator, pursuant to Section 119(c) (2) (A), finds that the sources cannot burn coal available to
PROPOSED RULES

July 1, 1976, at Unit Nos. 2 and 3, to satisfy the regional limitation requirement. Since the proposed rulemaking is based on regional limits which are already satisfied, no compliance plans therefore satisfy Section 119(c).

COMPLIANCE WITH CONDITIONS OF EXTENSION

1. Compliance with regional limitations. Final compliance with the regional limitation for particulate matter by the sources will require the upgrading of the existing electrostatic precipitators and can be achieved by the following dates: Unit 1—October 1, 1976, Units 2, 3—July 1, 1976.

2. Compliance with primary standard conditions. Primary standard conditions are inapplicable due to the regional limitation for particulate matter and the availability of conforming coal to enable immediate compliance with the North Carolina Emission Control Standard 1.10 that has been previously adopted.

3. Final compliance with extended air pollution requirements. The Administrator has determined that the following dates for achieving full compliance (on the basis of coal usage) with air pollution requirements proposed under this proposed rulemaking are extensions provided for compliance as soon as practicable, as provided by Section 119(c) (2) (C):

<table>
<thead>
<tr>
<th>Source/location</th>
<th>Pollutant</th>
<th>North Carolina regulation involved</th>
<th>Date of adoption</th>
<th>Final compliance date</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. V. Sutton Plant, Wilmington, N.C.</td>
<td>Same</td>
<td>Same</td>
<td>Same</td>
<td>Same</td>
</tr>
<tr>
<td>Unit 1</td>
<td>Same</td>
<td>Oct. 1, 1976</td>
<td>July 1, 1975</td>
<td></td>
</tr>
<tr>
<td>Units 2 and 3</td>
<td>Same</td>
<td>Same</td>
<td>Same</td>
<td>Same</td>
</tr>
</tbody>
</table>

Increments of progress, enforceable against the source, to enable final compliance by the proposed date including the date by which initiation of on-site modifications and completion of on-site modification, etc., are available for public inspection (see "Public Participation" below).

PUBLIC PARTICIPATION

Interested parties are hereby notified that the public will be afforded an opportunity for oral and written presentations of data, views, and arguments. Information upon which the Administrator bases this proposed rulemaking is available for public inspection during business hours at the Region IV office of the Environmental Protection Agency, 1421 Peachtree Street NE, Room 301, Atlanta, Georgia 30309.

Information available includes: the EPA Region IV office's Evaluation Summary for the action proposed herein, including evaluation of the expediency of the proposed compliance schedules; compliance schedules, including increments of progress for meeting the regional limitation for particulate matter; information submitted by the State of North Carolina in the form of a special consent order issued to the company; ambient air quality monitoring records for the Southern Coastal (North Carolina) Intrastate AQCR, in which the source is situated; and copies of FEA action order and supporting background documents.

The Administrator specifically invites the public to comment on the following aspects of the proposed compliance date extension:

1. The availability of coal for the purpose of meeting air pollution requirements.

2. The ability of the source to meet all proposed regional limitations.

3. The continued burning of coal by the sources at Unit Nos. 2 and 3 prior to July 1, 1976, at Unit No. 1, 5 prior to October 1, 1976, and July 1, 1976, at Unit Nos. 2 and 3; and

4. The source's completion of the proposed installation schedule for meeting State implementation plan requirements on the basis of coal usage.

Comments and requests for a public hearing received on or before July 22, 1976 will be considered. All such comments and requests should be directed to:

Mr. Paul J. Traína, Hearing Officer, U.S. Environmental Protection Agency, Region IV, 1421 Peachtree Street NE, Atlanta, Georgia 30309.

Requests for a public hearing must be accompanied by a statement supporting the need for such a hearing, including a preliminary indication of which issues are to be included and a brief summary of the information to be offered at the hearing. If the hearing officer finds that there is significant public interest or that there is pertinent and substantial information to be offered, a public hearing will be held no sooner than July 22, 1976. If such a hearing is deemed appropriate, prominent notice will be published in the Southern Coastal (North Carolina) Intrastate AQCR, identifying the date, time, place and subject of such a hearing and describing the rules upon which the hearing will be conducted.

Due consideration shall be given to all timely and relevant public comment, whether submitted as a written comment or adduced at a public hearing, and where appropriate, proposed rulemaking then under consideration will be modified to reflect such comments.

This proposed rulemaking is based upon the authority of sections 119 and 301 of the Clean Air Act (42 U.S.C. 1867 et seq.).

Dated: May 21, 1976.

JOHN A. LITTLE, Regional Administrator, Region IV.

Part 55 of Chapter I, Title 40, Code of Federal Regulations, is amended by adding Subpart II as follows:

Subpart II—North Carolina

§ 55.1770 Compliance date extensions.

(a) The Administrator issues a compliance date extension to the Carolina Power and Light Company for the L. V. Sutton Plant, Units 2 and 3, in Wilmington under the following conditions:

1. Regional limitation. The sources shall comply with North Carolina Emission Control Standard 1.10, as found in the North Carolina Environmental Protection Agency's North Carolina Rules and Regulations Governing the Control of Air Pollution, in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Units</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit 1</td>
<td>(A) March 15, 1976—Complete modifications to the electrostatic precipitators in accordance with North Carolina Permit No. 1318R</td>
</tr>
<tr>
<td>(B) June 1, 1976—Complete modifications to the electrostatic precipitators in accordance with North Carolina Permit No. 1318R</td>
<td></td>
</tr>
<tr>
<td>(C) October 1, 1976—Complete shake-down operations and performance testing on modified electrostatic precipitators; achieve compliance with North Carolina Emission Control Standard 1.10 and certify this compliance to the Director of the Enforcement Division, EPA, Region IV</td>
<td></td>
</tr>
<tr>
<td>(D) February 15, 1976—Complete repair of structural failures of electrostatic precipitators</td>
<td></td>
</tr>
</tbody>
</table>
PROPOSED RULES

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 15]

[FR Doc.76-17916 Filed 6-21-76; 8:45 am]

TELEVISION BROADCAST RECEIVER ANTENNAS

Notice of Proposed Rule Making

By the Commission:

1. Notice of proposed rule making in the above-entitled matter is hereby given.

2. The Council for UHF Broadcasting (CUB) has petitioned for an amendment of our Part 15 rules whereby manufacturers of television broadcast receivers who market their receivers with affixed UHF antennas or a failure or inability of consumers to affix a UHF antenna then the simple expedient of requiring manufacturers to affix a UHF antenna to their receivers. The proposal would appear to be a reasonable and economical solution to the problem. In light of this, the Commission is proposing that Part 15 of its Rules be amended by designating the current text of § 15.65 as paragraph (a) and by adding the following as a new paragraph (b):

§ 15.65 All-channel television broadcast reception: general requirement, and antennas.

(a) * * *

(b) Television receivers marketed with an antenna affixed to the VHF antenna terminals must also have an antenna which is capable of receiving all UHF television channels affixed to the UHF antenna terminals. If a VHF antenna is provided with the receiver but not affixed, a UHF antenna must also be provided.

6. It should be emphasized that the proposed amendment does not require the manufacturer to provide antennas with the receiver or affixed them thereto. However, if a VHF antenna is provided, a UHF antenna must also be provided, and if a VHF antenna is not provided, a UHF antenna must also be affixed. It should also be made clear that the proposal in this proceeding does not encompass the physical configuration or shape, composition, or technical efficiency of antennas that may be provided by manufacturers.

7. Notwithstanding the above, the Commission would welcome comment from any interested party considering the cost and any other factor related to the above proposal.

8. The proposed rule amendment is set forth in Paragraph 5 above. Authority for this action is contained in sections 4(i), 302, 303 (r) and (s) and 306 of the Communications Act of 1934, as amended.

9. Pursuant to applicable procedures set forth in §§ 1.415 and 1.46 of the Commission's Rules, interested parties may file comments on or before August 23, 1976, and reply comments on or before September 13, 1976. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision, this Notice the Commission may take into account other relevant information before it, in addition to the specific comments invited by this Notice.

10. In accordance with the provisions of § 1.90 of the Rules, an original and 11 copies of all written comments, replies, pleadings, briefs, or other documents shall be furnished the Commission. Responses will be available for public inspection during regular business hours in the Commission's Public Reference Room at its Offices at, 1919 M Street, NW, Washington, D.C.

Adopted: June 9, 1976.

Released: June 16, 1976.

FEDERAL DEPOSIT INSURANCE CORPORATION

[32 CFR Part 335] SECURITIES OF INSURED STATE NONMEMBER BANKS

Proposed Rule Making

Notice is hereby given that the Board of Directors of the Federal Deposit Insurance Corporation, pursuant to authority contained in section 12(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78l (the “Act”), proposes to amend Part 335 of Title 12 of the Code of Federal Regulations. The Depository Institutions Act of 1974 (Pub. L. 93-345) amended, inter alia, section 12(i) of the Act to require that the Federal Deposit Insurance Corporation ("FDIC") issue regulations substantially similar to those issued by the Commission under section 12(1). The Council for U.S. Banks and Examinations ("Commission") under sections 12, 13, 14(a), 14(c), 14(d), 14(i), and 16, unless it finds that implementation of such regulations with respect to insured banks is not necessary or appropriate in the public interest or for the protection of investors. Effective for periods beginning after December 25, 1975, the Commission amended its Regulation S-X and Form 10-C to require increased disclosure of interim results in financial reports filed with the Commission (40 FR 46107 (1975)). Accordingly, the FDIC proposes...
to make the following changes in its comparable regulations:

(a) 12 CFR 335.44, Form for Quarterly Report (Form F-4), would be revised to require the inclusion of condensed financial statements, a narrative analysis of results of operations, a signature by the bank's chief financial officer or comptroller, and the approval of any accounting change by the bank's independent public accountant, if any.

The proposed Form would permit the inclusion of additional financial disclosure deemed appropriate by management. It is proposed that condensed balance sheets be provided as of the end of the most recent quarter and as of the same date of the preceding year. Income statements would be required for the most recent quarter, for the period between the end of the last year and the end of the most recent quarter, and for corresponding periods of the preceding year. Summarized statements of changes in financial position would be furnished on a year-to-date basis for the current and preceding year. The proposal, if adopted, would be expected to be made effective for filings with the Corporation subsequent to December 20, 1976. Disclosure of the balance sheet and statement of changes in financial position data would not be required for interim periods beginning prior to the first quarter of 1977.

(b) 12 CFR 335.7(e)(15) would be amended by adding a new clause (ix) to require that certain banks subject to the reporting requirements of Part 335 disclose selected financial data in notes to annual financial statements. The proposed statement would require the inclusion of such data in financial statements filed with the Corporation for fiscal years beginning subsequent to December 20, 1976. For banks reporting on a calendar year basis, such data would have first been required in their financial statements for the year ended December 31, 1977. Disclosure of comparative quarterly data would not be required for interim periods beginning prior to December 20, 1976. Affected are banks which meet the requirements of § 336.4 and whose securities are either listed on a national securities exchange or are quoted on the National Association of Securities Dealers Automated Quotation System and meet the 12 CFR 220.8(i) margin stock requirements.

(c) 12 CFR 338.7(d)(3), which governs certification by independent public accountants, would be amended by adding a new clause (v) to conform to the Commission's Rule 2-02(e) of Regulation S-X relating to an accountant's association with an unaudited note covering interim financial data.

(d) In addition to the foregoing, 12 CFR 333.51, Item 14(b) and the instructions thereto, would be amended for purposes of internal consistency.

Interested persons are invited to submit written data, views or arguments regarding the proposed amendments to the Office of the Executive Secretary, Federal Deposit Insurance Corporation, Washington, D.C. 20429, no later than August 31, 1976. All comments received on or before that date will be filed with the Records Unit in the Office of the Executive Secretary and will be made available for public inspection and copying during regular business hours. Copies will also be made available upon written request at a duplicating cost of 10 cents per page.

By Order of the Board of Directors.

Dated: June 16, 1976.

ALAN R. MILLER, Executive Secretary.

FEDERAL DEPOSIT INSURANCE CORPORATION, [SEAL]

PROPOSED RULES

Pursuant to § 335.7(e)(ix), it shall be presumed that appropriate professional standards and procedures with respect to the data in the note have been followed by the independent accountant who is associated with the unaudited footnote by virtue of reporting on the financial statements in which it is included.

Pursuant to § 335.7(e)(ix), it shall be presumed that appropriate professional standards and procedures with respect to the data in the note have been followed by the independent accountant who is associated with the unaudited footnote by virtue of reporting on the financial statements in which it is included.

Pursuant to § 335.7(e)(ix), it shall be presumed that appropriate professional standards and procedures with respect to the data in the note have been followed by the independent accountant who is associated with the unaudited footnote by virtue of reporting on the financial statements in which it is included.

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C. Preparation of Report.

(a) This is not a blank form to be filled in. It is in the form prescribed by the report in accordance with § 335.4(1). The Corporation does not furnish blank copies of this form to be filled in for filing. The captions and the instructions to the various captions of the form are also to be omitted from the report as filed.

D. Persons for Whom the Information is to be Given.

(a) The required information is to be given as to the registrant bank or, if the bank filed consolidated financial statements with the annual report, then also to all of its consolidated subsidiaries. If the information is given as to the bank and its consolidated subsidiaries, it need not be given separately for the bank.

(b) The required information shall also be given separately as to each unconsolidated subsidiary or 50 percent owned person or other person, or group of such subsidiaries, 50 percent owned persons or other persons, for which separate individual or group statements are required to be included in the bank's annual reports filed with the Corporation. The required financial statements are to be furnished, however, for any such unconsolidated subsidiary or person which would not be required pursuant to § 335.4(1) to be filed consolidated financial information if it were a bank.

E. Preparation of Financial Information.

The required information specified in the captions of this form may be furnished in any form which would not be required pursuant to § 335.4(1) to be furnished in the form of a financial information required if it were a bank, provided it is stated that such has been done. Losses, or any such unconsolidated subsidiary or person which would not be required pursuant to § 335.4(1) to be included in the annual report of the corporation, however, disclosures must be adequate to make the information presented not misleading.

The condensed financial statements shall be provided for periods as set forth below:

(1) The condensed income statement shall be given as to the most recent fiscal quarter, for the period between the end of the last fiscal year and the end of the most recent fiscal quarter, and for the corresponding period of the preceding fiscal year.

(2) The balance sheet shall be presented as of the end of the most recent fiscal quarter and of the preceding fiscal year, and for the corresponding period of the preceding fiscal year.

(3) The statement of changes in financial position shall be presented for the period between the end of the last fiscal year and the end of the most recent fiscal quarter, and for the corresponding period of the preceding fiscal year, and the cumulative twelve month period ended during the most recent fiscal quarter and for the corresponding period of the preceding fiscal year.

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(2) The balance sheet shall be presented as of the end of the most recent fiscal quarter and of the preceding fiscal year, and for the corresponding period of the preceding fiscal year.

(3) The statement of changes in financial position shall be presented for the period between the end of the last fiscal year and the end of the most recent fiscal quarter, and for the corresponding period of the preceding fiscal year, and the cumulative twelve month period ended during the most recent fiscal quarter and for the corresponding period of the preceding fiscal year.
PROPOSED RULES

FEDERAL HOME LOAN BANK BOARD

INSDURANCE OF ACCOUNTS

INSURANCE OF ACCOUNTS

Proposed Amendment Relating To Slow Loans

JUNE 16, 1976.

The Federal Home Loan Bank Board considers it desirable to propose to amend § 561.16(e) (2) of the rules and regulations for Insurance of Accounts (12 CFR § 561.16(e)) to exclude from the definition of "slow loans" any loan or land contract that has been modified or refinanced to provide for payment of mortgage life or disability insurance premiums where the insured institution is the assignee or beneficiary of the insurance, if provision is made for repayment of the funds so advanced within the succeeding 12 months.

Accordingly, the Board hereby proposes to amend § 561.16(e) (2) of the rules and regulations for Insurance of Accounts, to read as set forth below.

Interested persons are invited to submit written data, views and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 820 First Street, NW., Washington, D.C. 20552, by July 23, 1976, as to whether the proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address.

In § 561.16, paragraph (e) is amended to read as follows:

§ 561.16 Slow loans.

The term "slow loans" means:

* * * * *

(e) Any loan or land contract that has been modified or refinanced within the preceding 12 months while contractually delinquent, except a mortgage loan or land contract that has been modified or refinanced to provide for payment of real estate taxes, other governmental assessments, hazard insurance premiums, mortgage life insurance or disability insurance premiums where the insured institution is the assignee or beneficiary of the insurance, or water or sewer rent or charges, if provision is made for payment of the funds so advanced within the succeeding 12 months.

* * * * *

[FR Doc. 76-18055 Filed 6-21-76; 8:45 am]

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

CIVIL AERONAUTICS BOARD

[Docket 28305]

ISCARGO, HF NON-SCHEDULED SERVICE
PERMIT APPLICATION (ICELAND)

Prehearing Conference

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on July 19, 1976, at 9:30 a.m. (local time) in Room 1003, Hearing Room D, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Ronnie A. Yoder.


[Seal]

ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc. 76-18120 Filed 6-21-76; 8:45 am]

FEDERAL TRADE COMMISSION
QUORUM FOR COMMISSION ACTION

Resolution

Inasmuch as the Commission is currently comprised of three members, the question has arisen as to what constitutes a quorum. Notice is hereby given that the Commission has approved, adopted, and entered of record the following resolution:

Whereas, the Commission is presently comprised of three members, two of those members can act for the Commission, one member not participating, so long as all members are aware of the proposed action and are afforded an opportunity to participate.

This policy is effective as to all matters decided since May 1, 1976.

By direction of the Commission.

Dated: June 10, 1976.

CHARLES A. TOBIN,
Secretary.

[FR Doc. 76-18115 Filed 6-21-76; 8:45 am]

DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service
ENDANGERED SPECIES PERMIT
Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (P.L. 93-205).

Applicant: Donald E. Meisner, Meisner Game Bird Farm, 6 Karen Lane, Salem, New Hampshire 03079.

FEDERAL REGISTER, VOL. 41, NO. 121— TUESDAY, JUNE 22, 1976
Application is being made to buy and import White Eared Pheasant currently classified as Endangered Species by,

Donald E. Meisner
6 Karen Lane
Salem, N. H. 03079

17.22---
(1) Pheasant—White Eared—Captive: Live birds, for propagation.

(2) To keep, raise and sell to other qualified propagators, thereby ensuring the survival of this species.

(3) Granting of this permit will probably not result in economic hardship, since the purpose of raising these birds is not economic in nature. The primary reason for my activity in this area, is a desire to contribute to the development of a self-sustaining captive stock of an endangered species. Economic gain I believe should be a side benefit, not the motivating force.

(4) I have not previously been involved in importation from a foreign country. I have for several years raised Brown-Eared Pheasant, currently maintaining 7 pairs. I also in the past have kept and raised Edwards Pheasant. I have kept and raised Nihado pheasant for a number of years.

(5) The only alternative to granting this permit, is that I will not be able to participate in a program of development of this species.

(6) The birds will be shipped by air in carefully constructed crates of masonite and wood. They will be constructed in a manner that will protect the well being of the birds. Approximate size 2\times2\times2' for one bird. Containing litter on the bottom, a container for feed, one for water, and a padded top for the protection of the birds.
(7) Crate and method of shipping previously described in #6. They will be received at Quarantine station in New Jersey. Cared for there until cleaned and at that time picked up by myself in person and transported to New Hampshire.

(8) Importation will be effected as soon after permit is received as possible. Approximately June 1976

(9) Importation will be made at New York.

(10) The birds will be kept in pens 11'X20'X10'. They are planted in trees and shrubs. There is a protected area, they are situated in a dry locale, protected on all sides of the perimeter of my property by a 6' high wooden stockade fence. At present, I have over 150 pens of various sizes. All pens are constructed in a manner so as to protect the well being of the wildlife contained therein, while at the same time being conducive to their breeding.

I have raised many species of Pheasant, peafowl and waterfowl for the last 10 years. Some of the more difficult species that I have raised in the pheasant family include, Mikado, Edwards, Tregopan, Brown-Headed, Coppers and various types of Firebacks. I also keep and have raised many types of waterfowl, Emperor Geese, Magellan, Ashyhead, Ring. Among some of the more difficult waterfowl in ducks, I have been successful with Hooded Mergansers, Paradise Shelduck, Snowy Egret and both species of Goldeneyes as well as common Eider.

I would welcome the opportunity to participate in the compiling of some type of accurate records so that a better system of control might be effected. This is presently done with waterfowl. I have 4 Acres of land behind my home fenced in, which is where I conduct my hobby. I own 14 acres, which gives privacy and safety to the birds.
Documents and complete information, submitted in connection with this application, are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, N.W., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or prior to July 23, 1976, will be considered.

Dated: June 16, 1976.

LOREN K. PARCHER,
Acting Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

Bureau of Indian Affairs

YAKIMA INDIANS

Plan for the Distribution of the Yakima Portion of the Judgment Funds Awarded in Dockets 161, 222 and 224 Before the Indian Claims Commission

JUNE 11, 1976.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

The Act of October 19, 1973 (P. L. 93-134, 87 Stat. 466), requires that a plan be prepared and submitted to Congress for the use or distribution of funds appropriated to pay a judgment of the Indian Claims Commission of Court of Claims to any Indian tribe. Funds were appropriated by the Act of April 30, 1965, 79 Stat. 81, in satisfaction of the award granted to the Confederated Tribes and Bands of the Yakima Indian Nation in Indian Claims Commission Dockets 161, 222 and 224. The plan for the distribution of the funds was submitted to the Congress with a letter dated February 24 1976, and was published in the Congressional Record) by the House of Representatives on March 1, 1976, and by the Senate on March 3, 1976. Neither House of Congress having adopted a resolution disapproving it, the plan became effective on May 13, 1976, as provided by Section 5 of the 1973 Act supra.

The plan reads as follows:

The Confederated Tribes and Bands of the Yakima Indian Nation's portion, as determined by the Court of Claims on April 24, 1974, of the funds appropriated by the Act of April 30, 1965, 79 Stat. 81, in satisfaction of the award granted in Dockets 161, 222 and 224 before the Indian Claims Commission, including all interest and investment income accumulated during the construction period, and litigation expenses, shall be distributed as herein provided:

Enrollment.—The Confederated Tribes and Bands of the Yakima Indian Nation's latest approved membership roll shall be brought current and include all eligible members born on or prior to and living on the effective date of this plan.

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Enrollment.—The Confederated Tribes and Bands of the Yakima Indian Nation's latest approved membership roll shall be brought current and include all eligible members born on or prior to and living on the effective date of this plan.

Per Capita Distribution.—Subsequent to the preparation and approval of this roll, the Secretary shall make a per capita distribution of the totality of the funds, in a sum as equal as possible, to each enrollee.

The per capita distributions to the competent adults shall be paid directly to them. The per capita shares of legal incompetents shall be placed in individual IIM accounts and handled under 25 CFR 104.6. The per capita shares of deceased individual beneficiaries shall be handled pursuant to 25 CFR Part 4, Subpart D.

Minor's per capita shares. In excess of $100, including all investment income accruing thereto, will be retained in individually segregated IIM accounts and shall not be disbursed until the minor attains the age of eighteen years, or the minors' shares, including all investment income, will be placed in a private trust as approved by the Secretary. In those cases where a minor would reach the age of eighteen within six months after the establishment of a trust, such funds shall instead be retained in IIM accounts. Upon reaching the age of eighteen, unless under a legal disability, the beneficiary shall be entitled to withdraw the per capita share and accrued investment income thereon as provided in 25 CFR 104.3. If a beneficiary is under a legal disability upon attaining the age of eighteen, the per capita share and accrued investment income thereon shall be handled pursuant to 25 CFR 104.5. If a minor's per capita share is not in excess of $100, it may be expended for the minor's benefit as provided in 25 CFR 104.4.

MINORS' PER CAPITA DISTRIBUTION

-Subsequent to the preparation and approval of this roll, the Secretary shall make a per capita distribution of the totality of the funds, in a sum as equal as possible, to each enrollee.

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Morris Thompson, Commissioner of Indian Affairs.

Bureau of Land Management

[For Dec.76-18088 Filed 6-21-76;8:45 am]

WARM SPRINGS-BLACK MOUNTAIN UNIT; ARIZONA

Reserve of Forage

Under the authority of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315R), as amended, and supplemented, and pursuant to 43 CFR 4111.1-1(b) all animal unit months of forage on the following listed national resource lands hereby named and to be hereinafter referred to as the Warm Springs-Black Mountain Unit, be reserved for use by wildlife on a yearlong basis.

GILA AND SANTA RIVER BASIN MERIDIAN

T 16 N., R. 19 W., Secs. 2, 3, that portion north of the center line of the Atchison, Topeka, and Santa Fe Railroad tracks; and Secs. Pe Railroad tracks.

Sec. 30, that portion north of the center line of the Atchison, Topeka, and Santa

T. 16 N., R. 20 W., Secs. 6, 7, 10, 11, 12, 13, and 14, that portion north of the center line of U.S. Highway 66.

T. 16 N., R. 20 W., Secs. 15, 16, 17, 18, 19, that portion north of the center line of U.S. Highway 66.

T. 16 N., R. 20 W., Secs. 1, 2, 3, and 4, that portion north of the center line of U.S. Highway 66.

T. 16 N., R. 19 W., Secs. 19 to 24, inclusive; and Secs. 25 to 28, inclusive; and Secs. 29 to 32, inclusive.

T. 16 N., R. 19 W., Secs. 33 to 38, inclusive; and Secs. 39 to 42, inclusive.

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
NOTICES

Sec. 13, that portion east of the cliffs in the NE\textsuperscript{3}{4} and the SE\textsuperscript{1}{4};
Sec. 18, that portion northeast of the cliffs in the NE\textsuperscript{3}{4};

The area described aggregates approximately 81,860 acres of national resource lands in Mohave County.

The national resource lands are inside the former Arizona Grazing District No. 2 (Kingman) established under Sec. 1 of the Act of June 28, 1934 and administered under Sec. 3 of the same Act. Arizona Grazing Districts No. 2 (Kingman) and No. 3 (Maricopa) were combined in 1966 to form the present Arizona Grazing District No. 2 (Phoenix).

The national resource land within this area is outside the service areas of any recognized Class I or Class II base waters.

No livestock operation has ever been recognized within the boundary of the described lands.

The unit qualifies as Ephemeral-Perenniail Range as to the physical criteria specified in the Ephemeral Range Special Rule of December 1968.

This area is within the habitat of resident wildlife species (desert mule deer, desert bighorn sheep, black-tailed jackrabbits, cottontail rabbits, and gambel's quail). The area is also within herd units of Wild and Free-Roaming Burros.

The reservation made by this order does not change the status of the affected lands other than to reserve all available forage for wildlife. This order is subject to the provisions of Pub. L. 92-195 (16 U.S.C. 1331-1340).

Interested persons may submit written comments, suggestions or objections with respect to the wildlife forage reservation to the District Manager, Phoenix District, Arizona, on or before August 15, 1976. If no adverse comments or objections are received in the time allowed, this order will become final without further publication in the Federal Register.


WILLIAM K. BARKER,
District Manager,

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
NEW YORK
Tioqa County
Nichols, Pratt-Cady Mansion, 18 River St.

VIRGIN ISLANDS
St. Croix Island
Christianssted vicinity, Green Cay, E of Christianssted.

St. John Island
Charlotte Amalie vicinity, Little La Grange, NE of Frederiksted.

O226).

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Office of Assistant Secretary for Energy Management

Notice is hereby given that the following meeting will be held:

The Technology Task Group of the Office of the Assistant Secretary-Energy and Minerals, Department of the Interior, established procedures.

obtain approval in accordance with its of constructing about four miles of road

and harvesting four million board feet of timber. The proposed Plan does not retain any of the 8,650 acres of Roadless Area—DF (Mt. Welba) in designated roadless status.

The draft environmental statement was transmitted to CEQ on December 16, 1975. This final environmental statement will be transmitted to CEQ on June 15, 1976.

Copies are available for inspection during regular working hours at the following locations:

USDAs, Forest Service, South Agriculture Blvd., Box 3290, 14th St. & Independence Ave., S.W., Washington, D.C. 20250.

USDAs, Forest Service, 187-10th Street, Steamboat Springs, Colorado 80477.

USDAs, Forest Service, 1177 West Eighth Avenue, Lakewood, Colorado 80225.

USDAs, Forest Service, 500 Pershing, Craig, Colorado 81625.

A limited number of single copies are available upon request to: J. Merle Prince, Forest Supervisor, Routt National Forest, P.O. Box 1196, Steamboat Springs, Colorado 80487.

Copies of the environmental statement have been sent to various Federal, state and local agencies as outlined in the CEQ guidelines.

J. Merle Prince, Forest Supervisor.

JUNE 15, 1976.

[FR Doc.76-18088 Filed 6-21-76;8:45 am]

Rural Electrification Administration
CENTRAL ELECTRIC POWER COOPERATIVE, INC., COLUMBIA, S.C.

Proposed Loan Guarantee

Under the authority of Public Law 83-32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 20-22 (Guarantee of Loans for Bulk Power Supply Facilities), notice is hereby given that the Administrator of REA will consider (a) providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of $5,356,000 to Central Electric Power Cooperative, Inc., of Columbia, South Carolina, and (b) supplementing such a loan with an insured REA loan at 5 percent interest in the approximate amount of $3,500,000 to this cooperative. These loans funds will be used to finance a project consisting of 93 miles of 230 kV transmission line and related terminal facilities.

Legal organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information on the proposed project, including the engineering and economic feasibility studies and the proposed schedule for the advances to the borrower of the guaranteed loan funds from Mr. K. E. Lewis, Manager, Central Electric Power Cooperative, Inc., P.O. Box 1435, Columbia, South Carolina 29202.

In order to be considered, proposals must be submitted (within 30 days from the date of this notice) to Mr. Lewis. The right is reserved to give such considera-
tions and make such evaluation or other disposition of all proposals received, as Central Electric and REA deem appropriate. Prospective lenders are advised that the guaranteed financing for this project is available from the Federal Financing Bank under a standing agreement with the Rural Electrification Administration.

Copies of REA Bulletin 20–32 are available from the Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 15th day of June 1976.

DAVID H. ASKEGARD,
Acting Administrator, Rural Electrification Administration.

DEPARTMENT OF COMMERCE
Domestic and International Business Administration
BOWDOIN COLLEGE, ET AL.
Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Import Act of 1966 (Pub. L. 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which an article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before July 12, 1976.

Amended regulations issued under cited Act (15 CFR 301) prescribe the regulations for public hearing. A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76–00432. Applicant: Bowdoin College, Brunswick, Maine 04011. Article: Scanning Electron Microscope, Model SSM–2A. Manufacturer: Hitachi Perkin-Elmer, Japan. Intended use of article: The article is intended to be used for studies of muscle and red blood cells from normal and dystrophic animals and human patients. Examination of surface characteristics of these materials will be done to discover the primary cause of dystrophy and methods for diagnosis and identification of the carrier state. The article will also be used for educational purposes in the following courses:

1) Introductory Biology—A general introduction to the biological sciences with special emphasis on cell and molecular biology.

(2) Cell Physiology—An introduction to cell biology with emphasis on properties of membranes.

(3) Independent Study—Laboratory work for students under the supervision of a faculty member. Application received by Commissioner of Customs: June 4, 1976.

Docket Number: 76–00434. Applicant: Washington University School of Medicine, 630 S. Euclid Avenue, St. Louis, Missouri 63110. Article: Oscilloscope continuous recording camera, Model PC–3A with accessories. Manufacturer: Nikon Kogyo Co. Ltd., Japan. Intended use of article: The article is intended to be used in the study of nerve cells in the mammalian sympathetic system (guinea pig). The basic experiment is the determination of synaptic interactions of cells by stimulating one and recording from another. The objective of this work is the determination of the physiological properties of mammalian neurons and how they are connected to one another. Application received by Commissioner of Customs: June 7, 1976.

Docket number: 76–00435. Applicant: Adelphi University, South Avenue, Garden City, New York 11530. Article: Flow Jet Mixer. Manufacturer: Punken & Co. Ltd., Japan. Intended use of article: The article is intended to be used to test various ways of emulsifying water and oil, or other combinations, currently under study as part of educational and research programs. Application received by Commissioner of Customs: June 7, 1976.

Docket number: 76–00436. Applicant: University of Chicago, Enrico Fermi Institute, 5640 S. Ellis Avenue, Chicago, IL 60637. Article: Backscatter Display System for Hitachi HFS–2 Scanning Electron Microscope and accessories. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article is an accessory to be used to increase the resolution of an existing scanning electron microscope which is being used to visualize extremely small surface details, primarily on biological specimens. Applications exist in materials science and geology as well. Materials include samples from a variety of organisms, including human tissue. Of special interest are cells, constituents of cells, and viruses. Application received by Commissioner of Customs: June 7, 1976.

(Catalog of Federal Domestic Assistance Programs No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

Economic Development Administration
HALCO INDUSTRIES, INC.
Petition for a Determination Under Section 251 of the Trade Act of 1974
A petition by Halco Industries, Inc., 425 West Cypress Street, Glendale, California 91204, a producer of eyeglass frames, was accepted for filing on June 15, 1976, under Section 251 of the Trade Act of 1974 (P.L. 83–618). Consequently, the United States Department of Commerce has instituted an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm’s workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the tenth calendar day following the publication of this notice.

CHARLES L. SMITH,
Acting Chief, Trade Act Certification Division, Office of Planning and Program Support.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
National Advisory Council on the Education of Disadvantaged Children

Meeting Notice is hereby given, pursuant to PL 92–463, that the next meeting of the National Advisory Council on the Education of Disadvantaged Children will be held on Friday, July 23 and on Saturday, July 24, 1976. The meeting on July 23 will be held from 9:00 a.m. to 4:30 p.m. Also on July 23, Committee meetings will be held. The Committees on Legislation and Adolescence will hold a short session from 11:30 a.m. to 12:00 noon, and the Committee on Parent Involvement will meet from 7:00 to 8:00 p.m. on July 24. The Committee on Parent Involvement will meet from 8:00 a.m. to 12:00 noon. The two-day meeting will be held at 70001 Headquarters, Robert Scott Building, 151 Chestnut Hill Road, Newark, Delaware, 19711.

The National Advisory Council on the Education of Disadvantaged Children is established under section 148 of the Elementary and Secondary Education Act (20 U.S.C. 2411) to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of disadvantaged children.

The purpose of the meeting will be to make site visits to Title I Migrant Programs and Project 70001 in Newark, Delaware, and for the Council to hold its regular meeting.

The Parent Involvement Committee will meet to review past Council recommendations on parent involvement and further plan Council involvement with parent groups and organizations.

Because of limited space, all persons wishing to attend should call for reservations by July 15, 1976.

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
Notice is hereby given of an amendment to the meeting of the Dental Research Institutes and Special Programs Advisory Committee.

Amended Meeting

Notice

Notice is hereby given of an amendment to the meeting of the Dental Research Institutes and Special Programs Advisory Committee. This amendment is to be held on June 29-30, 1976, National Institutes of Health, Building 31-C, Conference Room 8, Bethesda, Maryland, published in the Federal Register on April 29, 1976 (41 FR 17953). This amendment will be scheduled to be open to the public from 9 a.m. to 5 p.m. on June 29. The meeting will now be open to the public from 2 p.m. on June 29 to 5 p.m. and from 9 a.m. to 5 p.m. on June 30. The closed portion of this meeting will be from 9 a.m. on June 29 to 1 p.m. The dates and meeting place remain the same.

Office of the Assistant Secretary for Health

PROPOSED STANDARDS FOR PERSONNEL IN CLINICAL LABORATORIES

Public Meeting

The Assistant Secretary for Health of the Department of Health, Education, and Welfare is considering the specifications to be used for the development of regulations by the Public Health Service and the Social Security Administration and their subsequent promulgation by the Secretary relating to personnel standards in clinical laboratories. These specifications would be applied to hospital-based laboratories (2 CFR 405.1025), independent laboratories (2 CFR 405.405, Subpart M), and interstate laboratories (under the Clinical Laboratories Improvement Act of 1967) (42 CFR 42), except that the "grandfather" provision would apply only to the hospital-based laboratories.

The Social Security Act (Medicare) includes certain statutory requirements for providers and suppliers of health services (such as independent clinical laboratories, hospitals, skilled nursing facilities, etc.) participating in the Medicare program, and authorizes the Secretary to prescribe other requirements to ensure the health and safety of beneficiaries who receive services from these facilities. Currently under the Medicare program there are separate sets of standards for clinical laboratories that are in hospitals and those that are classified as independent laboratories. The standards for Medicare hospital laboratories have not been revised since first established in 1966. The standards for independent laboratories were issued in 1967, subsequently revised and released as final in 1968, and again in 1974. The present standards for clinical laboratories in Medicare participating hospitals are based upon the requirements established by the Joint Commission on Accreditation of Hospitals (JCAH). Prior to the enactment of Public L. 92-603, the Social Security Amendments of 1972, the Medicare standards for hospitals could not be higher than those established by the JCAH. These standards are not as detailed as those which have been developed for independent clinical laboratories under the current regulations similar to those for independent laboratories under Medicare are presently being applied under the Clinical Laboratories Improvement Act (CLIA) for all laboratories engaged in interstate commerce. These regulations were first issued in 1969.

In 1974, the Medicare program adopted the CLIA regulations similar to the specifications set forth below will be published preliminary to the revision to the existing personnel standards identified above. The regulations to be published by the Department of Health, Education, and Welfare would be under authorities within the Social Security Act and the Public Health Service Act provided to the Secretary by the Act.

This Notice is being issued in order to obtain full and meaningful participation in the developmental process of rulemaking by interested and knowledgeable individuals, public and private agencies and organizations, and Federal, State, and local governmental agencies. Public participation at this early stage of the rulemaking process, particularly by those who will be affected by these proposed regulations, will assist in (1) selecting among alternatives; (2) determining the sufficiency of the overall approach and philosophy; and (3) identifying specific problem areas. Emphasis will necessarily be placed on application of these proposed personnel standards to the hospital-based laboratories. The requirements for clinical laboratories also include standards for proficiency testing and internal quality control.

National Institutes of Health

DENTAL RESEARCH INSTITUTES AND SPECIAL PROGRAMS ADVISORY COMMITTEE

NOTICES

25043

Dated: June 17, 1976.

ROBERTA LOVENHEIM, Deputy Director, National Institutes of Health.

[FR Doc. 76-18031 Filed 6-21-76; 8:45 am]

Written comments which are submitted within 30 days after the date of the public meeting, as well as the transcripts of the meeting, will be available for public inspection at the Office of Program Implementation, Office of the Assistant Secretary for Health, Room 17A-55, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852.

SCHEDULE OF MEETING

Date: Wednesday, July 21, 1976.

Time: 9:00 a.m. Speaker Registration, 10:00 a.m. Meeting Begins.

Place: Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852, Conference Room E, Third Floor.

Written comments which are submitted within 30 days after the date of the public meeting, as well as the transcripts of the meeting, will be available for public inspection at the Office of Program Implementation, Office of the Assistant Secretary for Health, Room 17A-55, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852.

MEETING AGENDA

The meeting will be conducted in Conference Room "E", Third Floor, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852. Those individuals wishing to speak may register prior to the meeting either by phone by calling the Office of Program Implementation at (301) 433-2873, or in person at the Conference Room beginning at 9:00 a.m., July 21, 1976. Speakers will be taken in their order of registration. All speakers will be limited to ten minutes of oral presentation. Only one of any presentation will be permitted for any organization. Should there be insufficient time for all speakers on July 21, the meeting will be extended to the next day (July 22, 1976).

Written comments submitted and transcripts of the meeting will be available for public inspection at the Office of Program Implementation on weekdays during regular business hours after the public hearing.

Dated: June 17, 1976.

THEODORE COOPER, Assistant Secretary for Health.
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SPECIFICATIONS FOR LABORATORY PERSONNEL STANDARDS

CONDITION I—LABORATORY DIRECTOR

The laboratory shall have a designated qualified director who is responsible for technical and administrative operation of the laboratory and the proper performance of all procedures in the categories of services offered. Such a director shall not direct more than three laboratories.

A. Standard: Director—Duties. The laboratory director is responsible for the technical and administrative duties listed below:

1. Establish all laboratory procedures and quality control practices including the preparation and maintenance of an up-to-date procedural manual for each category of services offered by the laboratory.
2. Being on the laboratory premises for a period of time commensurate with the laboratory workload, but not less than 8 hours per week. To direct, supervise, and evaluate the performance of laboratory personnel.
3. Insure the availability of technical and general supervision as required in Condition II.
4. Employment of qualified personnel who will maintain the work flow and quality control standards in the laboratory.
5. Provide for orientation and training of new personnel, a structured program for trainees, the continuing education of technical staff, and the assignment of duties to personnel commensurate with their qualifications.
6. Being available for personal and telephone consultation when not on the premises of the laboratory.
7. Arrange for a qualified substitute director to carry out the duties of the director whenever the director will be absent from the laboratory for more than 14 days.

B. Standard: Laboratory Director—Qualifications. Each director must meet one of the following requirements:

1. Has an earned doctorate in medicine or dentistry or in an appropriate chemical, physical, or biological science from an accredited institution, and—
   (i) Has an earned master's degree in an appropriate chemical, physical, or biological discipline, or
   (ii) Has an earned bachelor's degree in an appropriate chemical, physical, or biological science from an accredited institution and subsequent to graduation has at least 3 years of pertinent full-time clinical laboratory experience, or
   (iii) A candidate who is a physician certified in one of the following categories in which the director is not qualified, additional technical supervision must be provided.

2. Tissue pathology: Is a physician certified in anatomic pathology by the American Board of Pathology or the American Osteopathic Board of Pathology or possesses qualifications which are equivalent to those required for certification (board eligible), or, is an individual who, pursuant to a request to establish qualifications, has demonstrated competency to the Secretary. (Such an individual must be employed as a technical supervisor for at least 6 months of the fiscal year preceding the date on which the request is made.)

3. Microbiology: Has at least an earned master's degree in microbiology from an accredited institution, or is a physician, and subsequent to graduation has at least 4 years of experience in clinical microbiology.

4. Serology and Histocompatibility Testing: Has at least an earned master's degree in biology (provided that at least 1 year shall have been spent in an accredited college or university graduate program in medical technology or clinical microbiology) and at least 1 year of experience in serology and histocompatibility testing, or

5. Oral Pathology: Is a physician certified in oral pathology by the American Board of Pathology or the American Osteopathic Board of Pathology or possesses qualifications which are equivalent to those required for certification (board eligible), or, is a director or supervisor certified in oral pathology by the American Board of Oral Pathology or possesses qualifications which are equivalent to those required for certification (board eligible).
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36 semester hours, or equivalent, were pertinent to the medical sciences), chemistry, immunology, or microbiology from an accredited institution; or is a physician, and subsequent to graduation has at least 4 years of experience in either serology or histocompatability testing, or both.

9. Hematology: Has at least an earned bachelor's degree in biology (provided that at least 36 semester hours, or equivalent, were pertinent to the medical sciences), microbiology, chemistry, or medical technology from an accredited institution, or is a physician, and subsequent to graduation has at least 4 years of experience in hematology.

10. Immunohematology—transfusion service: Is a physician with at least 2 years of experience in immunohematology subsequent to graduation.

11. Immunohematology—non-transfusion service: Has at least an earned bachelor's degree in biology (provided that at least 36 semester hours, or equivalent, were pertinent to the medical sciences), immunology, microbiology, chemistry, or medical technology from an accredited institution, or is a physician, and subsequent to graduation has at least 4 years of experience in immunohematology.

12. Clinical Chemistry: Has at least an earned master's degree in chemistry from an accredited institution; is a physician, and subsequent to graduation has at least 4 years of experience in clinical chemistry.

13. Radiobiassay: Has at least an earned bachelor's degree in biology (provided that at least 36 semester hours, or equivalent, were pertinent to the medical sciences), chemistry, physics, or medical technology from an accredited institution, or is a physician, and subsequent to graduation has at least 4 years of experience in radiobiassay.

14. Individuals who do not otherwise qualify as technical supervisors may serve as technicians supervised in laboratories, which they direct pursuant to 1(b)(2)(ii) in:

(i) Microbiology: Has at least an earned bachelor's degree in a biological science and subsequent to graduation has at least 6 years of experience in microbiology.

(ii) Hematology: Has at least an earned bachelor's degree in biology, immunology, or microbiology from an accredited institution and subsequent to graduation has at least 4 years of experience in hematology.

(iii) Immunology: Has at least an earned bachelor's degree in biology, chemistry, immunology, or microbiology and subsequent to graduation has at least 6 years of experience in serology.

(iv) Radiobiassay: Has at least an earned bachelor's degree in a chemical, physical or biological science and subsequent to graduation has at least 1 year of experience in radiobiassay.

(v) Blood grouping and Rh typing: antibody detection, identification, and titering: Has at least an earned bachelor's degree in biology, immunology or microbiology from an accredited institution and subsequent to graduation has at least 4 years of experience in immunohematology.

(vi) Clinical Chemistry: Has at least an earned bachelor's degree in a chemical science from an accredited institution and subsequent to graduation has at least 6 years of experience in clinical chemistry.

15. A laboratory whose director qualifies under 1(b)(2)(ii) may perform procedures in the laboratory director, supervisor, technical personnel, or both, in which such director achieved a satisfactory grade in the examination sponsored by the Public Health Service prior to July 1, 1970. Further, a director who achieved a satisfactory grade in chemistry and/or blood grouping and Rh typing is deemed to meet the requirements of paragraphs 11 and 13 of this Standard.

16. Previously qualified as a technical supervisor: under one of the provisions of this subpart; in an independent laboratory as defined in 465.1310, Regulations No. 5, Subpart M; as a result of approval by the Center for Disease Control for the purposes of the Clinical Laboratories Improvement Act of 1967, provided such qualification was not based on false statements or misrepresentation of material fact.

CONDITION III—TECHNICAL PERSONNEL

The clinical laboratory performs only those procedures that are within the categories for which there are technical personnel qualified by education and experience.

a. Standard: Technologist—Duties. The clinical laboratory employs qualified technologists to perform under general supervision those clinical laboratory procedures offered by the laboratory. The factors explaining the standard are as follows:

1. Each technologist performs tests only in the categories for which the individual is qualified by education, training, and experience as specified in Standard (b) of this section.

2. Each technologist is responsible for:

a. The proper performance of all laboratory procedures performed by technologists, cytotechnologists, and technicians employed by the laboratory.

b. Providing general supervision in the administration of training provided by the laboratory for technologists, cytotechnologists and technicians.

3. Being on the premises during all hours in which procedures are being performed.

Standard: General Supervisor—Qualifications. Each general supervisor must meet one of the following requirements:

1. Qualifies as a clinical laboratory director under one of the provisions in this subpart, or

2. Qualifies as a technical supervisor under one of the provisions in this subpart, or

3. Qualifies as a technologist and subsequent to qualifying has had four or more years of pertinent full-time experience as a cytotechnologist in a clinical laboratory during the six years preceding the submission of qualifications to serve as a cytotechnologist supervisor.

1. Has an earned bachelor's degree in Medical Technology from an accredited college or university whose curriculum included at least 12 months of pertinent full-time experience and practical training, or

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2. Has an earned bachelor's degree in an appropriate chemical, physical or biological science from an accredited college or university and has at least 12 months of pertinent full-time clinical laboratory experience or practical laboratory training, or both, or
3. Has successfully completed at least 90 semester (or equivalent) hours in an accredited college or university and has successfully completed a course of training of at least 12 months in a school of medical technology accredited by an accrediting agency approved by the Secretary.

4. Has successfully completed 90 semester (or equivalent) hours in an accredited college or university which included the following courses:
   (i) 9 semester (or equivalent) hours in chemistry, 6 of which were in inorganic chemistry, and
   (ii) 12 semester (or equivalent) hours in biological courses pertinent to medical sciences, or
   (iii) Subsequent to meeting (i) or (ii), has had a minimum of 12 months of pertinent full-time experience or practical laboratory training, or both, in a clinical laboratory, or
   (iv) Has at least ten (10) years of pertinent full-time clinical laboratory experience prior to the effective date of these regulations and must have been employed in a clinical laboratory for at least 2 of the 5 years preceding submission of qualifications.

An individual qualifying as a technologist under this section must be employed as such in a hospital meeting the requirements of Section 1861(e) of the Act for emergency services under Section 1814(d) of the Act, at the time of submission of qualifications, and a request to establish such qualifications must occur no later than two (2) years following the effective date of these regulations, or

6. Has previously qualified as a general supervisor: under one of the provisions of this Subpart; in an independent laboratory as defined in 405.1310, Regulations No. 5, Subpart M; as a result of approval of the Center for Disease Control for the purposes of the Clinical Laboratories Improvement Act of 1967, provided such qualification was not based on false statements or misrepresentation of a material fact, or

3. Achieves a satisfactory grade in a proficiency examination for clinical laboratory technologists approved and administered by the Secretary prior to December 31, 1977.

4. Has successfully completed a course of training of at least 90 semester (or equivalent) hours in an accredited college or university and has successfully completed a course of training of at least 12 months in a school of medical technology accredited by an accrediting agency approved by the Secretary.

5. Has at least ten (10) years of pertinent full-time experience in cytotechnology in a laboratory acceptable to the cytotechnologist and
   (i) Has had 12 months of training in a school of cytotechnology accredited by an accrediting agency approved by the Secretary, or
   (ii) Has received 6 months of formal training in cytotechnology in a laboratory acceptable to the cytotechnologist and
   (iii) Has successfully completed a clinical laboratory procedure course of at least 50 weeks duration.

6. Has previously qualified as a cytotechnologist: under one of the provisions of this Subpart; in an independent laboratory as defined in 405.1310, Regulations No. 5, Subpart M; as a result of approval of the Center for Disease Control for the purposes of the Clinical Laboratories Improvement Act of 1967, provided such qualification was not based on false statements or misrepresentation of a material fact, or

7. Achieves a satisfactory grade in a proficiency examination for cytotechnologists approved and administered by the Secretary prior to December 31, 1977.
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was not based on false statements or misrepresentations of a material fact.

g. Standard: Trainees—Duties. Individuals who are gaining the experience required to become qualified technologists, cytotechnologists, or technicians may perform procedures only under personal and direct supervision in conjunction with a structured training program.

1. Technologist trainee—functions only within limits defined in writing by the director, but not independent of supervision by at least a qualified technologist.

2. Cytotechnologist trainee—functions only within limits defined in writing by the director, but not independent of supervision by at least a qualified cytotechnologist.

3. Technician trainee—functions only within limits defined in writing by the director and, under the supervision of at least a qualified technologist, performs only repetitive procedures which require a minimal exercise of independent judgment.

[FR Doc.76-18093 Filed 6-21-76;8:45 am]

COMMISSION ON CIVIL RIGHTS
MICHIGAN ADVISORY COMMITTEE
Amended Notice of Meeting

Notice is hereby given, pursuant to the rules and regulations of the U.S. Commission on Civil Rights, that the meeting of the Michigan Advisory Committee (SAC) of the Commission published in the Federal Register on June 29, 1976, on page 22406 (FR Doc. 76-16053) is hereby amended to cancel the press conference for releasing the Report June 24 from 1 pm. until 2:30 pm. at the Press Club of Grand Rapids. In place of the press conference the SAC will convene a meeting of newly appointed members at 1:00 pm. and end at 2:30 pm. at the Common Board Room, Calvin College, Knollcrest Campus, Grand Rapids, Michigan 49506 (FR Doc.76-18095 Filed 6-21-76;8:45 am)

TENNESSEE ADVISORY COMMITTEE
Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Tennessee Advisory Committee (SAC) to this Commission will convene at 2 p.m. and end at 5:30 p.m. on July 16, 1976, at the Holiday Inn-Riverton, 200 West Georgia, Fairfax Room, Memphis, Tennessee.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Southern Regional Office of the Commission, Citizens Trust Bank Building, Room 303, 75 Piedmont Avenue, N.E., Atlanta, Georgia 30303.

The purpose of this meeting is finalization of plans for Police-Community Relations Study in Memphis, Tennessee. This meeting will be conducted pursuant to the Rules and Regulations of the Commission.


ISAIAH T. CRESSEW, Jr.,
Advisory Committee Management Officer.

[FR Doc.76-18070 Filed 6-21-76;8:45 am]

CIVIL SERVICE COMMISSION
DEPARTMENT OF COMMERCE
Title Change in Noncareer Executive Assignment

By notice of January 17, 1974, F.R. Doc. 74-1462 the Civil Service Commission authorized the Department of Commerce to fill by noncareer executive assignment the position of Deputy Director, Office of Congressional Relations, Office of the Secretary. This is notice that the title of this position is now being changed to Deputy Director, Office of Congressional Affairs, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-18095 Filed 6-21-76;8:45 am]

DEPARTMENT OF COMMERCE
Grant of Authority to Make a Noncareer Executive Assignment

Under authority of section 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Commerce to fill by noncareer executive assignment in the excepted service the position of Director, Office of Telecommunications, Office of Assistant Secretary for Science and Technology.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-18040 Filed 6-21-76;8:45 am]

DEPARTMENT OF LABOR
Title Change in Noncareer Executive Assignment

By notice of August 18, 1975, F.R. Doc. 75-21628 the Civil Service Commission authorized the Department of Labor to make a change in title for the position of Executive Assistant and Counselor to the Secretary of Labor, Office of the Secretary, authorized to be filled by noncareer executive assignment. This is notice that the title of this position is now being changed to Executive Assistant to the Secretary of Labor, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-18095 Filed 6-21-76;8:45 am]

FEDERAL EMPLOYEES PAY COUNCIL
Meeting

Pursuant to section 10(a) (2) of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2:00 p.m. on Tuesday, July 13, 1976. This meeting will be held in room 5323 of the U.S. Civil Service Commission building, 1900 E. Street, N.W., and will consist of continuing discussions on future comparability adjustments for the statutory pay systems of the Federal Government, which are defined in section 5301 of title 5, United States Code.

The Chairman of the U.S. Civil Service Commission is responsible for the making of determinations under section 10(d) of the Federal Advisory Committee Act as to whether or not meetings of the Federal Employees Pay Council shall be open to the public. He has determined that this meeting will consist of exchanges of opinions and information which, if written, would fall within exemptions (2) or (5) of 5 U.S.C. 552(b). Therefore, this meeting will not be open to the public.

For the President's Agent.

RICHARD H. HALL,
Advisory Committee Management Officer for the President's Agent.

[FR Doc.76-18102 Filed 6-21-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Executive Assistant to the Secretary, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-18099 Filed 6-21-76;8:45 am]
ENVIRONMENTAL PROTECTION AGENCY

[FRL 565-71]

NATIONAL DRINKING WATER ADVISORY COUNCIL

Open Meeting

Pursuant to Public Law 92-423, notice is hereby given that a meeting of the National Drinking Water Advisory Council, established under Public Law 93-523, the "Safe Drinking Water Act," will be held at 9:00 a.m. on July 7, 1976, and at 8:30 a.m. on July 8, 1976, in the Second Floor Conference Room, Environmental Protection Agency, Region IX Offices, 100 California Street, San Francisco, California 94111.

The purpose of the meeting will be to discuss the proposed secondary drinking water regulations, laboratory certification, public affairs, EPA regional water supply programs, and to exchange information with public participants on pertinent safe drinking water issues.

The meeting will be open to the public. The Council encourages the hearing of outside statements and allocates a portion of time for public participation. Any outside parties interested in presenting an oral statement should petition the Council in writing. The petition should include the general topic of the proposed statement and the petitioner's telephone number.

Any member of the public wishing to attend the Council meeting, present an oral statement, or submit a written statement should contact Patrick Tobin, Executive Secretary for the National Drinking Water Advisory Council, Office of Water Supply (WH-560), Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

The telephone number is: Area Code 202/426-8847.

ANDREW W. BREIDENBACH,
Assistant Administrator for Water and Hazardous Materials.

JUNE 16, 1976.

[FR Doc.76-18034 Filed 6-21-76; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[ FCC 76R-167; Docket No. 20622, etc.]

GAINESVILLE MEDIA, INC., ET AL.

Construction Permit Application


1. Before the Review Board is a petition to enlarge issues, filed April 5, 1976, by Gainesville Broadcasting, Inc., (GBI), requesting the addition of a business practices issue against Gainesville Media, Inc., (GMI). Specifically, GBI alleges that Ronald H. Strother, third owner of GMI and the present general manager of its proposed facility, prepared and used rate cards with exaggerated coverage maps while employed to other broadcasters. In support of its allegation, GBI offers a copy of a rate card used by Station WQDE, Albany, Georgia, during Strother's tenure as general manager of that station and a copy of the contour map for that station submitted to the Commission. With respect to the first set of maps, GBI asserts that the coverage map on the WQDE rate card shows a 0.5 mV/m contour which is larger than that found on the official map, that the rate card indicates that the city of Camilla falls within the station's 0.5 mV/m contour, whereas this city is outside of the contour, and that the rate card fails to identify a large interference area noted on the official map. With respect to the second set of maps, GBI contends that the 1 mV/m contour depicted on the WPAP-FM rate card is substantially larger than the contour depicted on the official map and that the population within the 1 mV/m contour listed on the rate card is approximately three times the figure submitted to the Commission.

2. In opposition, GMI urges that the GBI petition be dismissed on both procedural and substantive grounds. Thus, GMI maintains that GBI has not only failed to present evidence for its delay in filing the instant petition, but has also failed to set forth substantive allegations sufficient to warrant addition of an issue. In this regard, GMI submits the affidavit of Ronald H. Strother, who states that the map on the WQDE rate card was one he believed had been used as a model for the WPAP-FM rate card and that the map on the WPAP-FM rate card was designed to represent the station's actual primary service area, which he had been told by technical personnel was considerably larger than the area shown on the map submitted to the Commission. In both instances, he shared responsibility for the preparation of the rate cards. Moreover, in neither case did he intend to deceive or mislead the public. The Broadcast Bureau in its comments agrees that GBI has not established good cause for its delay, but urges that its request nonetheless be granted because of the serious public interest question raised, citing The Edgefield Saluda Radio Co. (WJES), 5 FCC 2d 148, 8 RR 2d 611 (Rev. Bd., 1975).

3. Whether or not GBI's explanation for its delay is adequate, we believe that its allegations are sufficient to warrant consideration on the merits under the Commission's doctrine, supra. In dealing with assertions similar to those presented here, we recently noted, citing Athens Broadcasting Co., Inc., 27 FCC 2d 1115, 1118 (1971) that the burden on the licensee of providing evidence of a procedural and substantive ground for granting an issue will be that of the Commission is required to deal candidly and truthfully with the public and the implementation of inaccurate and exaggerated coverage maps is not consistent with this requirement.

4. As for the timing of its petition, GBI contends that the 1 mV/m contour was designed to represent the city of Dawson, Our examination of Commission files indicates that this city lies inside the 0.5 mV/m contour line, but is in an interference area.

5. Specifically, GBI asserts that while the engineering was general manager of station WQDE from June 1972 to December 1973. He has been general manager of station WPAP-FM since November 1974.

6. GBI makes a similar claim concerning the city of Dawson. Our examination of Commission files indicates that this city lies inside the 0.5 mV/m contour line, but is in an interference area.

We express no opinion as to the merits of the GBI petition. GBI's conduct in the absence of a special proceeding is similarly reserved.

To determine whether Ronald H. Strother, while serving as general manager of Stations WQDE and WPAP-FM, participated in the

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6. It is further ordered, That the burden of proceeding with the introduction of evidence under the above issue shall be upon Gainesville Broadcast Inc., and the burden of proof shall be upon Gainesville Media, Inc.

FEDERAL COMMUNICATIONS COMMISSION, VINCENT J. MULLINS, Secretary.

ROBERT J. ELLIS
Citizens Radio Station License Application

The Chief, Safety and Special Radio Services Bureau has under consideration the above-captioned application dated September 20, 1975.

1. On April 4, 1975, Commission personnel monitored a station operating on a frequency assigned to the Citizens Radio Service. It was located by close-in radio direction finding techniques at Via Teresita No. 4, Albuquerque, New Mexico, the residence of Ellis.

2. On May 8, 1975, Ellis was verbally warned by the Commission in a telephone conversation of the consequences of unlicensed operation. At that time Ellis claimed that he held a license. While Ellis was still engaged in the conversation, Commission records were checked, and it was found that license was invalid. Ellis was then specifically advised that he was unlicensed. The Commission then mailed Ellis a warning letter on May 30, 1975, which again warned of the consequences of unlicensed operation. That letter was returned marked "unclaimed".

3. Since then, Ellis has admitted in a letter dated March 8, 1976, that he had operated unlicensed on April 4, 1975. Following that, Ellis submitted an application which was dated September 20, 1975, for a new Citizens radio license. Ellis has also admitted that he again operated unlicensed as recently as September 21, 1975.

4. These circumstances and Ellis' actions raise a substantial question as to whether Ellis possesses the requisite qualifications to be a licensee of the Commission. The Commission, therefore, is unable at this time to conclude that the grant of a license would serve the public interest, convenience and necessity.

Accordingly, it is ordered, Pursuant to section 309(e) of the Communications Act of 1934, as amended, and §§ 1.902(b) and 9.331 of the Commission's rules, that the captioned application is designated for hearing, at a time and place to be specified by subsequent order upon the following issues:

1. To determine whether the applicant, Robert J. Ellis, operated radio transmitting apparatus without a valid license having been issued to him.

2. To determine whether the applicant, in light of the facts adduced under issue (1), possesses the requisite qualifications to be a licensee of the Commission.

3. To determine in light of the foregoing issues, whether the public interest, convenience and necessity would be served by a grant of the captioned application.

It is further ordered, That to avail himself of the opportunity to be heard, the applicant, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this Order, file with the Commission in triplicate a written appearance stating an intent to appear on a date to be fixed for hearing to present evidence on the issues specified in this Order. Where an applicant fails to file such a written appearance within the time specified, the application will be dismissed with prejudice for failure to prosecute.

Chief, Safety and Special Radio Services Bureau.

Adopted: June 10, 1976.

Released: June 16, 1976.

GERALD M. ZUCKERMAN,
Acting Chief, Legal, Advisory and Enforcement Division.

FM AND TV TRANSLATOR APPLICATIONS

Availability

By the Chief, Broadcast Bureau:

Notice is hereby given pursuant to sections 1.472(c) and 1.523(d) of the Commission's rules, that on August 3, 1976, the TV and FM translator applications listed in the attached Appendix will be considered as ready and available for processing. Pursuant to section 1.257(d) and section 1.519(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on August 2, 1976, which involves a conflict necessitating a hearing with any application on this list, must be substantially completed and submitted for filing at the offices of the Commission in Washington, D.C. by the close of business on August 2, 1976.

The attention of any party in interest conflicted necessitating a hearing with any application on file by the close of business on August 2, 1976, is directed to section 1.580(1) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS COMMISSION, [ SEAL] VINCENT J. MULLINS, Secretary.

FM TRANSLATOR APPLICATION

BMPFT-32
W285AB Ellijay, Ga.
Robert P. Buckman, trading as Fannin County Broadcasting Co.
App: To change principal community to Ellijay and Mountain town, Ga.

UHF TV TRANSLATOR APPLICATION

BPTT-3004
New, Manco & Rural Areas, Colo.
Xmix Television, Inc.
App: Channel 66, 20 W.
Primary: KREZ(TV), Durango, Colo.

BPTT-3006
K79AU, Delta, Utah.
Millard County School District.
App: To add Oak City and Lyndy, Utah to principal community.

BPTT-3007
Northeastern Pennsylvania Television Association
App: Channel 61, 1,000 W.
Primary: WVIAL(TV), Scranton, Pa.

BPTT-3008
K60AH, Crystal, Frying Pan, Roaring Fork River Valleys, Colo.
App: To add Carbondale, El Jebel & South Glenwood Springs, Colo., to present principal community.

BPTT-3010
New, Genoa, N.Y.
Board of Cooperative Educational Services of Cayuga-Onondaga Counties.
App: Channel 66, 10 W.
Primary: WCYN(TV), Syracuse, N.Y.

BPTT-3011
New, Union Springs, N.Y.
Board of Cooperative Educational Services of Cayuga-Onondaga Counties.
App: Channel 69, 10 W.
Primary: WCYN(TV), Syracuse, N.Y.

BPTT-3012
K60CK, Remington, Minn.
Headwaters TV Translator Corp.
App: To change primary TV station WIRT, Hibbing, Minn.

BPTT-3013
New, South End of Eldorado, Valley, Nev.
App: To add community.
County of Clark, Clark County Board of Commissioners.
App: Channel 65, 100 W.
Primary: KORK(TV), Las Vegas, Nev.

VHF TV TRANSLATOR APPLICATION

BPTTV-5545
New, Pineview Springs & Estates Park Estates (Unincorporated), Colo.
App: To change primary TV station Twin Valley Supply Company doing business as Translator TV, Inc.
App: Channel 3, 1 w.
Primary: KMGH-TV Denver, Colo.
NOTICES

FEDERAL HOME LOAN BANK BOARD

[No. 76-413]

PRIVACY ACT 1974

Notice of New Routine Use of Records Maintained on Individuals

JUNE 16, 1976.

Pursuant to the Privacy Act of 1974, 5 U.S.C. §§ 552a (a)(7) and (e)(11) (1974), the Federal Home Loan Bank Board proposed by Resolution No. 76-242, dated March 31, 1976, to add the following as a routine use to each of its systems of records published on pages 39057 through 39072 of the Federal Register of August 27, 1975:

Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Notice of such proposed rulemaking was published in the Federal Register on April 8, 1976 (41 FR 14902), with an invitation to interested persons to submit written comments by May 10, 1976. On the basis of its consideration of all relevant material available, the Board deems it desirable to adopt the new routine use as proposed.

Accordingly, the Board hereby adds the above-quoted new routine use to each of its systems of records published in the Federal Register as described, effective July 23, 1976.

By the Federal Home Loan Bank Board.

[SEAL]

J. J. PINN, Secretary.

[FEDERAL MARITIME COMMISSION]

LUCKENBACH STEAMSHIP COMPANY, INC.

Order of Revocation


By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised), Section 5.01 (b), dated June 30, 1975:

It is ordered, That Independent Ocean Freight Forwarder License Applicants

for licenses as independent ocean freight forwarding companies, be and is hereby revoked effective June 11, 1976 without prejudice to reapply for a license in the future.

It is further ordered, That a copy of this Order be published in the Federal Register and served upon Luckenbach Steamship Company, Inc.
Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

R. A. Clission & Associates, Inc., 9420 West Foothill Avenue, Chicago, Ill. 60656, Officers: Ronald A. Clission, President, Terry A. Soldat, Exec. Vice Pres. James D. Crook, Vice Pres., C. Petr, Secretary, Peninsula Air Delivery, 2444 Wyandotte Street, Mountain View, CA 94043, Officers: Ken J. Madsen, President, Kent W. Herkenrath, Vice President, David P. Meyer, Sec./Treas.

By the Federal Maritime Commission.

FRANCIS C. HURNEY, Secretary.

Dated: June 17, 1976.

NOTICES


J. M. HUBER CORPORATION, ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates

JUNE 3, 1976.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas for interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before June 28, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing shall be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

KENNETH F. PLUMB, Secretary.

NOTICES


J. M. HUBER CORPORATION, ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates

JUNE 3, 1976.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas for interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

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Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing shall be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

KENNETH F. PLUMB, Secretary.

NOTICES


J. M. HUBER CORPORATION, ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates

JUNE 3, 1976.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas for interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before June 28, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authoriza-
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FEDERAL RESERVE SYSTEM

EL DORADO BANC SHARES, INC.

Order Approving Formation of Bank Holding Company

El Dorado Bancshares, Inc., Prairie Village, Kansas, has applied for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 98 percent or more of the voting shares of Citizens State Bank, El Dorado, Kansas, and controls approximately 0.2 percent of the total deposits held by commercial banks in that State.1

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 4(c)(4) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is a corporation organized under the laws of the State of Kansas for the purpose of becoming a bank holding company through the acquisition of Bank, and is regulated as a bank holding company under section 4(c)(8) of the Act.2

Bank is a national bank organized and doing business in El Dorado, Kansas.3

Applicant is willing to accept a permanent certificate at the national rate in conformance with sec. 2.56a of the Commission's general policy and in accordance with opinion 699-H.

By order of the Board of Governors,4 effective June 14, 1976.

Order Denying Formation of Bank Holding Company

Nebraska Banco, Inc., Ord, Nebraska, has applied for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 100 percent of the voting shares of Nebraska State Bank, Ord, Nebraska ("Bank."). Applicant has also applied, pursuant to section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)) and section 233.4(b) (2) of the Board's Regulation Y, for permission to acquire all of the assets of Pierce Agency, Inc., Ord, Nebraska ("Agency"). A company that engages in the activities of a general insurance agency in a town with a population of less than 5,000 persons is a "General Insurance Agency," and such agencies have been determined by the Board to be closely related to banking activities.5

Notice of the applications, affording opportunity for interested persons to submit comments and views, has been given in accordance with sections 3 and 4 of the Act (40 FR 54303). The time for filing comments and views has expired, and the applications and all comments received1 have been considered in light of the factors set forth in section 3(c) of the Act, and the considerations specified in section 4(c)(8) of the Bank Holding Company Act.

Applicant is a nonoperating corporation formed for the purposes of becoming a bank holding company through the acquisition of Bank, and engaging in the activities of a general insurance agency through the acquisition of Agency. The proposed transaction involves the transfer of control of Bank from individuals to a corporation owned by the same individuals. Upon acquisition of Bank, Applicant would control 0.2 percent of the total deposits in commercial banks in Nebraska.

Bank holds deposits of approximately $11.1 million,6 representing 32.1 percent of the total deposits in commercial banks in Nebraska.

By order of the Board of Governors, effective June 9, 1976.

1 Voting for this action: Chairman Burns, Governors Wallich, Partee, and Lilly. Absent and not voting: Governors Gardner and Jackson.

2 The Board has received comments in opposition to the application to acquire Agency from Floyd A. Raymond, Loup City; E. O. Armstrong, Ord; and D. E. Armstrong Insurance, Ord, all in Nebraska ("Protestants"). Protestants are all engaged in the insurance business and generally oppose the affiliation of Bank with any insurance company. In addition, the denial of the application to form a bank holding company renders the application to acquire Agency moot, the Board believes it is unnecessary to address Protestants' allegations.

3 All banking data are as of June 30, 1975, unless otherwise indicated.

4 Of these 13 banks, three (including the market's largest) are located in the city of El Dorado, Kansas.

5 Voting for this action: Chairman Burns, Governors Wallich, Partee, and Lilly. Absent and not voting: Governors Gardner and Jackson.

6 All banking data with respect to the relevant market are as of June 9, 1976.
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TIOGA BANK HOLDING CO.

Order Approving Formation of Bank Holding Company

Tioga Bank Holding Company, Tioga, North Dakota, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. § 1842(a) (1)) of formation of a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of TIOGA BANK, Tioga, North Dakota ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received. All comments were received within the period set forth in section 3(c) of the Act (12 U.S.C. § 1842(c)).

Applicant, a nonoperating corporation with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of Bank. Bank (deposits of $10.5 million) is the 32nd largest banking organization in North Dakota and controls 0.4 percent of the total commercial bank deposits in the State. Bank is the largest of three banking organizations in the relevant banking market; with approximately 14.9 percent of total deposits in commercial banks in that market. To such extent as Applicant has no existing subsidiary banks and the proposal represents merely a restructuring of Bank's ownership, consummation of the proposed transaction would not eliminate any existing or potential competition, increase the concentration of banking resources, nor impair the efficiency and needs of the community to be served.

Inasmuch as Applicant has no existing subsidiary banks and the proposal represents merely a restructuring of Bank's ownership, consummation of the proposed transaction would not eliminate any existing or potential competition, increase the concentration of banking resources, nor impair the efficiency and needs of the community to be served.

By order of the Board of Governors, effective June 14, 1976.

[SEAL] CRAIG S. CARWOOD, Assistant Secretary of the Board.

[FR Doc. 76-1808 Filed 6-21-76; 8:45 am]

The relevant geographic market for purposes of analyzing the competitive effects of the proposed transaction is approximated by Valley County, Nebraska.

Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Minneapolis pursuant to delegated authority.

By order of the Governors, effective June 14, 1976.

[Name]

GRiFFiTH L. GARWOOD, Assistant Secretary of the Board.

[FR Doc. 76-18050 Filed 6-21-76; 8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 76-50]

RESEARCH AND TECHNOLOGY ADVISORY COUNCIL

Meeting

The NASA Research and Technology Advisory Council will meet on July 15-16, 1976, in Room 625 of Federal Office Building 103 at NASA Headquarters, 600 Independence Avenue, SW., Washington, D.C. 20546. The meeting will be open to the public on a first-come, first-served basis up to the seating capacity of the room, which is about 40 persons.

The NASA Research and Technology Advisory Council was established to advise NASA's senior management in the area of aeronautics and space research and technology. The Council studies issues, pinpoints critical problems, determines gaps in needed technology, points out desirable goals and objectives, summarizes the state of the art, assesses ongoing work, and makes recommendations to help NASA plan and carry out a program of greatest benefit to the nation. The Chairman is Dr. Ronald Smelt. There are 17 members on the Council itself and additional members on five committees and four panels which report to the Council.

The following list sets forth the approved agenda and schedule for the meeting. For further information, please contact the Executive Secretary, Mr. C. Robert Nysmith, Area Code 202, 755-3150.

JULY 15, 1976

Time Topic
8:30 a.m. Opening remarks. (Purpose: To summarize the topics to be discussed at the meeting and note any changes in the NASA organization and personnel.)
8:45 a.m. OAST fiscal year 1977 budget. (Purpose: To summarize for the Council the status of the OAST fiscal year 1977 budget.)
9 a.m. Status of issues and recommendations. (Purpose: To discuss NASA actions in response to RTAC issues and recommendations.)

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The 40 by 80 ft. subsonic wind tunnel. (Purpose: To describe the need for potential modifications to the facility at the Ames Research Center to provide increased test capability.)

Order-flight test (OFT) discussion. (Purpose: To brief the Council on the planned OFT experiments, objectives, and schedule.)

Subpanel reports. (Purpose: To permit the Chairman of each committee and panel to identify issues and recommendations from the last meeting of his committee/panel, for Council discussion.)

Committee and Panel reports. (Purpose: To permit the Chairman of each committee and panel to identify issues and recommendations from the last meeting of his committee/panel, for Council discussion.)

12:30 p.m. Committee on Materials and Safety

1:15 p.m.

2:15 p.m.

5 p.m.

Committee on Guidance, Control, and Information Technology.
Committee on Materials and Safety and Operating Systems.
Committee on Aeronautics and Configurations.

Panel on General Aviation Safety.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

PUBLIC MEDIA ADVISORY PANEL

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that the closed meeting of the Public Media Advisory Panel to the National Council on the Arts will be held on July 19, 20, and 21, 1976 from 9:00 a.m.-5:00 p.m. in the Board Room of the Screen Actors Guild in Beverly Hills, California.

This meeting is for the purpose of Panel review, discussion, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the Federal Register of June 16, 1976, this meeting, which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b), (4), (5), and (6)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Office, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

EDWARD M. WOLFE, Acting Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc. 76-18052 Filed 6-21-76; 8:45 am]

NATIONAL SCIENCE FOUNDATION

ADVISORY PANEL FOR MEMORY AND COGNITIVE PROCESS

Establishment

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), I have hereby determined that the establishment of the Advisory Panel for Memory and Cognitive Processes is necessary, appropriate, and in the public interest. The membership of this panel is effective upon filing of the charter with the Director, NSF, and with the standing committees of the Congress having legislative jurisdiction of the Foundation. The panel's duration shall be two years from the effective date.


2. Purpose: To provide advice and recommendations in the support of research in Memory and Cognitive Processes to the National Science Foundation (NSF) by the National Science Foundation Act of 1950, as amended, and other applicable law. This determination follows consultation with the Office of Management and Budget (OMB), pursuant to section 9(a)(2) of the Federal Advisory Committee Act and OMB Circular A-83, Revised.

3. Establishment and duration: The panel is effective upon filing of the charter with the Director, NSF, and with the standing committees of the Congress having legislative jurisdiction of the Foundation. The panel's duration shall be two years from the effective date.

4. Membership: The membership of the panel will be fairly balanced in the...
terms of the points of view represented and the panel's function. Membership will consist of approximately six qualified psychologists active in research on memory and cognitive processes. These individuals will be selected from those sectors where professional cognitive psychologists are to be found, which are primarily university faculties. Members will be chosen so as to insure a balance of subspecialty competence, geographical distribution, and representation of women and minorities. There will be no discrimination on the basis of race, color, national origin, religion, or sex.

5. Advisory panel operation: The panel will operate in accordance with the provisions of the Federal Advisory Committee Act, American Stock Exchange and to OMB Circular A-63, Revised; and other directives and instructions issued in implementation of the Act.

H. GUYFORD STEVER, Director.

June 17, 1976.

[FR Doc.76-18081 Filed 6-21-76; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Release No. 36-12554; File No. SR CSE-1976-No. 3]

CINCINNATI STOCK EXCHANGE

Self-Regulatory Organizations

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 19 (June 4, 1975), notice is hereby given that on June 16, 1976, notice is hereby given that the proposed self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

THE CINCINNATI STOCK EXCHANGE'S STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

In the proposed rule change, Section 27 of the By-Laws of this Exchange would be deleted in order to remove reference to fixed commissions from the Rule Book. Sections 28 (b) and (c) and Section 30 (a) of the Trading Rules of the Exchange would be amended by deleting any reference to a prescribed odd-lot differential and Section 35 would be amended by deletion of requirement that odd-lot orders be executed off trades reported on the New York or American Stock Exchanges and by substituting the requirement that odd-lot orders in listed stocks be executed off trades quoted on the Consolidated Tape.

THE CINCINNATI STOCK EXCHANGE'S STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows: The proposed rule change deletes section 27 of the By-Laws which was inadvertently overlooked at the time all references to fixed commissions were removed from this Exchange's Rule Book. Also, by the proposed rule change, Sections 28 (b) and (c) and Section 30 (a) of the Trading Rules are being amended to delete any reference to a prescribed odd-lot differential and Section 35 of the Trading Rules is being amended to delete reference to stocks traded on the New York or American Stock Exchanges and to substitute the requirement that odd-lot orders in listed stocks be executed off trades quoted on the Consolidated Tape.

Some of the proposed rule changes are being submitted pursuant to Section 6(e) and Rule 19b-3 of the Securities Exchange Act of 1934 and Amendments of 1975. A number of the proposed rule changes is being submitted in order to conform Rules of the Exchange with procedures now used by the implementation of the Consolidated Tape under Rule 17a-13 of the Act.

Comments Received from Members, Participants and Others on Proposed Rule

No comments were received.

Burdens on Competition

Deletion or amendment of the above rules imposes no burden on competition. Within 35 days of the date of publication of this notice in the Federal Register, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or
(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions referred to the file number referenced in the caption above and should be submitted on or before July 23, 1976.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS, Secretary.


Amendments to Rules and Regulations

(New language in italics, deleted language in brackets [ ].)

TEXT OF AMENDMENT TO SECTION 27 OF THE BY-LAWS

[Section 27.—No member shall make any transaction in a listed security “over-the-counter” for his own account, or the account of his firm, or as a partner, or for any account in which he or they have a direct or indirect interest, and a reverse operation at or about the same time, wherein the difference between the purchase and sale prices is less than the recognized commission on such a purchase or sale.]

TEXT OF AMENDMENTS TO SECTION 28 OF THE TRADING RULES

[16.1.—The odd-lot dealer shall purchase and sell for his own account all]
orders for less than 100 shares in the stock assigned him and no other member shall be permitted to purchase or sell any lots of less than 100 shares of that stock except through the odd-lot dealer.

The Exchange shall split up orders for regular lots into odd-lots for execution through the odd-lot book unless mutually agreed to by both the customer placing the order and the odd-lot dealer.

Odd-lot orders in listed securities shall be executed on the first transaction appearing on the Consolidated Tape.

[FR Doc.76-18079 Filed 6-21-76:8:45 am]

[812-3943]

DAIN, KALMAN & QUAIL INC.
Filing of Application for an Order Granting Exemption

Notice is hereby given that Dain, Kalman & Quail Incorporated, 100 Dain Tower, Minneapolis, Minnesota 55402, ("Applicant"), a sponsor of Multiple Maturity Tax-Exempt Bond Trust, Second Series, ("Fund") filed an application on April 19, 1976 pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting the secondary market operations of Applicant from the provisions of Rule 22c-1 under the Act. All interested persons are referred to the application and accompanying statement for a statement of the representations therein which are summarized below.

The exemptive order is requested for Applicant in connection with the Fund and subsequent funds sponsored by Applicant and meeting the description of such Fund in the application.

Pursuant to Investment Company Act Section 22(c)(2)(A) (1975), Multiple Maturity Tax-Exempt Bond Trust, First Series and the sponsors thereof were granted exemptions from the provisions of Sections 22c-1 and 22(c) of the Act and from Rules 15b-1 and 22c-1 under the Act. The sole purpose of the application is to permit the Applicant, which has been added as a sponsor of the Second (and subsequent) Series, to engage in the secondary market operations described below.

Multiple Maturity Tax-Exempt Bond Trust, Second Series, is, and each future Fund will be, governed by a trust agreement (hereinafter called the "Agreement") which has been or will be executed within two months of the opening of the market to be guaranteed execution on the opening day.

If the stock is listed on the New York Stock Exchange or traded in on the American Stock Exchange, market orders shall be executed on the first transaction on the New York Stock Exchange or American Stock Exchange appearing on the tape three minutes from the time the order was received. In case the tape is late the time differential shall be increased accordingly. In filling orders limited as to price, all executions shall be in accordance with the rules and practices of the New York Stock Exchange and the American Stock Exchange. If the New York Stock Exchange ticker tape is late, and it states on the tape "Repeat Prices Omited" orders will be executed off of the last sale which did appear prior to the expiration of the increased time differential. As soon as the tape is marked "Repeat Prices Resumed", the regular system will be effective.

Notwithstanding the above, odd-lot orders may be executed on a round lot sale on The Cincinnati Stock Exchange if the sale is within the then prevailing bid and ask prices on the New York Stock Exchange and if the price is satisfactory to both the broker representing the buyer or seller and the odd-lot dealer.

In filing orders limited as to price, all executions shall be in accordance with the rules and practices of the New York Stock Exchange and the American Stock Exchange. If the New York Stock Exchange ticker tape is late, and it states on the tape "Repeat Prices Omited" orders will be executed off of the last sale which did appear prior to the expiration of the increased time differential. As soon as the tape is marked "Repeat Prices Resumed", the regular system will be effective.

Notwithstanding the above, odd-lot orders may be executed on a round lot sale on The Cincinnati Stock Exchange if the sale is within the then prevailing bid and ask prices on the New York Stock Exchange and if the price is satisfactory to both the broker representing the buyer or seller and the odd-lot dealer.

The odd-lot orders must be split up into odd-lots for execution through the odd-lot book unless mutually agreed to by both the customer placing the order and the odd-lot dealer. Orders for odd-lots in these issues originating in Cincinnati among Cincinnati brokers must be executed on the Exchange with the existing differential. This rule shall not prohibit transactions to be crossed for tax purposes.

The odd-lot orders in issues listed only on The Cincinnati Stock Exchange and in which an odd-lot dealer has been named, must be traded on the Exchange through the odd-lot dealer. However, members will be permitted to buy or sell odd-lots in these issues over-the-counter with out-of-town dealers without a differential, if the order originated out of town. Orders for odd-lots in these issues originating in Cincinnati among Cincinnati brokers must be executed on the Exchange with the existing differential. This rule shall not prohibit transactions to be crossed for tax purposes.

Odd-lot orders in listed securities shall be executed on the first transaction appearing on the Consolidated Tape.
Trustee, and following the declaration of effectiveness of that Trust's registration statement under the Securities Act of 1933 and clearance by the securities authorities of various States, the Sponsors will offer the units of the Trusts comprising the public offering at the public offering price as set forth in the prospectus, plus accrued interest.

It is the purpose of each Fund to provide principally for the protection of investors and, in particular, the requirements of the Act, and of the regulations thereunder applicable to PCC, and in particular, the rules and regulations thereunder. It is therefore ordered, Pursuant to Section 19(b)(2) of the Act, that the rule change contained in the Commission's release on June 8, 1976, as amended by publication in the Federal Register, be and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS, Secretary.

[FR Doc.76-18076 Filed 6-21-76:8:45 am]

PHILADELPHIA STOCK EXCHANGE, INC.

Order Approving Proposed Rule Change

On May 3, 1976, the Philadelphia Stock Exchange, Inc., 17th Street and Stock Exchange Place, Philadelphia, Pennsylvania 19103, formerly the PBW Stock Exchange, filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Act Amendment of 1975, and Rule 19b-4 thereunder, copies of a proposed rule change.

The proposed rule change is the adoption of revised by-laws for PCC. The revised by-laws and amendments thereto are contained in File No. SR-PCC-76-4.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 12383, April 28, 1976) and by publication in the Federal Register (41 FR 10168, May 10, 1976). By letter dated June 8, 1976, PCC amended its submission. This letter has been placed in the public file and has been incorporated in the submission.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to PCC, and in particular, the rules and regulations thereunder.

It is therefore ordered, Pursuant to Section 19(b) of the Act, that the rule change contained in the Commission's release on June 8, 1976, as amended by publication in the Federal Register, be and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS, Secretary.

[FR Doc.76-18076 Filed 6-21-76:8:45 am]

JOSEPH RANDO, INC.
Suspension of Trading

JUNE 16, 1976.

It appearing to the Securities and Exchange Commission that in the securities of Joseph Rando, Inc. being traded on a national securities exchange or otherwise is required in the public interest and for the protection of investors;

Thereby, Pursuant to section 12(a)(5) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from 9:40 a.m.

(e.d.t.) on June 16, 1976 through June 25, 1976.

By the Commission.

GEORGE A. FITZSIMMONS, Secretary.

[FR Doc.76-18076 Filed 6-21-76:8:45 am]

PACIFIC CLEARING CORP.
Order Approving Proposed Rule Change

On April 12, 1976, the Pacific Clearing Corporation ("PCC") 453 South Spring Street, Los Angeles, California 90014, filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act") and Rule 19b-4 thereunder, copies of a proposed rule change.

The proposed rule change is the adoption of revised by-laws for PCC. The revised by-laws and amendments thereto are contained in File No. SR-PCC-76-4.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 12383, April 28, 1976) and by publication in the Federal Register (41 FR 10168, May 10, 1976). By letter dated June 8, 1976, PCC amended its submission. This letter has been placed in the public file and has been incorporated in the submission.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to PCC, and in particular, the rules and regulations thereunder.

It is therefore ordered, Pursuant to Section 19(b)(2) of the Act, that the rule change contained in the Commission's release on June 8, 1976, as amended by publication in the Federal Register, be and it hereby is, approved.

For the Commission, the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS, Secretary.

[FR Doc.76-18076 Filed 6-21-76:8:45 am]

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SAVINGS BANK INVESTMENT FUND
Filing of Application for Supplementary Order
Notice is hereby given that Savings Bank Investment Fund, 50 Congress Street, Boston, Massachusetts ("Applicant"), a corporation duly organized pursuant to a special act of the Massachusetts legislature, effective August 8, 1948, and registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified management investment company, has filed on May 3, 1976, an application pursuant to Sections 6(c), (d) and (e) of the Act requesting an order supplementing the Commission's exemptive order of December 17, 1946 (Investment Company Act Release No. 988) declaring that a proposed amendment by Applicant to its charter and the exercise by the Board of Directors of the authority granted thereby will not affect the validity of the exemptions granted by the December 17, 1946, Order. That Order granted Applicant the exemptions from Sections 13(a), 15(a), 15(b), 22(d) and (e), 24(d) and 32(a) (2) and (3) of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant states that it is an investment fund created by the Commonwealth of Massachusetts, the securities of which may be sold only to Massachusetts savings banks and a related entity and to Massachusetts co-operative banks, the invested assets of which are prescribed by statute, and which is subject to the control of the Commissioner of Banks of the Commonwealth of Massachusetts. Applicant states that it has caused to be filed in the Massachusetts legislature a bill (the "Amendment") which would amend the special act of the Massachusetts legislature which comprises Applicant's charter.

Applicant further states that the purpose of the Amendment is to describe more precisely the permissible portfolio investments of Applicant and to modernize the rule relating to use of portfolio investments and investment restrictions, and that the material changes which would be effected by the Amendment are the following:

(a) The Amendment specifies that, in order to be permissible investments for Applicant, bonds and other debt securities must be registered on a national securities exchange, quoted by the National Quotation Bureau, Inc., or any comparable service, quoted through a national securities market established under Section 11A of the Securities Exchange Act of 1934 ("National Securities Market") or must be so-called "money market instruments". Presently, bonds and other debt securities are permissible investments if "quoted in recognized securities markets".

(b) Section 2 of the Amendment would delete the Charter's authorization for the Board of Directors to invest up to 10% of Applicant's assets in securities traded on the "over-the-counter" market in favor of authorization to invest up to 10% of Applicant's assets in shares of common or preferred stock which, though not registered on a national exchange, are quoted in, or later than the date of the hearing, 16:30 pm., submit to the Commission in writing a request for a hearing on the matter, accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant in care of Gaston Snow & Floy Bartlett, 82 Deanshaw Street, Boston, Massachusetts 02109. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further development of the record in the case of an attorney-at-law, by certificate, and will be notified when the record is closed. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further development of the record in the case of an attorney-at-law, by certificate, and will be notified when the record is closed. Notice is further given that any interested persons may, at Applicant's cost, appear, or cause to appear, attorneys to represent the interests of the individual.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS, Secretary.

[F.R. Doc. 76-18077 Filed 6-21-76; 8:45 am]

[813-908]

VETERANS ADMINISTRATION
PROPRIETARY ACT OF 1974
Proposed Amendment of Notice of Systems of Records
Notice is hereby given that the Veterans Administration is considering adding eight additional routine use statements in the description of the system of records entitled, "Veterans, Dependents, Beneficiaries and Armed Forces Personnel Education and Rehabilitation Records System," or "VA" and "28118" of the Federal Register of August 26, 1975 and adopted by notice published on page 79860 of the Federal Register of October 30, 1975. These proposed routine uses, which follow, involve the routine uses of records in the system including categories of users and the purposes of such uses. These proposed uses are not new uses for the system involved; rather, they were overlooked in the preparation of the initial notice. Their adoption will obviate the need for written consent of an individual in every case which would involve a disclosure of information pertaining to that individual. Further, addition of these statements to the list of "routine uses" of the Education and Rehabilitation system of records affects the routine use statements which appeared in the Federal Register notice of the TARGET system of records (41 FR 7329). The TARGET system is a composite of the Education and Rehabilitation system and the Compensation and Pension system of records. It is still in the development stage and is only partially operational. The two component systems will remain in force and effect until such time as the TARGET system is fully operational. Consequently, until
such time as the Education and Rehabilitation system of records ceases to exist as a discrete system. All routine use statements should be identical to those listed for the TARGET system.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420. All material received before July 22, 1976, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 am and 4:30 pm Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the comments are available only in Central Office and furnished the address and above room number.

Notice is given that it is proposed to make this description effective September 27, 1976, the effective date of section 3, Pub. L. 93-573.

Approved: June 16, 1976.

R. L. ROUSDENSH, Administrator.

NOTICE OF SYSTEMS OF RECORDS

In the system, "Veterans, Dependents, Beneficiaries and Armed Forces Personnel Education and Rehabilitation Records—VA," appearing at 40 FR 38118, the following routine use statements are added to read as follows:

System name: Veterans, Dependents, Beneficiaries and Armed Forces Personnel Education and Rehabilitation Records—VA.

Routine uses of records maintained in the system, excluding categories of users and the purposes of such uses:

A record from this system of records may be disclosed to any Department or other agency of the Federal Government, in response to its request, to the extent that the information is relevant and necessary to the requesting agency's specified official purpose. A record from this system of records may be disclosed to a State unemployment compensation agency, in response to its request, to the extent required to determine eligibility for their benefit. A record from this system of records may be disclosed to the following agencies: the Army, Navy, Air Force; Marine Corps; Department of the Treasury—Inspector General (Internal Revenue Service); Department of Health, Education, and Welfare, PHS (Public Health Service), Commissioned Corps; Department of Commerce, NOAA (National Oceanic and Atmospheric Administration), Commissioned Officer Corps.

A record from this system of records may be disclosed to a third party to the extent necessary in the development of a potential beneficiary's claim for VA benefits (i.e., individual identifiers and other similar identifying information).

Disclosure of VA records as deemed necessary and proper to accredited service organizations, agents and attorneys recognized under a power of attorney or declaration of real property to assist in the preparation, presentation and prosecution of claims.

A record from this system of records may be disclosed to a fiduciary (including those acting in a fiduciary capacity) recognized or appointed by the VA to the extent necessary to fulfill the fiduciary's function.

A record containing medical history, diagnoses, findings, or treatment may be released from this system of records in response to a request from the superintendent of a State hospital for psychotic patients, a Commissioner or head of a State department of mental hygiene or head of a State, county, or city health department or any fee basis physician or institution in connection with authorized treatment as a VA beneficiary, provided that the name of the individual to whom the record pertains is given and that the information will be treated as confidential, as is customary in civilian professional medical practice.

Relevant information from this system of records may be disclosed, as a routine use: in the course of presenting evidence to a court, magistrate, or administrative tribunal, in matters of guardianship, incompetency or commitment; to private attorneys representing veterans rated incompetent in conjunction with issuance of Certificates of Incompetency; and to probation and parole officers in connection with court required duties.

[FR Doc.76-18165 Filed 6-21-76;8:45 am]

DEPARTMENT OF LABOR
Office of the Secretary
[7A-W-747]
ALATEX, INC.
Certification Regarding Eligibility To Apply for Worker Adjustment Assistance
Correction
In FR Doc. 76-7411 appearing on page 24224 in the issue of Tuesday, June 15, 1976, the docket number should read as set forth above.

Secretary of Labor's Order 8-76

Occupational Safety and Health Programs
Delegation of Authority and Assignment of Responsibility

1. Purpose. To delegate authority and assign responsibilities for conducting Occupational Safety and Health Programs.

2. Directives Affected:

a. Secretary's Order 12-71 and 28-74 amended.

b. The authorities delegated herein are subject to existing governmental and departmental regulations pertaining to procurement and contracting authority; to agency programs and disaster relief; and departmental policies and procedures pertaining to administrative, organizational, and management processes.

3. Background. The Occupational Safety and Health Act of 1970, Executive Order 11807, and other Acts listed in 4a(1) below have provided authority and assigned responsibility regarding occupational safety and health to the Secretary of Labor. The Occupational Safety and Health Act of 1970 established the position of the Assistant Secretary for Occupational Safety and Health.

4. Delegation of Authority and Assignment of Responsibility

a. The Assistant Secretary for Occupational Safety and Health is delegated authority and assigned responsibility for:

(1) Administering the Department's Occupational Safety and Health programs and activities, excluding functions provided for by Secretary's Order 4-74, under:

(a) Occupational Safety and Health Act of 1970.

(b) Walsh-Healey Public Contracts Act of 1936, as amended.

(c) Service Contract Act of 1965.

(d) Contract Work Hours and Safety Standards Act.


(f) National Foundation on the Arts and Humanities Act of 1965.

(g) 5 U.S.C. 7902 and any Executive Order thereunder.

(2) Executive Order 11807.

(i) The responsibilities of the Secretary of Labor with respect to occupational safety and health, including provisions of any other Federal statutes.

(b) Serving as Chairperson of the Federal Advisory Council on Occupational Safety and Health, as provided by Executive Order 11807.

2. Making organizational changes within policies established by the Secretary.

(1) Coordinating Agency efforts with those of other Federal agencies having responsibilities in the occupational safety and health area.

b. The Solicitor of Labor is responsible for providing legal advice and assistance to the Secretary and all officers of the Department relating to the delegations of authority referred and applicable laws, Executive Orders, and regulations.

(c) The Commissioner of Labor Statistics is delegated specific authority and assigned responsibility for:

(1) Furthering the purpose of the Occupational Safety and Health Act by developing and maintaining an effective program of collection, compilation, analysis, and publication of occupational safety and health statistics.

(2) Making grants to States or political subdivisions thereof in order to assist

b. The authorities delegated herein are subject to existing governmental and departmental regulations pertaining to procurement and contracting authority; to agency programs and disaster relief; and departmental policies and procedures pertaining to administrative, organizational, and management processes.
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in Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production.

The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that all four of the above criteria have been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of workers decreased 33 percent in 1975 compared to 1974. Sales declined 33 percent in units and 36 percent in value in 1975 compared to 1974. The average number of workers increased 5 percent in the first quarter of 1975 compared to the first quarter of 1975.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

The investigation was initiated on March 26, 1976 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America (ACWA) on behalf of workers and former workers engaged in the production of men's dress slacks at Albert Given Manufacturing Company, East Chicago, Indiana.

The notice of investigation was published in the Federal Register on April 20, 1976 (41 FR 16620-16621). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Amerace Corporation, ESNA Division, Strongsville Plant, U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated from employment on or after March 9, 1976 and before January 1, 1976 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 15th day of June 1976.

JAMES F. TAYLOR,
Director,
Planning and Evaluation Staff.

[FR Doc.76-18127 Filed 6-21-76; 8:45 am]

[TA-W-733]

ALBERT GIVEN MANUFACTURING CO., EAST CHICAGO, IN.

Certification Regarding Eligibility to Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-733: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 223 of the Act.

The investigation was initiated on March 26, 1976 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America, AFL-CIO, on behalf of workers formerly employed at the Amerace Corporation, ESNA Division, Strongsville Plant, Strongsville, Ohio.

The notice of investigation was published in the Federal Register on May 21, 1976 (41 FR 20840). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Amerace Corporation, ESNA Division, Strongsville Plant, U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 223 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated from employment on or after March 9, 1976 and before January 1, 1976 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 15th day of June 1976.

JAMES F. TAYLOR,
Director,
Planning and Evaluation Staff.

[FR Doc.76-18127 Filed 6-21-76; 8:45 am]

[TA-W-733]

AMERACE CORPORATION, ESNA DIVISION, STRONGSVILLE PLANT, STRONGSVILLE, OHIO

Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-733: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 223 of the Act.

The investigation was initiated on April 30, 1976 in response to a worker petition received on that date which was filed by the United Steelworkers of America, AFL-CIO, on behalf of workers formerly employed at the Amerace Corporation, ESNA Division, Strongsville Plant, Strongsville, Ohio.

The notice of investigation was published in the Federal Register on May 21, 1976 (41 FR 20840). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Amerace Corporation, ESNA Division, Strongsville Plant, U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 223 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated from employment on or after March 9, 1976 and before January 1, 1976 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 15th day of June 1976.

JAMES F. TAYLOR,
Director,
Planning and Evaluation Staff.
FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976

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TA-W-735

ARTHUR WINER, INC., GARY, IND.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-735: Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance as prescribed in Section 2 of the Act.

The investigation was initiated on March 26, 1976 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America (ACWA) on behalf of workers and former workers engaged in the production of men's dress slacks at Arthur Winer, Inc., Gary, Indiana.

The notice of investigation was published in the Federal Register on April 12, 1976 (41 FR 15485). No public hearing was requested and none was held.

The information upon which the determination was based principally from officials of Arthur Winer, Inc., its customers, the National Cotton Council of America, the U.S. Department of Commerce, the U.S. International Trade Commission, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

1. That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;
2. That sales or production, or both, of such firm or subdivision have decreased absolutely;
3. That articles like or directly competitive with those produced by the firm or subdivision are not being imported in increased quantities, either actual or relative to domestic production; and
4. That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production.

The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that all four of the above criteria have been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of workers decreased 15 percent in 1975 compared to 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales declined 16 percent and production fell 28 percent in 1975 compared to 1974.

INCREASED IMPORTS

Imports of men's and boys' dress and sport trousers and shorts increased in 1972 compared to 1971, decreased in 1973 and 1974, but rose 29 percent in 1975 compared to 1974. The ratios of imports to domestic production and consumption increased from 18.2 percent and 15.4 percent, respectively, in 1974 to 31.4 percent and 23.8 percent in 1975.

CONTRIBUTED IMPORTANTLY

Some customers indicated they switched their purchases of men's dress slacks from Arthur Winer, Inc. to offshore producers in 1975.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with those produced by the firm increased 15 percent in 1975 compared to 1974.

Signed at Washington, D.C., this 15th day of June 1976.

JAMES F. TAYLOR, Director, Planning and Evaluation Staff.

[FR Doc. 76-18126 Filed 6-21-76; 8:45 am]

TA-W-771

CYCLOPS CORP., WHEATLAND, PA.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-771: Investigation Regarding Certification of Eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on March 29, 1976 in response to a worker petition received on March 29, 1976 which was filed by the United Steelworkers of America, AFL-CIO on behalf of workers formerly producing carbon, alloy and stainless tubing at the Wheatland, Pennsylvania tubing plant of the Sawhill Tubular Division of Cyclops Corporation; Pittsburgh, Pennsylvania.

The notice of investigation was published in the Federal Register (41 FR 17031) on April 23, 1976. No public hearing was requested and none was held.

The information upon which the determination was based was obtained principally from officials of Cyclops Corporation, its customers, the International Trade Commission, the U.S. Department of Commerce, industry analysis, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

1. That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;
2. That sales or production, or both, of such firm or subdivision have decreased absolutely;
3. That articles like or directly competitive with those produced by the firm or subdivision are being imported in in-
contributed importantly to the separations, or threat thereof, and to the decrease in sales or production.

The term “contributed importantly” means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that although the first three criteria have been met, the fourth criterion has not been met.

**SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS**

The average number of hourly workers declined 16 percent in 1975 compared to 1974. The average number of hourly workers declined in each quarter of 1975 compared to the same quarter of 1974.

**SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY**

Sales declined 20 percent in 1976 compared to 1974. In each quarter of 1975, sales declined compared to the same quarter of 1974.

**INCREASED IMPORTS**

More than 95 percent of plant output consists of carbon steel tubing. U.S. imports of carbon steel pipe and tubing declined absolutely from 1971 to 1973, increased absolutely from 1973 to 1974, and then decreased absolutely from 1974 to 1975. Because of an 18 percent decline in domestic shipments and a 20 percent decline in apparent U.S. consumption, imports increased relative to domestic shipments and consumption in 1975 compared to 1974. The ratio of imports to domestic shipments and consumption increased from 21.5 percent and 19.2 percent, respectively, in 1974 to 22.8 percent and 20.8 percent, respectively, in 1975.

**CONTRIBUTED IMPORTANTLY**

The Department’s investigation revealed that customers of the Sawhill Tubular Division do not purchase imported carbon, alloy or stainless steel pipe products.

The customers reported that their own sales had declined due to a reduced level of activity in the construction industry and a reduced level of capital investment by electric utilities. In addition some sales were lost due to a shift from steel pipe and tube to domestically produced alternative materials such as copper and plastic.

**CONCLUSION**

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men’s dress and sport shirts produced at the Manhattan Shirt Company, Inc., Americus, Georgia, contributed importantly to the total or partial separations, or threat thereof, and to the decrease in sales or production.

The term “contributed importantly” means a cause which is important but not necessarily more important than any other cause.

The Department’s investigation has revealed that all four criteria have been met.

**SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS**

Average annual employment of production workers at the Manhattan Shirt Company, Inc., declined 7.8 percent in 1974 compared to 1973 and declined 46.2 percent in 1975 compared to 1974. Average annual employment of production workers declined 51.5 percent in the first quarter of 1975 compared to the first quarter of 1974.

**SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY**

Company sales of men’s dress and sport shirts declined 39.2 percent in 1976 compared to fiscal 1975 and declined 36.0 percent in quantity in the first quarter of fiscal 1976 compared to the first quarter of fiscal 1975. The fiscal year begins February 1.

**INCREASED IMPORTS**

Aggregate imports of men’s and boys’ knit and woven, dress, business and sport shirts increased 10.2 percent from 137,467,000 units in 1974 to 151,541,000 units in 1975.

**CONTRIBUTED IMPORTANTLY**

The evidence developed during the Department’s investigation indicates that imports of men’s dress and sport shirts have increased in recent years. Customers of the Manhattan Shirt Company have increased their purchases of imported shirts and decreased their purchases of shirts domestically produced by the Manhattan Shirt Company, Inc.

**CONCLUSION**

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men’s dress and sport shirts produced at the Manhattan Shirt Company, Inc., Americus, Georgia, contributed importantly to the total or partial separation of the workers of that company. In accordance with the provisions of the Act, I make the following certification:

All employees of the Manhattan Shirt Company, Inc., Americus, Georgia, who became totally or partially separated from employment as a result of imports into the United States have been laid off in the first quarter of fiscal 1976.

Signed at Washington, D.C., this 9th day of June 1976.

JAMES F. TAYLOR, Director, Planning and Evaluation Staff.

[TA-W-696]

**MANHATTAN SHIRT COMPANY, INC., AMERICUS, GA.**

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of...
TA-W-698: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on March 19, 1976 in response to a worker petition received on March 19, 1976 which was filed by the Amalgamated Clothing Workers of America on behalf of workers who employed workers producing men’s dress and sport shirts at the Manhattan Shirt Company, Ashburn, Georgia.

The notice of investigation was published in the Federal Register on April 2, 1976 (41 FR 14222). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Manhattan Shirt Company, Inc., its customers, the Clothing Manufacturers Association of the U.S., the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in the firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That such decreased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production;

(4) That such import increases, either actual or relative to domestic production, have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production;

The employment of production workers at the Ashburn, Georgia plant decreased 32.9 percent in fiscal 1976 compared to fiscal 1974 and declined 75.7 percent in the first quarter of fiscal 1976 compared to the first quarter of fiscal 1975. The plant closed in April 1976.

Company sales of men’s dress and sport shirts declined 39.2 percent in quantity in fiscal 1976 and declined 36.1 percent in quantity in the first quarter of fiscal 1975 compared to the first quarter of fiscal 1974. The fiscal year begins February 1.

The plant production of men’s dress and sport shirts declined 78.2 percent in quantity in the first quarter of fiscal 1976 compared to the first quarter of fiscal 1975.

INCREASED IMPORTS

Aggregate imports of men’s and boys’ knit and woven, dress, business and sport shirts increased 10.2 percent from 137,467,000 units in 1974 to 151,541,000 units in 1975.

CONTRIBUTED IMPORTANTLY

The evidence developed during the Department’s investigation indicates that imports of men’s dress and sport shirts have increased in recent years. Customers of the Manhattan Shirt Company have increased their purchases of imported shirts and decreased their purchases of shirts domestically produced by the Manhattan Shirt Company, Inc.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men’s dress and sport shirts produced at the Manhattan Shirt Company, Inc., Ashburn, Georgia contributed importantly to the total or partial separation of the workers of that company, in accordance with the provisions of the Act, I make the following certification:

All employees of the Manhattan Shirt Company Inc., Ashburn, Georgia, who became totally or partially separated from employment on or after February 19, 1976, are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 9th day of June 1976.

JAMES P. TAYLOR, Director, Planning and Evaluation Staff.

[TA-W-699]

MANHATTAN SHIRT COMPANY, INC., JESUP, GA.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor hereby presents the results of TA-W-699: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on March 19, 1976 in response to a worker petition received on March 19, 1976 which was filed by the Amalgamated Clothing Workers of America on behalf of workers who employed workers producing men’s dress and sport shirts at the Manhattan Shirt Co., Inc., Jesup, Georgia.

The notice of the investigation was published in the Federal Register on April 2, 1976 (41 FR 14222). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Manhattan Shirt Company, Inc., its customers, the Clothing Manufacturers Association of the U.S., the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in the firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That such decreased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production;

(4) That such import increases have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production.

The term “contribution importantly” means a cause which is important but not necessarily more important than any other cause.

The investigation reveals that all of the above criteria have been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Average annual employment of production workers at the Ashburn, Georgia plant declined 13.2 percent in fiscal 1976 compared to fiscal 1974 and declined 78.7 percent in the first quarter of fiscal 1976 compared to the first quarter of fiscal 1975. The plant closed in April 1976.

Company sales of men’s dress and sport shirts declined 39.2 percent in quantity in fiscal 1976 compared to fiscal 1974 and declined 36.1 percent in quantity in the first quarter of fiscal 1976 compared to the first quarter of fiscal 1975.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Company sales of men’s dress and sport shirts declined 39.2 percent in quantity in fiscal 1976 compared to fiscal 1975 and declined 36.0 percent in quantity in the first quarter of fiscal 1975 compared to the first quarter of fiscal 1974. The fiscal year begins February 1.

The plant production of men’s dress and sport shirts declined 78.2 percent in quantity in the first quarter of fiscal 1976 compared to the first quarter of fiscal 1975.

INCREASED IMPORTS

Aggregate imports of men’s and boys’ knit and woven, dress, business and sport shirts increased 10.2 percent from 137,467,000 units in 1974 to 151,541,000 units in 1975.

CONTRIBUTED IMPORTANTLY

The evidence developed during the Department’s investigation indicates that imports of men’s dress and sport shirts have increased in recent years. Customers of the Manhattan Shirt Company have increased their purchases of imported shirts and decreased their purchases of shirts domestically produced by the Manhattan Shirt Company.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude

that imports of men's knot and woven, dress, business and sport shirts have contributed importantly to the total or partial separations of the workers at the Manhattan Shirt Company, Inc., Jesup, Georgia. In accordance with the provision of the Act, I make the following certification:

All employees at the Manhattan Shirt Company, Inc., Jesup, Georgia who became totally or partially separated from employment on or after February 5, 1975, are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 2nd day of June 1976.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.
[FR Doc.76-18134 Filed 6-21-76;8:45 am]

TA—W—654
MANHATTAN SHIRT COMPANY, INC., WINNSBORO, S.C.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA—W—654: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on March 26, 1976 in response to a worker petition received on March 26, 1976 which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers distributing men's dress and sport shirts at the Manhattan Shirt Company, Inc., Winnsboro, South Carolina.

The notice of the investigation was published in the Federal Register on April 13, 1976 (41 FR 15491). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Manhattan Shirt Company, Inc., its customers, the Clothing Manufacturers Association of the U.S.A., the U.S. Department of Commerce, the U.S. International Trade Commission, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in the company's production facilities in Winnsboro, South Carolina who became totally or partially separated, or are threatened to become totally or partially separated, from such firm or subdivision have decreased absolutely;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increasing quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production.

The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The Department's investigation has revealed that all of the criteria have been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Average annual employment of hourly workers at the Winnsboro, South Carolina facility declined 55.2 percent in 1975 compared to 1974 and declined 44.4 percent in the first quarter of 1976 compared to the first quarter of 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Company sales of men's dress and sport shirts declined 39.2 percent in quantity in fiscal 1976 compared to fiscal 1975 and declined 36.0 percent in quantity in the first quarter of fiscal 1976 compared to the first quarter of fiscal 1975. The fiscal year begins February 1.

The Winnsboro facility is the exclusive sales and distribution center for Manhattans' shirt production facilities and does not engage in any production.

INCREASED IMPORTS

Aggregate imports of men's and boys' knit and woven, dress business and sport shirts increased 10.2 percent from 137,487,000 units in 1974 to 151,541,000 units in 1975.

CONTRIBUTED IMPORTANTLY

The evidence developed during the Department's investigation indicates that imports of men's dress and sport shirts have increased in recent years. Customers of the Manhattan Shirt Company have increased purchases of imported shirts and decreased their purchases of shirts domestically produced by the Manhattan Shirt Company, Inc.

The workers at the Manhattan Shirt Company's production facilities in Jesup, Americus, and Ashburn, Georgia (TA—W—699, TA—W—697, TA—W—698) have been certified eligible to apply for adjustment assistance.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's dress and sport shirts produced by the Manhattan Shirt Company, Inc. and distributed by its Winnsboro, South Carolina facility contributed importantly to the total or partial separation of the workers of that company. In accordance with the provisions of the Act, I make the following certification:

All employees of the Manhattan Shirt Company, Winnsboro, South Carolina who became totally or partially separated from employment on or after March 10, 1975 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 9th day of June 1976.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

MAGNAVOX CO., FORT WAYNE, IND.
Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA—W—654: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on February 27, 1976 in response to a worker petition received on that date which was filed on behalf of workers and former workers engaged in the design and development of consumer electronics products, Magnavox Company, Fort Wayne, Indiana.

The notice of investigation was published in the Federal Register on March 19, 1976 (41 FR 11639). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Magnavox Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance as prescribed in Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production.

The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that although the first criteria has been met, the second, third and fourth criteria have not been met.
Significant Total or Partial Separations

The average number of workers in the Engineering Department, Magnavox Consumer Electronics Company, Fort Wayne, Indiana, declined 9 percent in 1974 compared to 1973 and declined 10 percent in 1975 compared to 1974.

Increased Imports

When compared with each preceding year, U.S. imports of monochrome televisions increased in 1972 and then decreased in 1973 and 1974. The ratio of imports to domestic production decreased from 210.3 percent in 1974 to 193.8 percent in 1975.

When compared with each preceding year, U.S. imports increased in 1973, 1974 and 1975. The ratio of imports to domestic production increased from 221.7 percent in 1974 to 234.8 percent in 1975.

When compared with each preceding year, U.S. imports of color televisions increased in 1972 and then decreased throughout 1974 and 1975. The ratio of imports to domestic production decreased from 402.5 percent in 1974 to 348.4 percent in 1975.

When compared with each preceding year, U.S. imports increased in 1972 and then decreased throughout 1974 and 1975. The ratio of imports to domestic production decreased from 232.0 percent in 1974 to 180.5 percent in 1975.

Contributed Importantly

Customers surveyed have been decreasing their purchases of imported consumer electronics products, as well as Magnavox’s products, due to generally poor economic conditions. These retailers have been experiencing decreased consumer demand and have not shifted their purchases to other domestic manufacturers or to foreign manufacturers.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with the electronics consumer products produced by Magnavox did not contribute importantly to the total or partial separation of workers in the Engineering Department, Magnavox Consumer Electronics Company, Fort Wayne, Indiana.

Signed at Washington, D.C., this 2d day of June 1976.

James F. Taylor, Director, Planning and Evaluation Staff.

NOTICES

There have been no involuntary total or partial separations of workers at the Scenery Hill, Pennsylvania plant of the Penn-Birmingham Bolt Company after January 1, 1975. This fact was confirmed by a company official who was representative of the United Steelworkers of America.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that a significant number or proportion of the workers of the Penn-Birmingham Bolt Company, Scenery Hill, Pennsylvania have not become and are not threatened with becoming, totally or partially separated, from employment at that firm as required in Section 222 of the Trade Act of 1974.

Signed at Washington, D.C., this 9th day of June 1976.

James F. Taylor, Director, Planning and Evaluation Staff.

Rolloway Bearing Co., Liverpool, N.Y.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-821: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 223 of the Act.

The investigation was initiated on April 30, 1976 in response to a worker petition received on April 30, 1976 which was filed on behalf of workers and former workers producing standard steel fasteners at the Scenery Hill, Pennsylvania plant of Penn-Birmingham Bolt Company, Scenery Hill, Pennsylvania.

The notice of investigation was published in the Federal Register on May 21, 1976 (41 FR 20997). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Penn-Birmingham Bolt Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, the United Steelworkers of America, and Department files.

In order to make an affirmative determination, or adverse determination, of eligibility, Section 222 of the Act provides that each of the eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers of such workers’ firm, or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production.

The term “contributed importantly” means a cause which is important but not necessarily more important than any other cause.

Without regard to whether any of the other criteria have been met, criterion (1) has not been met.

Signed at Washington, D.C., June 1, 1976.

James F. Taylor, Director, Planning and Evaluation Staff.

NOTICES

There have been no involuntary total or partial separations of workers at the Scenery Hill, Pennsylvania plant of the Penn-Birmingham Bolt Company after January 1, 1975. This fact was confirmed by a company official who was representative of the United Steelworkers of America.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that a significant number or proportion of the workers of the Penn-Birmingham Bolt Company, Scenery Hill, Pennsylvania have not become and are not threatened with becoming, totally or partially separated, from employment at that firm as required in Section 222 of the Trade Act of 1974.

Signed at Washington, D.C., this 9th day of June 1976.

James F. Taylor, Director, Planning and Evaluation Staff.

Rollway Bearing Co., Liverpool, N.Y.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-723: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 223 of the Act.

The investigation was initiated on March 25, 1976 in response to a worker petition received on March 26, 1976 which was filed on behalf of workers and former workers producing cylindrical roller bearings at the Rolloway Bearing Company, Liverpool, New York.

The notice of investigation was published in the Federal Register on April 13, 1976 (41 FR 15492). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Rolloway Bearing Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination, or adverse determination, of eligibility, Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers of such workers’ firm, or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production.

The term “contributed importantly” means a cause which is important but not necessarily more important than any other cause.

Without regard to whether any of the other criteria have been met, criterion (1) has not been met.
The investigation has revealed that although the first three criteria have been met, the fourth criterion has not been met.

**SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS**

The average number of production workers declined 17.0 percent in 1975 compared to 1974.

**SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY**

Production at Rollway Bearing Company decreased 26.8 percent in quantity in 1975 compared to 1974. Sales at the Rollway Bearing Company increased 24.8 percent in value in 1975 compared to 1974.

**INCREASED IMPORTS**

Imports of cylindrical roller bearings are contained within a basket category (roller bearings other than tapered and spherical). This basket category includes: cylindrical roller bearings, needle roller bearings, and other combinations of ball and roller bearings. There is no reliable estimate of the portion cylindrical roller bearings represent of this basket category.

The ratios of imports of roller bearings other than tapered and spherical to domestic production and domestic consumption decreased from 7.4 and 7.7 percent, respectively, in 1974 to 7.3 and 7.6 percent, respectively, in 1975.

**CONTRIBUTED IMPORTANTLY**

The majority of the cylindrical roller bearings produced by the Rollway Bearing Company are made to meet customer specifications.

Customers surveyed have indicated that they have not shifted their purchases from domestically produced cylindrical roller bearings to imports. Customers who decreased purchases from the Rollway Bearing Company indicated this was due to a generally slow economy, especially in the steel and construction industries.

**CONCLUSION**

After careful review of the facts obtained in the investigation, I conclude that increase of imported cylindrical roller bearings did not contribute importantly to the total or partial separations of workers at the Rollway Bearing Company, Liverpool, New York.
and mechanical tubing produced at the
Ferdale, Michigan plant of Republic
Steel Corporation, Steel and Tubes Divi-
dtion did not contribute importantly to
the total or partial separation of the
workers at that plant.
Signed at Washington, D.C., this 9th
day of June 1976.

JAMES F. TAYLOR
Director,
Planning and Evaluation Staff.
[FR Doc.76-18137 Filed 6-21-76;8:45 am]

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SLACK FASHION, INC., NEW YORK, N.Y.

Negative Determination Regarding Eligibil-
ity To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the
Trade Act of 1974 the Department of
Labor herein presents the results of TA-
W-811: Investigation regarding certifica-
tion of eligibility to apply for worker ad-
justment assistance as prescribed in
Section 222 of the Act.
The investigation was initiated on
April 23, 1976 in response to a worker
petition received on April 23, 1976 which
was filed by the Amalgamated Clothing
Workers of America on behalf of work-
ers and former workers of Slack Fash-
ion, Inc., New York, N.Y.
The notice of investigation was pub-
lished in the Federal Register on May
14, 1976 (41 FR 20047). No public hear-
ing was requested and none was held.
The information upon which the de-
termination was made was obtained
principally from company officials.
In order to make an affirmative deter-
mination and issue a certification of eli-
gibility to apply for adjustment assist-
ance, each of the group eligibility re-
quirements of Section 222 of the Trade
Act of 1974 must be met:
(1) That a significant number or pro-
portion of the workers in the firm, or an appropriate subdivision
thereof, have become totally or partially separated, or are threatened to become
totally or partially separated;
(2) That sales or production, or both, of
such firm or subdivision have de-
creased absolutely;
(3) That articles like or directly com-
petitive with those produced by the firm
or subdivision are being imported in in-
creased quantities, either actual or rela-
tive to domestic production; and
(4) That such increased imports have
contributed importantly to the separa-
tions, or threat thereof, and to the de-
crease in sales or production.
The term "contributed importantly"
means a cause which is important but
not necessarily more important than any
other cause.
If any one of the above criteria is not satis-
fied, a negative determination must
be made.
The Department of Labor has already
determined that the performance of
services is not included within the term
"articles" as used in Section 223(3) of
the Act. See Notice of Negative Deter-
mination in Pan American World Air-
ways Incorporated (TA-W-133; 40 FR
54639).
Slack Fashion, Inc. performs the ser-
vice of shipping and selling men's slacks
and leisure suits. The company is not
involved with this action within the
meaning of Section 222(3) of the Act.
Signed at Washington, D.C., this 9th
day of June 1976.

JAMES F. TAYLOR
Director,
Planning and Evaluation Staff.
[FR Doc.76-18139 Filed 6-21-76;8:45 am]

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STANDARD NUT AND BOLT CO.,
CUMBERLAND, R.I.

Negative Determination Regarding Eligibil-
ity To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the
Trade Act of 1974, the Department of
Labor herein presents the results of TA-
W-839: Investigation regarding certifica-
tion of eligibility to apply for worker ad-
justment assistance as prescribed in
Section 222 of the Act.
The investigation was initiated on
April 30, 1976 in response to a worker
petition received on that date which was
filed by the United Steelworkers of Amer-
ica on behalf of workers and former
workers producing industrial fasteners
at Standard Nut and Bolt Company,
Cumberland, Rhode Island.
The notice of investigation was pub-
lished in the Federal Register on May
21, 1976 (41 FR 30985). No public hear-
ing was requested and none was held.
The information upon which the de-
termination was made was obtained
principally from officials of the United
Steelworkers of America, and Standard
Nut and Bolt Company.
In order to make an affirmative deter-
mination and issue a certification of eli-
gibility to apply for adjustment assist-
ance, each of the group eligibility re-
quirements of Section 223 of the Trade
Act of 1974 must be met:
(1) That a significant number or pro-
portion of the workers in such workers' firm, or an appropriate subdivision
thereof, have become totally or partially separated, or are threatened to become
totally or partially separated;
(2) That such sales or production have
increased absolutely;
(3) That articles like or directly com-
petitive with those produced by the firm
or subdivision are being imported in in-
creased quantities, either actual or rela-
tive to domestic production; and
(4) That such increased imports have
contributed importantly to the separa-
tions, or threat thereof, and to the de-
crease in sales or production.
The term "contributed importantly"
means a cause which is important but
not necessarily more important than any
other cause.
Without regard to whether any of the other criteria have been met, criterion
(1) has not been met.
The evidence developed in the Dep-
artment's investigation reveals that no to-
tal or partial separations of workers of the Standard Nut and Bolt Company oc-
curred in 1975 or in the first quarter
of 1976. Average weekly hours for produc-
tion workers did not decline below 40
hours during the January 1975 to March
1976 period.

CONCLUSION

After careful review of the facts ob-
tained in the investigation I conclude
that a significant number or proportion
of the workers of Standard Nut and Bolt
Company have not become totally or partially sep-
Parted as required by Section 222 of the Trade Act of 1974.
Signed at Washington, D.C., this 9th
day of June 1976.

JAMES F. TAYLOR
Director,
Planning and Evaluation Staff.
[FR Doc.76-18140 Filed 6-21-76;8:45 am]

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TELEDYNE, INC., COLUMBIA-SUMMERILL DIVISION, EAST CARNEGIE, PA.

Negative Determination Regarding Eligibil-
ity To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the
Trade Act of 1974 the Department of
Labor herein presents the results of TA-
W-762: Investigation regarding certifica-
tion of eligibility to apply for worker ad-
justment assistance as prescribed in
Section 222 of the Act.
The investigation was initiated on
March 29, 1976 in response to a worker
petition received on March 29, 1976 which
was filed by the Steelworkers of America on behalf of workers producing specialty steel tubing at the East Carnegie, Pennsylvania plant of Teledyne's Columbia-Summerill Divi-
sion. The Department's investigation re-
vealed that the East Carnegie plant pro-
duces carbon steel bars and tubing.
The notice of investigation was pub-
lished in the Federal Register on April
27, 1976 (41 FR 17646). No public hear-
ing was requested and none was held.
The information upon which the de-
termination was made was obtained
principally from officials of Teledyne, Inc., its customers, the American Iron
and Steel Institute, the Department of
Commerce, the International Trade
Commission, and Department files.
In order to make an affirmative deter-
mination and issue a certification of eli-
gibility to apply for adjustment assist-
ance, each of the group eligibility re-
quirements of Section 223 of the Trade
Act of 1974 must be met:
(1) That a significant number or pro-
portion of the workers in such workers' firm, or an appropriate subdivision of
the firm have become totally or partially sep-
or partial separations of the workers at that plant.
Signed at Washington, D.C., this 9th day of June 1976.

JAMES F. TAYLOR, Director,
Planning and Evaluation Staff.
[FR Doc. 76-18141 Filed 6-21-76; 8:45 am]

U.S. STEEL CORP., VANDERGRIFT, PA.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 233 of the Trade Act of 1974 the Department of Labor herewith presents the results of TA-W-757: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 223 of the Act.

The investigation was initiated on March 29, 1976 in response to a worker petition received on March 29, 1976 which was filed by the United Steelworkers of America on behalf of workers formerly producing silicon steel sheet and stainless steel plate at the Vandergrift, Pennsylvania plant of United States Steel Corporation.

The notice of investigation was published in the Federal Register (41 FR 17036) on April 23, 1976. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the U.S. Steel Corporation, its customers, the American Iron and Steel Institute, the International Trade Commission, the U.S. Department of Commerce, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 223 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in the firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production.

The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation revealed that although the first three criteria have been met the fourth criterion has not been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers employed at the East Carnegie plant increased 5 percent in 1974 compared to 1973. The average number of production workers declined 17 percent in 1975 compared to 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Production at the East Carnegie plant of carbon steel bars and tubing declined 37 percent and 35 percent, respectively from 1974 to 1975.

INCREASED IMPORTS

Imports of carbon steel bars have decreased absolutely and relatively each year compared to the previous year from 1972 through 1975. The ratios of imports to domestic shipments and consumption declined from 8.8 percent and 8.1 percent, respectively in 1974 to 7.7 percent and 7.2 percent, respectively in 1975.

Imports of carbon steel pipe and tubing when compared to the preceding year increased in 1974 and decreased in 1972, 1973 and 1975. The ratios of imports to domestic shipments and consumption increased from 21.5 percent and 19.2 percent, respectively in 1974 to 22.8 percent and 20.8 percent, respectively in 1975.

CONTRIBUTED IMPORTANTLY

Customers of Teledyne’s East Carnegie plant that decreased purchases in 1975 did so to reduce excessively high inventories as a result of shifts to other domestic manufacturers. Customers did not shift to imported carbon steel bars or tubing.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases in imports like or directly competitive with carbon steel bars and tubing produced at the East Carnegie, Pennsylvania plant of the Columbia-Summerill Division of Teledyne, Inc., did not contribute importantly to the total or partial separations of the workers at that plant.
Signed at Washington, D.C., this 16th day of June 1976.

JAMES F. TAYLOR, Director,
Planning and Evaluation Staff.
[FR Doc. 76-18143 Filed 6-21-76; 8:45 am]
Guidelines for Submission of Projected Maintenance and Capital Expenditures

1. General. Section 504(a) of the Rail-rod Revitalization and Regulatory Reform Act of 1976 (Pub. L. No. 94-210) ("Act") provides that each Class I railroad (other than a railroad subject to reorganization pursuant to the Regional Rail Reorganization Act of 1973, as amended, 45 U.S.C. 701 et seq.), as designated by the Interstate Commerce Commission ("ICC"), shall submit to the Secretary of Transportation, within 180 days after the start of each biennium (August 3, 1976), a full and complete statement (1) of such railroad's deferred maintenance and delayed capital expenditures as of December 31, 1975, and (2) of the railroad's projected amounts of appropriate maintenance to be performed and capital expenditures to be made for its facilities during each of the years 1976 through 1985. The Federal Railroad Ad- ministration ("FRA") act as inspectors for the ICC in this regard. The guidelines are issued to ensure that all railroads report their deferred maintenance and delayed capital expenditures to the Department of Transportation within 180 days after the start of each biennium.

2. Purposes and Applicability. The FRA guidelines are to be used by each railroad in submitting its certification of maintenance and delayed capital expenditures as of December 31, 1975, and in submitting its projected amounts of appropriate maintenance and capital expenditures to be made during the years 1976 through 1985. These guidelines are to be used by each railroad in preparing its certification and its projected maintenance and capital expenditures, and in submitting these documents to the FRA. The FRA guidelines are applicable to former work channels and traffic personnel were employed at Western Stamping Corporation beyond the original termination date of before January 1, 1976. The separation of the above- mentioned employees was the direct result of the ceasing of production of toy sewing machines and toy cash registers, the certification is presented in a manner identical to Case A and uses a "debt/equity ratio" defined as—

3. Format for Submission of Projected Maintenance and Capital Expenditures. Each railroad shall prepare and submit two forecasts of maintenance and capital expenditures for each of the parts of 1976 through 1985. The first set of forecasts (Case A) shall be based on the current and projected financial capabilities of the railroad (including normal commercial channels) and shall exclude the effect of any Federal funds. The second set of forecasts (Case B) shall be based upon the assumption that the individual railroad is capable of corporate financial expenditures to be made for railroad facilities during each of the years 1976 through 1985.

4. A "debt/equity ratio" defined as—

5. A list of capital projects, including those assets to be obtained under long- term lease, which can be undertaken in each year, set forth in the following categories: (a) Yards and terminals; (b) freight cars; (c) locomotives; (d) shops; (e) enginehouses; (f) communications facilities; (g) computers; (h) line relocation and construction; (j) bridges; (k) tunnels; and (l) others (encompassing all of the railroad's facilities, that term is defined in section 501(3) of the Act). Listed individually are those projects for which total project costs represents more than 1/4 of 1% of the railroad's total operating revenues in 1974, and are more than $100,000. The balance should be listed as "other projects" within each category.

6. For each of the project categories listed immediately above in paragraph 5., state the overall annual change which such capital expenditures would have on the railroad's maintenance requirements;

7. Indicate for each capital project that is individually listed: (a) location, if appropriate, and (b) the cost of work performed in each year on the project, expressed in both 4th Quarter 1975 dollars and then-current dollars with capital and uses of funds in the form provided in Appendix B of these guidelines.

8. A statement of projected sources and uses of funds in the form provided in Appendix B of these guidelines.

Case B: The second set of forecasts required by these guidelines shall be prepared in a manner identical to Case A except for the following changes and additions:

1. Rather than basing the projections on the current and projected financial capabilities of the railroad, as required in Case A, each railroad shall assume that the capital shortfall, which the railroad would have on the railroad's maintenance requirements;

2. The second set of forecasts re­quired by these guidelines shall be pre­pared in a manner identical to Case A except for the following changes and additions:

3. Based on these assumptions, each railroad shall: (a) prepare an "incremental" statement of the railroad's deferred maintenance and delayed capital expenditures as of December 31, 1975, and (b) prepare a statement of the railroad's projected amounts of appropriate maintenance to be performed and capital expenditures to be made for its facilities during each of the years 1976 through 1985.

4. A "debt/equity ratio" defined as—

5. Income available for fixed charges; Total fixed charges;

6. A "debt/equity ratio" defined as—

7. Total long-term debt due after one year; Total shareholder's equity;

8. A list of capital projects, including those assets to be obtained under long- term lease, which can be undertaken in each year, set forth in the following categories: (a) Yards and terminals; (b) freight cars; (c) locomotives; (d) shops; (e) enginehouses; (f) communications facilities; (g) computers; (h) line relocation and construction; (j) bridges; (k) tunnels; and (l) others (encompassing all of the railroad's facilities, that term is defined in section 501(3) of the Act). Listed individually are those projects for which total project costs represents more than 1/4 of 1% of the railroad's total operating revenues in 1974, and are more than $100,000. The balance should be listed as "other projects" within each category.

9. For each of the project categories listed immediately above in paragraph 5., state the overall annual change which such capital expenditures would have on the railroad's maintenance requirements;

10. Indicate for each capital project that is individually listed: (a) location, if appropriate, and (b) the cost of work performed in each year on the project, expressed in both 4th Quarter 1975 dollars and then-current dollars with capital and uses of funds in the form provided in Appendix B of these guidelines.

11. A statement of projected sources and uses of funds in the form provided in Appendix B of these guidelines.

12. Case A: The first set of forecasts required by these guidelines shall be prepared in a manner identical to Case A except for the following changes and additions:

13. Based on these assumptions, each railroad shall: (a) prepare an "incremental" statement of the railroad's deferred maintenance and delayed capital expenditures as of December 31, 1975, and (b) prepare a statement of the railroad's projected amounts of appropriate maintenance to be performed and capital expenditures to be made for its facilities during each of the years 1976 through 1985.

14. A "debt/equity ratio" defined as—

15. Income available for fixed charges; Total fixed charges;

16. A "debt/equity ratio" defined as—

17. Total long-term debt due after one year; Total shareholder's equity;

18. A list of capital projects, including those assets to be obtained under long- term lease, which can be undertaken in each year, set forth in the following categories: (a) Yards and terminals; (b) freight cars; (c) locomotives; (d) shops; (e) enginehouses; (f) communications facilities; (g) computers; (h) line relocation and construction; (j) bridges; (k) tunnels; and (l) others (encompassing all of the railroad's facilities, that term is defined in section 501(3) of the Act). Listed individually are those projects for which total project costs represents more than 1/4 of 1% of the railroad's total operating revenues in 1974, and are more than $100,000. The balance should be listed as "other projects" within each category.

19. For each of the project categories listed immediately above in paragraph 5., state the overall annual change which such capital expenditures would have on the railroad's maintenance requirements;

20. Indicate for each capital project that is individually listed: (a) location, if appropriate, and (b) the cost of work performed in each year on the project, expressed in both 4th Quarter 1975 dollars and then-current dollars with capital and uses of funds in the form provided in Appendix B of these guidelines.

21. A statement of projected sources and uses of funds in the form provided in Appendix B of these guidelines.

22. Case B: The second set of forecasts required by these guidelines shall be prepared in a manner identical to Case A except for the following changes and additions:

23. Rather than basing the projections on the current and projected financial capabilities of the railroad, as required in Case A, each railroad shall assume that the capital shortfall, which the railroad...
would encounter in attempting to provide adequate and economically efficient rail transportation services can be funded by some interest-free source. This assumption will permit an analysis of the capital needs of the railroad industry without consideration of the impact of a specific cost of capital.

(2) It should be assumed that projects submitted under the delayed capital expenditures submission (guidelines published in the Federal Register on May 13, 1976) shall be undertaken by 1985, or eliminated and noted due to changes in financial resources. The FRA foresees that some delayed capital projects will be obviated by an infusion of funds which allows the carriers to undertake more extensive projects.

(3) For each of the project categories provided in paragraph (5) of Case A above, the methodology for computing the profitability threshold used to determine those projects that the railroad believes are necessary for the provision of an improved level of service. For example, if a level of 25 percent internal rate of return was used, indicate why that 25 percent level was chosen and how internal rate of return is computed.

(4) The FRA will supply to each railroad a maintenance schedule for the years 1976 through 1985 which provides for the elimination of half of the railroad’s deferred maintenance by 1985. Each railroad shall combine this with an additional amount of maintenance required to maintain a rehabilitated physical plant and use the combined amount of maintenance in preparing the projections.

(5) Finally, in addition to the requirements of Case A, each railroad shall specify the major benefits to be derived from each of the capital projects listed. Particular reference should be made to service improvements and efficiency increases over those provided in Case A.

Appendix A—Gross national product

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<tr>
<td>Current dollars</td>
<td>1,407</td>
<td>1,450</td>
<td>1,484</td>
<td>1,509</td>
<td>1,524</td>
<td>1,528</td>
<td>1,532</td>
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<td>1,532</td>
<td>1,532</td>
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<tr>
<td>GNP deflator (percent)</td>
<td>0.7</td>
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The estimates of GNP for 1976 through 1981 are estimates by the Council of Economic Advisers (CEA) based on assumptions about the rate of GNP growth and inflation. The projections for 1982 through 1985 were obtained by applying the projected annual rate of real GNP growth for that period to the 1981 CEA estimate of the rate of inflation. These estimates are based on the CEA’s estimated GNP deflator for the year 1981 and assumed for the period 1982 through 1985. It is assumed that the index levels off at 4.4 percent. The estimates combined in this table represent long-range assumptions only and are not forecasts of probable economic conditions.

Appendix B: Format of Projected Source/Use Statements

**Sources:**
- Funds provided from operations
- Proceeds from equipment financing
- Proceeds from borrowing and sale of debt or equity securities
- Total proceeds from sale of property

**Uses:**
- Investment in facilities
- Investment in equipment
- Repayment of funded or other debt
- Repayment of equipment obligations

Net working capital at yearend (include current portion of long-term debt in current liabilities)

Funds shortage

1. Funds from operations shall include net purchase of equipment and/or other noncash revenue items plus depreciation and amortization, deferred taxes, and other non-cash expense items.
2. Where leasing is expected to be used in the purchase of equipment and/or other assets, show that portion of the cost of the equipment and/or other assets which is to be financed by lease both as proceeds from equipment financing and/or debt, as appropriate, and as a capital expenditure or investment in equipment, as appropriate.

Robert L. Oswald, Secretary.

[FR Doc. 76-1836 Filed 6-21-76; 10:42 am]

**INTERSTATE COMMERCE COMMISSION**

**Assignent of Hearings**

**June 17, 1976.**

Cases assigned for hearing, postponement, cancellation or oral arguments appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellations or postponements of hearings in which they are interested.

AB 19 (Sub 21), Baltimore and Ohio Railroad Company Abandonment Portion Sandusky Branch Between Willard and Wilmer, In Huron and Erie Counties, Ohio now assigned July 23, 1976 (2 days), at Sandusky, Ohio and will be held in Room 305, Sandusky High School, 2130 Hayes Avenue.

MC 126601 (Sub 1), Anthony J. Ciesi now assigned July 25, 1976 (7 days), at Pittsburgh, Pennsylvania and will be held in Room 819, U.S. Post Office and Courthouse, 10th & Grant Street.

MC 94201 (Sub-No. 135), Bowman Transportation, Inc., now assigned July 13, 1976, at Atlanta, Ga. will be held in Room 365, 1252 West Peachtree Street, N.W.

No. 36316, Georgia Intraestate Rail Freight Rates and Charges—1976, now assigned July 23, 1976, at Atlanta, Ga. will be held in Room 365, 1252 West Peachtree Street, N.W.

MC 125785 (Sub-No. 91), Nolte Bros. Truck Line, Inc. now assigned July 23, 1976, at Omaha, Nebr. is postponed indefinitely.

MC 26659 (Sub 124), Nolte Bros. Truck Line, Inc. now being assigned July 23, 1976 (1 day), at Omaha, Nebraska and will be held in room 616, Union Pacific Plaza, 110 North 14th Street.

MC 2202 (Sub-No. 478), Roadway Express, Inc. now being assigned for continued hearing on October 12, 1976 (9 days), at Des Moines, Iowa in a hearing room to be later designated.

MC 95410 Sub 942, Watkins Motor Lines, Inc. now being assigned July 26, 1976 (2 days), at the West Courtroom, Room 265, United States Court of Appeals, 600 Camp Street, New Orleans, La.

Robert L. Oswald, Secretary.

[Rule 19, Ex Parte No. 241; 13th Rev. Exemption No. 90]

**ATLANTA & SAINT ANDREWS BAY RAILWAY CO., ET AL.**

Exemption Under Provision of Mandatory Car Service Rules

It appearing, That the railroads named below own numerous 50-ft. plain box-

FEDERAL REGISTER, VOL 41, NO. 121—TUESDAY, JUNE 22, 1976
cars; that under present conditions there are substantial surpluses of these cars on their lines; that return of these cars to the owners would result in their being stored idle; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the car owners; and that compliance with Car Service Rules 1 and 2 prevents such use of these cars, resulting in unnecessary loss of utilization of such cars.

It is ordered. That pursuant to the authority vested in me by Car Service Rule 19, 80-ft. plain boxcars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 399, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation "XM", and bearing reporting marks assigned to the railroads named below, shall be exempt from the provisions of Car Service Rules 1, 2(a), and 2(b).

Atlanta & Saint Andrews Bay Railway Company  
Reporting Marks: ASAB

*The Baltimore and Ohio Railroad Company  
Reporting Marks: BO

The Chesapeake and Ohio Railway Company  
Reporting Marks: CO-PM

Green Mountain Railroad Corporation  
Reporting Marks: GMRC

Missouri-Kansas-Texas Railroad Company  
Reporting Marks: BKTY—MKT

The Pittsburgh and Lake Erie Railroad Company  
Reporting Marks: P&LE

Hartian River Rail Road Company  
Reporting Marks: RR

Sacramento Northern Railway  
Reporting Marks: SN

Sierra Railroad Company  
Reporting Marks: SERA

Tidewater Southern Railway Company  
Reporting Marks: TS

Vermont Railway, Inc.  
Reporting Marks: VTR

WCTR Railway Company  
Reporting Marks: WCTR

Western Maryland Railway Company  
Reporting Marks: WMR

Effective June 15, 1976, and continuing in effect until further order of this Commission.

Issued at Washington, D.C., June 7, 1976.

INTERNETTE COMMERCIAL FILE, LEWIS R. TEEPEE, Acting Director.

[FR Doc.76–18161 Filed 6–21–76; 8:45 am]

[Rule 19, Ex Parts No. 241; Exemption No. 125, Amdt. 1]

ALL RAILROADS

Exemption Under Provision of Mandatory Car Service Rules

Upon further consideration of Exemption No. 125 issued May 13, 1976, it is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 125 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to expire July 15, 1976.

This amendment shall become effective June 15, 1976.

Issued at Washington, D.C., June 7, 1976.

INTERNETTE COMMERCIAL FILE, LEWIS R. TEEPEE, Agent.

[FR Doc.76–18159 Filed 6–21–76; 8:45 am]

[Rule 19, Ex Parts No. 241; Exemption No. 10]

ATCHEISON, TOPEKA AND SANTA FE RAILWAY CO., ET AL.

Exemption Under Provision of Mandatory Car Service Rules

It appearing, That the railroads named herein own numerous 40-ft. plain boxcars; that under present conditions, there is virtually no demand for these cars on the lines of the car owners; that return of these cars to the car owners would result in their being stored idle on these lines; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the car owners; and that compliance with Car Service Rules 1 and 2 prevents such use of plain boxcars owned by the railroads listed herein, resulting in unnecessary loss of utilization of such cars.

It is ordered, That, pursuant to the authority vested in me by Car Service Rule 19, plain boxcars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 399, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation "XM", with inside length 44 ft. 8 in. or less, regardless of door width and bearing reporting marks assigned to the railroads named below, shall be exempt from the provisions of Car Service Rules 1(a), 2(a), and 2(b).

The Atchison, Topeka and Santa Fe Railway Company  
Reporting Marks: ATSF

Atlanta and Saint Andrews Bay Railway Company  
Reporting Marks: ASAB

Bangor and Aroostook Railroad Company  
Reporting Marks: BAR

Beaumer and Lake Erie Railroad Company  
Reporting Marks: BLE

Chicago, Rock Island and Pacific Railroad  
Car Service Rule 19, 1976, 80-ft. plain boxcars described in the official Railway Equipment Register, I.C.C. R.E.R. No. 399, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation "FM", and bearing reporting marks assigned to the railroads named below, shall be exempt from the provisions of Car Service Rules 1(a), 2(a), and 2(b).

*Addition.
NOTICES

Chicago & Eastern Illinois Railroad Company—Reporting Marks: CEI—CEI
Missouri-Kansas-Texas Railroad Company—Reporting Marks: M—MTT—MRTT
Missouri Pacific Railroad Company—Reporting Marks: MP
Southern Railway Company—Reporting Marks: NEC—CG—NS—SOU
The Texas and Pacific Railroad Company—Reporting Marks: T&P

Effective June 15, 1976, and continuing in effect until further order of this Commission.


INTERSTATE COMMERCE COMMISSION,
Lewis R. Tepee, Agent.

[FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976]

[AB 6 (Sub-No. 38)]

BURLINGTON NORTHERN INC.
Abandonment Between Hinckley and Moose Lake in Pine and Carlton Counties, Minnesota

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321 et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the associated environmental impacts are considered insignificant because the traffic generated by the line can be diverted to motor carrier without creating significant alterations in highway congestion, ambient noise levels, air quality, or fuel consumption. In addition, no definitive land use plans are dependent on the continuation of the subject line. Furthermore, resultant ecological effects of the abandonment would be minor.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available upon request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-276-7692.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before July 16, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

ROBERT L. OSWALD, Secretary.

[CENTRAL STATES MOTOR COMMON CARRIERS]
Agreement; Section 5a Application No. 33

June 14, 1976.

The Commission is in receipt of an application in the above-entitled proceeding for approval of amendments to the agreement therewith approved.

Filed June 8, 1976 by:
M. A. Godecker, Attorney-in-Fact, and Joseph P. Wolenisky, General Counsel, Central States Motor Freight Bureau, Inc., 5440 S. Cicero Avenue, Chicago, Ill. 60638.

The amendments involve: Changes to comply with the provisions of Ex Parte 295, 349 I.C.C. 811 and 351 I.C.C. 437.

The complete application may be inspected at the Office of the Commission in Washington, D.C.

Any interested person desiring to protest and participate in this proceeding shall notify the Commission in writing on or before July 12, 1976. As provided by the General Rules of Practice of the Commission, persons other than applicants should fully disclose their interest and the position they intend to take with respect to the application. Otherwise, the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application, without further or formal hearing.

ROBERT L. OSWALD, Secretary.

CHESAPEAKE AND OHIO RAILWAY CO.
Rerouting Traffic

In the opinion of Lewis R. Tepe, Agent, the Chesapeake and Ohio Railway Company, being unable to transport traffic over its line between Chicago, Illinois, and Detroit, Michigan, via Grand Rapids, Michigan, because of a derailment, it is ordered, That:

(a) Rerouting traffic. The Chesapeake and Ohio Railway Company, in rerouting cars in accordance with this order, shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(b) Concurrency of receiving road to be obtained. The Chesapeake and Ohio Railway Company, when rerouting cars in accordance with this order, shall notify each shipper at the time each shipment is rerouted or diverted and furnish to such shipper the new routing provided under this order.

(c) Notification to shippers. The Chesapeake and Ohio Railway Company, when rerouting cars in accordance with this order, shall notify each shipper at the time each shipment is rerouted or diverted and furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though agreements, agreements to divert, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(1) Effective date. This order shall become effective at 4:30 p.m., June 11, 1976.

(2) Expiration date. This order shall expire at 11:59 p.m., June 13, 1976, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as Agent of all railroads, subscribing...
Abandonment of Line and Trackage Rights

In the matter of Chicago and Western Indiana Railroad Company abandonment of line in Illinois Central Gulf Railroad Company in City of Chicago, Cook County, Illinois.

Abandonment of the line will not have an adverse impact on the environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. sections 4321, et seq., and that preparation of an environmental impact statement need not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the two related actions will have no significant environmental impact because their net result will be the routing of two trains per day from the C&W track to the parallel ConRail and ICG trackage and to Union Station.

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Chicago, Cook County, Ill., on or before July 1, 1976 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the Federal Register as notice to interested persons.


By the Commission, Commissioner Brown.

Robert L. Oswald, Secretary.
NOTICES

Dated at Washington, D.C., this 9th day of June, 1976.

By the Commission, Commissioner Brown.

ROBERT L. OSWALD,
Secretary.

ILLINOIS CENTRAL GULF RAILROAD CO.
Abandonment Between Columbus and Winford Junction, in Hickman and Carlisle Counties, Kentucky

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

It was ordered, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq., and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Hickman and Carlisle Counties, Ky., on or before July 1, 1976 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the Federal Register as notice to interested persons.

Dated at Washington, D.C., this 9th day of June, 1976.

By the Commission, Commissioner Brown.

ROBERT L. OSWALD,
Secretary.

[AB 43 (Sub-No. 15)]

MISSOURI PACIFIC RAILROAD CO.
Abandonment Between Dearing and Dexter in Montgomery, Chautauqua, and Cowley Counties, Kansas

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It is ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the Federal Register as notice to interested persons.

Dated at Washington, D.C., this 9th day of June, 1976.

By the Commission, Commissioner Brown.

ROBERT L. OSWALD,
Secretary.

[AB 3 (Sub-No. 9)]

SOUTHERN RAILWAY CO.
Abandonment of Line

In the matter of Southern Railway Company Abandonment between Dubois...
and French Lick in Dubois and Orange Counties, and abandonment of trackage rights over the Louisville and Nashville Railroad Company between French Lick and West Baden in Orange County, Indiana.

Petitioner: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request, and

It appearing, that no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor;

It is ordered, that applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Dubois and Orange Counties, Ind., on or before July 1, 1976 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the Federal Register as notice to interested persons.

Dated at Washington, D.C., this 8th day of June 1976.

By the Commission, Commissioner Brown.

ROBERT L. OSWALD, Secretary.

[AB 26 (Sub-No. 10)]

SOUTHERN RAILWAY COMPANY ABANDONMENT BETWEEN FRENCH LICK AND WEST BADEN IN DUBOIS AND ORANGE COUNTIES AND ABANDONMENT OF TRACKAGE RIGHTS OVER THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY BETWEEN FRENCH LICK AND WEST BADEN IN ORANGE COUNTY, INDIANA

The Interstate Commerce Commission hereby gives notice that by order dated June 8, 1976, it has been determined that the proposed abandonment by the Southern Railway Company of a portion of its branch extending 16 miles between French Lick and West Baden in Orange County, Ind., and the proposed abandonment of trackage rights over one mile of the Louisville and Nashville Railroad Company line between French Lick and West Baden in Orange County, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4322(2) (C) of the NEPA.

It was concluded, among other things, that little traffic is generated on the affected line and the amount diverted to motor carriers would have a minimal impact on the existing environment. Traffic previously interchanged between Southern and the L&N line has substantially decreased to a negligible level. Because of a lack of industrial activity and economic development projects in the area, it appears unlikely that an abandonment will not be expected to have a serious impact on the affected rural communities. Applicant intends to continue rail service to the rest of the involved branch which is not included in the subject action. The State has expressed interest in acquisition of the right-of-way and could prevent the abandonment from being approved.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20426; telephone 302-275-7692.

Interested persons may comment on this rule by filing with, and in writing with the Interstate Commerce Commission, Washington, D.C., 20423, on or before July 16, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

ROBERT L. OSWALD, Secretary.

[FR Doc. 76-18152 Filed 6-21-76; 8:45 am]

NOTICE

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 17, 1976.

The following are notices of filing of applications for temporary authority under Section 210(a) (6) of the Interstate Commerce Act provided for under the provisions of 49 C.F.R. § 1131.3. These rules provide that, at its original in writing with the Interstate Commerce Commission, Washington, D.C., 20423, on or before the date the notice of the filing of the application is published in the Federal Register. One copy of the protest must be served on the applicant, or its authorized representative and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the type and amount and type of equipment it will make available for use, providing the service contemplated by the TA application. The weight accorded a protest will be determined in connection with the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the Office of the Secretary, Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY


Interests sought to operate as a common carrier, by motor vehicle, over irregular routes transporting: General commodities (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plant sites and warehouse facilities of Crane & Co., located at or near Dalton, Mass., as an off-route point in connection with applicant's present regular route operation. Applicant intends to operate from the facilities of CertainTeed Corporation located at MePheron, Kans., to points in Colorado, Idaho, Minnesota, Montana, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Authority sought to operate as a "common carrier," by motor vehicle, over irregular routes, transporting: Plastic pipe and fittings and accessories necessary for the installation thereof, from the facilities of CertainTeed Corporation located at McPherson, Kans., to points in Colorado, Idaho, Minnesota, Montana, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Authority sought to operate as a "common carrier," by motor vehicle, over irregular routes, transporting: Paper, printing; paper, scrap, or waste, serving the plant sites and warehouse facilities of Crane & Co., located at or near Dalton, Mass., as an off-route point in connection with applicant's authorized regular route operation. Applicant intends to tack the authority applied for to authorized route after it has been granted for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Teed Corporation located at McPherson, Kans., to points in Colorado, Idaho, Minnesota, Montana, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Authority sought to operate as a "common carrier," by motor vehicle, over regular routes, transporting: Paper, printing; paper, scrap, or waste, serving the plant sites and warehouse facilities of Crane & Co., located at or near Dalton, Mass., as an off-route point in connection with applicant's authorized regular route operation. Applicant intends to tack the authority applied for to authorized route after it has been granted for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: General Services Administration, Crystal Mall.
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Bldg. 4, Room 327, Washington, D.C. 20406. Send protests to: Gerald Curry, District Supervisor, 24 Weybosset St., Room 102, Providence, R.I. 02903.

No. MC 50069 (Sub-No. 510TA), filed June 7, 1976. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Eastwood Ave., Orange, N.J. 07050. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum refining products, in bulk, in tank vehicles, from Silver Spring, Md., to points in Wisconsin, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Enterprise Refinery Products, Inc., 500 S. First St., San Francisco, Calif. 94111. Send protests to: John A. Gollan, (same address as applicant).

No. MC 106941 (Sub-No. 6TA), filed June 7, 1976. Applicant: WILLIAM H. OTT doing business as, TEXAS HOT SHOT COMPANY, 3815 Irvington Blvd., Houston, Tex. 77092. Applicant's representative: Mike Cotton, P.O. Box 1148, Ruston, La. 71270. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies, in bulk and in tank-type vehicles, from Baton Rouge, La., to points in Illinois, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Universal Concrete Products, Inc., 67 King St., Pottstown, Pa. 19464. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3336, Philadelphia, Pa. 19106.

No. MC 10004 (Sub-No. 103TA), filed June 1, 1976. Applicant: RUAN TRANSPORT CORPORATION, 3200 Ruan Center, 666 Grand Ave., Des Moines, Iowa 50309. Applicant's representative: Richard A. Brandt, P.O. Box 302, Liberal, Kan. 67901. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fly ash, in bulk, in tank vehicles, from Clinton, Iowa, to points in Indiana, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: American Admixtures Corporation, 5800 North Rogers Ave., Chicago, Ill. 60666. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 515 Federal Bldg., Des Moines, Iowa 50309.

No. MC 107515 (Sub-No. 101TA), filed June 2, 1976. Applicant: DESMOINES COAL TRANSPORT CO., INC., P.O. Box 308, Forest Park, Calif. 90305. Applicant's representative: Maurice F. Bishop, 603 Franklin Blvd., Bellingham, Wash. 98225. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum refining products, in bulk and in tank-type vehicles, between the plantsites of Union Camp Corporation, located at or near Franklin*, Va., to plantsites of facilities of the companies and shipyards, (1) to Rappahannock River, Va., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Monsanto Company, 800 North Lindbergh Blvd., St. Louis, Mo. 63166. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3336, Philadelphia, Pa. 19106.

No. MC 107309 (Sub-No. 168TA), filed June 8, 1976. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 2121 East 67th Ave., Denver, Colo. 80216. Applicant's representative: David E. Griggers, Suite 1600 Lincoln Center, 1600 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Crushed stone, in vehicles equipped with mechanical refrigeration, from Nashville, Tenn., to Roanoke, Va., and Belvidere, Ill., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Southeastern Food Distributors, Inc., 326 11th Ave., North, Nashville, Tenn. 37202. Send protests to: Sara K. Davis, Transportation Assistant, Interstate Commerce Commission, 515 Federal Bldg., N.W., Room 346, Atlanta, Ga. 30309.

No. MC 10738 (Sub-No. 19TA), filed June 4, 1976. Applicant: McNAIR TRANSPORT, INC., 4265 Meadow Lane, P.O. Drawer 3537, Bossier City, La. 71109. Applicant's representative: Jack J. Taylor, 1607 N. Loop West, Suite 208, Houston, Tex. 77018. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Pulp mill liquids, in bulk, in tank-type vehicles, between the plant sites of International Paper Company, at Bastrop, La., and on the one hand, and the plant sites of International Paper Company, located at, or near Natchez and Redwood, Miss.; Pine Bluff, Ark.; and South Texarkana, Tex., on the other, for 180 days. Applicant has also filed an underlying ETA seeking up to 60 days of operating authority. Supporting shipper: International Paper Company, Distribution & Transportation Division, P.O. Box 2328, Mobile, Ala. 36601. Send protests to: Ray C. Armstrong, Jr., District Supervisor, Interstate Commerce Commission, 701 Loyola Ave., New Orleans, La. 70113.

No. MC 107348 (Sub-No. 26TA), filed June 2, 1976. Applicant: INDIAN VALLEY BULK CARRIERS, INC., Ridge Road, Tylersport, Pa. 18971. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Ave., N.W., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum refining products, in bulk, in tank vehicles, from Staley, N.C., to Stowe, Pa., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Universal Concrete Products, Inc., 47 King St., Pottstown, Pa. 19464. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3336, Philadelphia, Pa. 19106.

No. MC 107404 (Sub-No. 976TA), filed June 4, 1976. Applicant: MATLACK INC., Ten West Baltimore Ave., Lan- downe, Pa. 19050. Applicant's representative: John Nelson, (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Edic acid, Crude, in tank vehicles, from Zal noses, Fla., to Chesterstown, Md., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Monsanto Company, 800 North Lindbergh Blvd., St. Louis, Mo. 63166. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3336, Philadelphia, Pa. 19106.

No. MC 106375 (Sub-No. 53TA), filed June 9, 1976. Applicant: LIBOY L. WADE & SON, INC., 10550 I St., Omaha, Neb. 68127. Applicant's representative: Donald L. Stern, 530 Unive Bldg., 7100...
West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Foreign and domestic mail; trucks, in second­hand movements, in truckaway service, from Des Moines, Iowa, to points in Iowa, restricted to traffic having an immediately prior movement by rail, for 180 days. Applicant: American Viscose Corp., Route 1, Ashland, Ky. 41101. Supporting shipper: Mr. Howard B. Brown, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Bldg., Louis­ville, Ky. 40202.

No. MC 114045 (Sub-No. 438TA), filed June 2, 1976. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 61238, J.W. Grinstead's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Sul­furic acid, in bulk, in tank vehicles, from Copper­hill, Tenn., to points in that part of Mississippi on and north of Interstate Highways 22 and 80 for 180 days. Supporting shipper: Cities Service Company, P.O. Drawer 50360, Atlanta, Ga. 30302. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, Suite 620, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 110525 (Sub-No. 1157TA), filed June 7, 1976. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 E. Lancaster Ave, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Boron tri­fluoride gas, in manifold tube trailers, from Marcus Hook, Pa., to Moundsville, W. Va., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Cities Service Company, P.O. Box 41026, Cincinnati, Ohio 45236. Send protests to: Juanita B. Watson, Traffic Manager, Mazda Motors of America (Central), Inc., 1600 Buus Road, Elk Grove Village, Ill. 60007. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 110491 (Sub-No. 90TA), filed June 6, 1976. Applicant: HUFF TRANS­PORT CO., INC., 3601 So. 7th St. Road, Louisville, Ky. 40216. Applicant's representative: C. L. Huff (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum crude oil, in bulk, in tank vehicles, from Pickett, Fentress, Cumber­land, Grundy, Scott and Morgan Coun­ties, Tenn., to the Ashland Pipeline Com­pany facilities in Wolfe County, Ky., for 180 days. Applicant has also filed an under­lying ETA seeking up to 60 days of operating authority. Supporting shipper: Mr. Emil M. Sturzemegger, Ashland Oil, Inc., P.O. Box 381, Ashland, Ky. 41101. Send protests to: Elbert Brown, Jr., Dist­ric Supervisor, Interstate Commerce Commission, Bureau of Operation, 426 Post Office Bldg., Louisville, Ky. 40202.

No. MC 114457 (Sub-No. 261TA), filed June 3. 1976. Applicant: ART TRANSIT COMPANY, 2102 University Ave., St. Paul, Minn. 55104. Applicant's representative: James C. Hardman, 33 North La Salle St., Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Metal containers and closures, from St. Louis, Mo., to Louis­ville, Ky., and from Cincinnati, Ohio, to Indianapolis, Ind., for 180 days. Supporting shipper: The Continental Freight Corp., Inc., P.O. Box 41026, Cincinnati, Ohio 45241. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., & U.S. Court­house, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 114533 (Sub-No. 333TA), filed June 2, 1976. Applicant: BANKERS DIS­PATCH CORPORATION, 1106 West 35th St., Chicago, Ill. 60608. Applicant's rep­resentative: Stanley Komosa (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Film negatives, complimentary replacement film and incidental dealer handling supplies (except motion picture film and materi­als and supplies used in connection with commercial and television motion picture pictures); and business records, between Richmond, Ind., and Indianapolis, Ind., restricted to those shipments having a prior or subsequent movement by air, for 180 days. Applicant: Jack Henry, Manager, Rapid Photo Co., Jack Henry, Manager, 1832 West Main, Richmond, Ind. 47374. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 South Dearborn St., Room 13C12, Chicago, Ill. 60604.

No. MC 114896 (Sub-No. 37TA), filed June 2, 1976. Applicant: PUROLATOR SECURITY, INC., 111 W. Mockingbird Lane, Dallas, Tex. 75222. Applicant's representative: John M. De­lany, 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, trans­porting: Precious metals (gold), spent plating solution, gold stripping bath, from Newark, N.J., to Gastonia, Greensboro and Winston-Salem, N.C., under a contin­uing contract with AMP Incorporated, for 180 days. Supporting shipper: AMP Incorporated, P.O. Box 3608, Harrisburg, Pa. 17105. Send protests to: Opal M. Jones, Transportation Assistant, Inter­state Commerce Commission, 1100 Com­merce St., Room 13C12, Dallas, Tex. 75242.

No. MC 115162 (Sub-No. 326TA), filed June 7, 1976. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, Ala. 36041. Applicant's representative: Robert E. Tate (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Precious metals (gold), spent plating solution, gold stripping bath, from Lynchburg, Va., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Tennessee and Texas, for 180 days. Supporting shippers: West Kentucky Consumer Co., 301 West, West Chesapeake, Va. 23324, and The Mead Corporation, 118 West First St., Dayton, Ohio 45402. Send protests to: K. Edward Wolcott, 1600 Building, Room 900, Atlanta, Ga. 30303.

No. MC 115311 (Sub-No. 199TA), filed July 3, 1976. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, Ga. 31061. Applicant's representative: K. Edward Wolcott, 1600 Building. First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Building, wall or insulating boards and ceiling tile and materials and supplies used in the installation of building, wall, insulating boards or ceiling tile, between the plant­site and facilities utilized by the Arm­strong Cork Company, located at or near Macon, Ga., on the one hand, and, on the other, points in Maryland, Pennsylvania, New York, Ohio, Indiana, Illinois, Minne­sota, Iowa, Arkansas, Oklahoma, Texas, Iowa, Kansas, New Jersey, Kansas and Wisconsin, for 180 days. Applicant has also filed an underlying ETA.
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Seeking up to 90 days of operating authority: Supporting shipper: Armington Cork Company, Lancaster, Pa., June 26, 1976. Applicant: REWDING REFRIGERATED, INC., P.O. Box 10177--off Highway 527, Taft, Fla. 32389. Applicant's representative: J. V. McCoy, P.O. Box 436, Tampa, Fla. 33601. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Frozen bakery products, from Marysville, Pa., to Toronto, Ontario, Canada and Montreal, Quebec, Canada, for 180 days. Supporting shipper: Specialty Ladyfingers Inc., 450 S. State Road, Marysville, Pa. 15753. Send protests to: Transportation Assistant, Interstate Commerce Commission, Box 35006, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 117427 (Sub-No. 73TA), filed June 3, 1976. Applicant: G. G. PARSONS TRUCKING CORP., Box 1080, Emerson, N.C. 28042. Applicant's representative: Francis J. Ortman, 7101 Wisconsin Ave., Suite 605, Washington, D.C. 20014. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Pipe (other than iron or steel), from the warehouse and storage facilities of Wahl-Riegling Corporation, at Cleveland, Ohio, to points in Georgia, North Carolina, South Carolina, Virginia and West Virginia, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Specialty Ladyfingers Inc., 450 S. State Road, Marysville, Pa. 15753. Send protests to: Robert A. Neidig, District Supervisor, P.O. Box 1167, Albany, N.Y. 12201.


No. MC 123021 (Sub-No. 25TA), filed June 9, 1976. Applicant: DIVERSIFIED PRODUCTS TRUCKING CORPORATION, 300 Williamson Avenue, P.O. Box 100, Opelika, Ala. 36801. Applicant's representative: Robert E. Tate, P.O. Box 517, Evergreen, Ala. 36801. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Charcoal, wood chips, vermiculite, lighter fluid, and wax-impregnated and compressed-sawdust fireplace logs (except commodities in bulk), from points in South Dakota, Dakota, Wyoming, Colorado, New Mexico, Arizona, Nevada, California, Utah, Oregon, Washington, Montana, and Wyoming, to National City Cold Storage Warehouse, National City, Ill., to points in North Dakota, South Dakota, Nebraska, Iowa, Idaho, Kansas, Oklahoma, Arkansas, Arizona, Colorado, New Mexico, Arizona, Nevada, California, Utah, Oregon, Washington, Montana, and Wyoming, to National City Cold Storage Warehouse, National City, Ill., under a continuing contract, or contracts, with The Kingsford Company, Division of Clorox Corporation, 1610 IBM Bldg., Seattle, Wash. 98108. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: The Kingsford Company, Division of Clorox Corporation, 1610 IBM Bldg., Seattle, Wash. 98108. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Room 1616, 2121 Buildings, Birmingham, Ala. 35203.

No. MC 123811 (Sub-No. 23TA), filed June 2, 1976. Applicant: NORTON RAMPS MOTOR LINES, INC., P.O. Box 806, Hickory, N.C. 28601. Applicant's representative: Francis J. Ortman, 7101 Wisconsin Avenue, Suite 605, Washington, D.C. 20014. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dining room chairs, from the plantsites of Century Furniture Company and Century Chair Company, Hickory, N.C., to the plantsite and warehouse of Hooker Furniture Corporation, Martinsville, Va., for 180 days. Supporting shipper: Hooker Furniture Corporation, P.O. Box 4708, Martinsville, Va. 24112. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Furniture, to National City Cold Storage Warehouse, National City, Ill., to points in South Dakota, Dakota, Wyoming, Colorado, New Mexico, Arizona, Nevada, California, Utah, Oregon, Washington, Montana, and Wyoming, to National City Cold Storage Warehouse, National City, Ill., under a continuing contract, or contracts, with The Kingsford Company, Division of Clorox Corporation, 1610 IBM Bldg., Seattle, Wash. 98108. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: The Kingsford Company, Division of Clorox Corporation, 1610 IBM Bldg., Seattle, Wash. 98108. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Room 1616, 2121 Buildings, Birmingham, Ala. 35203.
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No. MC 129282 (Sub-No. 30 T A ), filed June 8, 1976. Applicant: BERRY TRANSPORTATION, INC., P.O. Box 2147, Longview, Tex. 75606. Applicant's representative: Fred S. Berry (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Malt beverages and materials and supplies used in the manufacture and distribution thereof (except for bulk) from Fort Worth, Tex. to Hernando, Miss, for 180 days. Supporting shipper: Murphy Beverage Co. 440 Ashton Ave., Clarksdale, Miss. 38614. Send protests to: Opal Mr. Jones, Trans. Assist., Interstate Commerce Commission, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75242.

No. MC 133494 (Sub-No. 12 T A ), filed June 2, 1976. Applicant: E. W. BELCHER TRUCKING, INC., 201 Dallas Drive, Denton, Tex. 76207. Applicant's representative: William S. Ingram, P.O. Box 116, 1003 West 6th Street, Austin, Tex. 78767. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such commodities as are dealt in by a manufacturer of drugs and medicines, from Memphis, Tenn., to North Hollywood, Calif., for up to 90 days of operating authority. Supporting shipper: Vick Manufacturing Division of GAF Corp., located at Binghamton, Johnson City, Vestal, Rensselaer, and Utica, New York, for 180 days. Applicant has also filed an underlying ETA seeking to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Such commodities as are manufactured and sold by GAF Corporation, used, used or useful in the manufacture and sale of such commodities (except commodities in bulk), between the facilities of GAF Corp., located at Binghamton, Johnson City, Vestal, Rensselaer, N.Y.; Linden, N.J.; Shelby, Elyria, Ohio; Portland, Ore.; Calvert City, Ky.; and their commercial zones as defined by the Commission, on the one hand, and, on the other, points in Texas, Georgia, California, Illinois, Indiana, Missouri, Ohio, Wisconsin, Florida, North Carolina, Tennessee, Minnesota, Kentucky, Pennsylvania, Maryland, and the District of Columbia, restricted against interlining or extradition of originating points, for 180 days. Supporting shipper: Iminac, Inc., 4003 S. Highway 288, Angleton, Tex. 77517. Send protests to: Robert E. Johnston, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 123405 (Sub-No. 28 T A ), filed June 4, 1976. Applicant: BACON TRANSPORT COMPANY, P.O. Box 1134, Ardmore, Okla. 73401. Applicant's representative: Julian A. McAdams (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Asphaltic emulsions; (2) liquid asphalt; in bulk, in tank vehicle, (1) from Springfield, Mo. to points in Arkansas; (2) from Enid and Ardmore, Okla. to points in Missouri, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Riffe Petroleum Company, 1700 South 288, Angleton, Tex., 77517. Send protests to: Janice Farmer, Transporta­tion Assistant, Interstate Commerce Commission, Bureau of Operations, Room 240 Old Post Office Bldg., 215 N.W. 3rd St, Oklahoma City, Okla. 73102.


No. MC 133425 (Sub-No. 18 T A ), filed June 1, 1976. Applicant: CYCLES LIMITED, INC., 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Such commodities as are dealt in by a manufacturer of drugs and medicines, from Montgomery, Ala., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Vick Manufacturing Division of Richardson-Merrell, Inc., for 180 days. Applicant has also filed an underlying ETA seeking to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat products and articles distributed by meat packehouses, as described in Sections A and C of Appendix 1 to the report in Descriptions in Motor Carrier Cer­tificates, as listed in 41 Federal Regis­ter, No. 32072, for 180 days. Applicant is dealing in goods and articles distributed by meat packehouses, as described in Sections A and C of Appendix 1 to the report in Descriptions in Motor Carrier Cer­tificates, as listed in 41 Federal Regis­ter, No. 32072, for 180 days. Applicant is dealing in goods and articles distributed by meat packehouses, as described in Sections A and C of Appendix 1 to the report in Descriptions in Motor Carrier Cer­tificates, as listed in 41 Federal Regis­ter, No. 32072, for 180 days. Applicant is dealing in goods and articles distributed by meat packehouses, as described in Sections A and C of Appendix 1 to the report in Descriptions in Motor Carrier Cer­tificates, as listed in 41 Federal Regis­ter, No. 32072, for 180 days. Applicant is dealing in goods and articles distributed by meat packehouses, as described in Sections A and C of Appendix 1 to the report in Descriptions in Motor Carrier Cer­tificates, as listed in 41 Federal Regis­ter, No. 32072, for 180 days. 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Applicant is dealing in goods and articles distributed by meat packehouses, as described in Sections A and C of Appendix 1 to the report in Descriptions in Motor Carrier Cer­tificates, as listed in 41 Federal Regis­ter, No. 32072, for 180 days. Applicant is dealing in goods and articles distributed by meat packehouses, as described in Sections A and C of Appendix 1 to the report in Descriptions in Motor Carrier Cer­tificates, as listed in 41 Federal Regis­ter, No. 32072, for 180 days. Applicant is dealing in goods and articles distributed by meat packehouses, as described in Sections A and C of Appendix 1 to the report in Descriptions in Motor Carrier Cer­tificates, as listed in 41 Federal Regis­ter, No. 32072, for 180 days. Applicant is dealing in goods and articles distributed by meat packehouses, as described in Sections A and C of Appendix 1 to the report in Descriptions in Motor Carrier Cer­tificates, as listed in 41 Federal Regis­ter, No. 32072, for 180 days. 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No. MC 139078 (Sub-No. 9 TA), filed June 8, 1976. Applicant: MIDCOAST TRANSPORTATION, INC., 19819—84th Avenue S., Kent, Wash. 98031. Applicant's representative: A. J. Swanson, 521 South 14th St., Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Bakery products, from Totowa, N.J., to points in Pennsylvania, Maryland and the District of Columbia, and Dover, Del., and provisions, and supplies used in the production of bakery goods, from Pittsburgh and Chambersburg, Pa., to Totowa, N.J., restricted in (1) and (2) above to service performed under a continuing contract, or contracts, with S. B. Thomas, Inc., for 180 days. Supporting shipper: S. B. Thomas, Inc., Phillip J. Coffaro, Traffic Manager, 930 North Riverview Drive, Totowa, N.J. 07512. Send protests to: Robert S. H. Vance, District Supervisor, Interstate Commerce Commission, 9 Clinton Street, Newark, N.J. 07102.

No. MC 140277 (Sub-No. 7 TA), filed June 6, 1976. Applicant: BILL BALL, delinington, N.J. 08022. Applicant's representative: Bill Ball (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Commodities, bags, envelopes, parcels or pouches or wrappers flat, folded flat or in rolls requiring preparation into individual units with or without compliment of bag ties, from Placentia, Calif., to points in Idaho, Montana, Nevada, Oregon, Utah, Washington, New Mexico, Arkansas, Louisiana, Texas, Missouri, Colorado, South Dakota and Phoenix, Ariz., under a continuing contract, or contracts, with American Western Corporation, for 180 days, Supporting shipper: American Western Corporation, Dennis Mewhorter, Plant Manager, 190 W. Crawther, P.O. Box 383, Placentia, Calif. 92670. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 142046 (Sub-No. 1 TA), filed June 4, 1976. Applicant: PACIFIC TRANSPORTATION LINES, INC., 443 Delaware Ave., Buffalo, N.Y. 14202. Applicant's representative: William J. Hirsch, Suite 1125, 43 Court St., Buffalo, N.Y. 14202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen potatoes, from the shippers' warehouse, located in Syracuse, N.Y., to points in New York, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Empire Freezers of Syracuse, Inc., Box 770, Syracuse, N.Y. 13201. Send protests to: George M. McFadden, Traffic Manager, Interstate Commerce Commission, Bureau of Operations, 910 Federal Bldg., 111 West Huron St., Buffalo, N.Y. 14202.

No. MC 142075 (Sub-No. 1 TA), filed June 2, 1976. Applicant: D. C. LARSON, 75 North, Moorhead, Minn. 56560. Applicant's representative: Charles E. Johnson, 425 Gate City Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Incandescent and fluorescent light bulbs and tubes, from Warren, Pa., to Fargo, N. C., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Maintenance Engineering, Ltd., P.O. Box 2811, Fargo, N. C. 58102, and Solar Electric, P.O. Box 988, Warren, Pa. 16365. Send protests to: District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N.C. 58102.

No. MC 142096 (Sub-No. 1 TA), filed June 2, 1976. Applicant: J. MILLER BROTHERS TRUCKING COMPANY, INC., 7310 West Mitchell Street, Milwaukee, Wis. 53215. Applicant's representative: Richard A. Alexander, 710 White River, North Platte, Platte County, Neb. 69101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen potatoes, from Warren, Pa., to Fargo, N. C., by roller-bed trailers, from the plant site of Continental Can Company, Inc. at Milwaukee, Wis. to the plant site of Peter River Brewing Company at Chicago, Ill., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Continental Can Company, Inc., 10050 Regency Circle, Suite 210, Omaha, Neb. 68114, (Richard S. Skalla), Send protests to: Gallagher, Transportation Ass't Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street—Room 307 Milwaukee, Wis. 53203.


No. W-1236 (Sub-No. 1 TA), filed June 8, 1976. Applicant: AMERICAN CRUISE LINES, INC., Steamboat Landing, Haddam, Conn. 06438. Applicant's representative: J. Raymond Clark, 600 New Hampshire Ave., NW., Suite 1150, Washington, D.C. 20037. Authority sought to operate as a common carrier, by water, in the transportation of: Passengers and their baggage, in self-propelled vessels, in one way and round trip excursion cruises, between all ports and points along the U.S. Atlantic and Gulf Coasts, including Nantucket Sound, Vineyard Sound, Block Island Sound, Long Island Sound, Hudson River, Mobile River, Mobile Bay, Atlantic Intracoastal Waterway, Okeechobee Waterway, Gulf Intracoastal Waterway, Mississippi River, and (2) between all ports and points in (1) above and points and points in Canada on the St. Lawrence Seaway, for 180 days. Supporting shipper: There are approximately 13 statements of support which may be examined at the Interstate Commerce Commission in Washington, D.C. or at the field office named below. Send protests to: A. D. Verrastro, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, 113 High Street, Hartford, Conn. 06101.

By the Commission.

ROBERT L. OSWALD, Secretary.

[FR Doc.76-18163 Filed 6-21-76; 8:45 am]

[Notice No. 72]

MOTOR CARRIER TEMPOARY AUTHORITY APPLICATIONS

June 11, 1976.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 C.F.R. § 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the application. The protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protest shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest will be determined by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment, resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commis-
to operate as a **common carrier**, by motor vehicle, over irregular routes, transporting: (1) **agricultural machinery**; (2) **tractors** (except truck tractors), when moving in mixed loads with commodities named in (1) above, and (3) **parts and attachments** for commodities in (1) and (2) above, when moving in mixed loads with commodities named in (1) above, and moving in mixed loads with commodities named in (2) above.

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**No. MC 69742 (Sub-No. 3TA), filed May 27, 1976. Applicant: CORDIN CORPORATION, P.O. Box 366, 560 South Third Line, West, Sault Ste. Marie, Ontario, Canada. Authority sought to operate as a **common carrier**, by motor vehicle, over irregular routes, transporting: Pallets, boxwood, from International Boundary Line between the United States and Canada at or near Point 1, Sault Ste. Marie, Mich., to points in Kansas, Missouri, Illinois, Nebraska, South Dakota, and Minnesota, restricted to shipments originating at the warehouse facilities of International Boundary Line Co. at or near Point 1, Sault Ste. Marie, Mich., as to indicate applicant applicant's domicile approximately 8 miles south of Sault Ste. Marie, Mich., as a route description.**

**No. MC 69639 (Sub-No. 2TA), filed May 27, 1976. Applicant: SHIFFLET BROKERS, INC., P.O. Box 206, Highway 99 E at Seldon Ave., Gridley, Calif. 95948. Applicant's representative: Michael J. Stecher, 256 Montgomery St., San Francisco, Calif. 94104. Authority sought to operate as a **common carrier**, by motor vehicle, over irregular routes, transporting: Fertilizers in bulk, in tank, pressure or hopper-type vehicles, from Lathrop, Stockton, Richvale, Helm, Calif., and the plantsite of Valley Nitrogen Producers located approximately 8 miles south of Corning, Calif., to Denver, Colo., for 180 days. Supporting Shipper: Occidental Chemical Co., 10777 Howland Ave., Lathrop, Calif. 95330. Valley Nitrogen Producers Inc., P.O. Box 1752, Fresno, Calif. 93727. Send protests to: A. J. Rodriguez, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36094, San Francisco, Calif. 94102.**

**No. MC 99818 (Sub-No. 5 TA), filed May 26, 1976. Applicant: SOUTHERN MARYLAND TRANSPORTATION CO., INC., 4112 Dewmar Court, Kensington, Md. 20795. Applicant's representative: Thomas M. Auchincloss, Jr., 918-16th St., N.W., Washington, D.C. 20006. Authority sought to operate as a **common carrier**, by motor vehicle, over regular routes, transporting: General commodities, from Washington, D.C., to Port of Entry on the International Boundary Line between the United States and Canada at or near Rock Island, Ill., to points in Canada, for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Dickey Bros., Inc., 675 No. Main, Centerville, Utah, 84138.**

**No. MC 69707 (Sub-No. 9 TA), filed May 18, 1976. Applicant: FRANKS TRUCKING, INC., 1711 West Second Street, Webster City, Iowa 50595. Applicant's representative: Ronald Adams (same address as applicant). Authority sought to operate as a **common carrier**, by motor vehicle, over irregular routes, transporting: (1) **agricultural machinery**; (2) tractors (except truck tractors), when moving in mixed loads with commodities named in (1) above, and (3) **parts and attachments** for commodities in (1) and (2) above, when moving in mixed loads with commodities named in (1) above. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority, Supporting shipper: International Harvester Co. 401 North Michigan Avenue, Chicago, Ill. 60601. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 Federal Building, Des Moines, Iowa 50309.**

**No. MC 107162 (Sub-No. 45TA) (correction), filed May 7, 1976. Applicant: NOBLE GRAHAM TRANSPORT, INC., Rural Route #1, Brimley, Mich. 49715. Applicant's representative: John Duncan Varda, 121 S. Pinckney St., Madison, Wis. 53703. Authority sought to operate as a **common carrier**, by motor vehicle, over irregular routes, transporting: Wood chips, in bulk, from Port of Entry on the International Boundary Line between the United States and Canada at or near Point 1, Sault Ste. Marie, Mich., to Escanaba, Mich., and to points in Canada, for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Weyerhaeuser Canada, Ltd., 43 Third Line, West, Sault Ste. Marie, Ontario, Canada. Send protests to: C. R. Fleming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 225 Federal Building, Lansing, Mich. 48933.**

**Note.—The purpose of this republication is to correct Brimley, Mich., to Brimley, Mich. as to indicate applicant applicant's domicile, and also Lansing, Mich., to Lansing, Mich. as a route description.**

**No. MC 107295 (Sub-No. 81TA), filed May 27, 1976. Applicant: PHILADALEPHIA TRANSIT CO., 100 South Main Street, Parmer City, Ill. 61842. Applicant's representative: Duane Zehr (same address as applicant). Authority sought to operate as a **common carrier**, by motor vehicle, over irregular routes, transporting: (1) **agricultural machinery**; (2) tractors (except truck tractors), when moving in mixed loads with commodities named in (1) above, and (3) **parts and attachments** for commodities in (1) and (2) above, when moving in mixed loads with commodities named in (1) above. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: London Transport Co., 3600 Federal Building, Des Moines, Iowa 50309. Send protests to: Interstate Commerce Commission, 12th & Constitution Avenue, N.W., Room 1413, W. C. Hersman, District Supervisor, Washington, D.C. 20423.**
vehicle, over irregular routes, transporting: Paper, paper articles, paperboard, and paperboard articles, from Lynchburg, Va., to points in Alabama, Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, for 180 days. Supporting shipper: Joseph D. Sharpe, Asst. General Transp. Mgr., Weyerhaeuser Company, 201 Dexter Street West, Chesapeake, Va. 23324. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62703.

No. MC 107496 (Sub-No. 1032 TA), filed May 28, 1976. Applicant: RUAN TRANSPORT CORPORATION, 3200 Ruan Center, 666 Grand Avenue, Des Moines, Iowa 50309. Applicant's representative: Daryl J. Henoch (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Zinc sulphate fertilizer, in bulk, in tank vehicles, from Salida, Colo., to Sergeant, Neb., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Colorado, Inc., P.O. Box 6115, Denver, Colo. 80206. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 400, Princeton, N.J. 08540. Send protests to: Maria B. Keiss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 112906 (Sub-No. 52A TA), filed June 2, 1976. Applicant: LEMMON TRANSPORT COMPANY, INCORPORATED, P.O. Box 500, Marion, Va. 24554. Applicant's representative: Daryl J. Henry (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Caustic soda, in bulk, in tank vehicles, from Charleston, Tenn., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Virginia, and West Virginia (except Kanawha County, W.Va.), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Olin Chemicals Group, 120 Long Ridge Rd., Stamford, Conn. 06904. Send protests to: District Supervisor Danny R. Beeler, Bureau of Operations, Interstate Commerce Commission, P.O. Box 210, Roanoke, Va. 24011.

Applicant: FREEPORT TRANSPORT, INC., 1200 Butter Road, Freeport, Pa. 16229. Applicant's representative: Mr. Louis S. Smith, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Agricultural pesticides, from Muskegon, Mich., to various destinations in Minnesota, Iowa, Colorado, Nebraska, South Dakota, and Montana, for 180 days. Supporting shipper: Reynolds Metals Company, Richmond, Va. 23261. Send protests to: District Supervisor Danny R. Beeler, Bureau of Operations, Interstate Commerce Commission, P.O. Box 210, Roanoke, Va. 24011.

Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 205-1/2 14th Street, New York, N.Y. 10014. Applicant's representative: Indiana, Illinois, Kentucky, Maryland, Ohio, Pennsylvania, Tennessee, and Virginia. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Shortening, lard, tobacco, cooking oils, and nonhazardous in packages, from the facilities of Swift Edible Oil Company near Bradley, Ill., to points in Connecticut, Delaware, Maine, Vermont, Maryland, West Virginia, Kansas, New Jersey, New York, Pennsylvania, Rhode Island, Virginia and the District of Columbia, restricted to the transportation of shipments originating at the above described facilities and destined to the above named destination points, for 90 days.

South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Ohio, Michigan, Indiana, Illinois, Wisconsin, Missouri, Arkansas, Louisiana, Mississippi, Iowa, Minnesota, North Dakota, South Dakota, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, California, Oregon, and Washington restricted to packages originating at, or destined to the premises of Montgomery Ward’s Catalog Houses in Atlanta, Ga., Jacksonvile, Fla., Memphis, Tenn., Columbus, Ohio, Chicago, and Elk Grove Village, Ill., Minneapolis, Minn., Kansas City, Mo., Dallas, Tex., Los Angeles, Calif., and Seattle, Wash., and further restricted to packages having an immediately prior or subsequent movement by United Parcel Service, Inc. (a New York corporation).

(C) between the premises of Sears, Roebuck and Co. and Montgomery Ward’s Catalog Merchandise Distribution Centers and their associated warehouses in Philadelphia, Pa., Boston, Mass., Greenboro, N.C., Atlanta, Ga., Jacksonvile, Fla., Minneapolis, Minn., Kansas City, Mo., Dallas, Tex., Los Angeles, Calif., Seattle, Wash., and New York, N.Y., restricted to packages having an immediately prior or subsequent movement by United Parcel Service, Inc. (an Ohio corporation).

Restrictions: a. No service shall be rendered in the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor at one location to one consignee at one location on any one day, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Sears, Roebuck and Co. Donald C. Johnson, National Transportation Manager, Sears, Tower, Chicago, Ill. 60684. Montgomery Ward, McGlin T. Holloway, General Traffic Manager, Montgomery Ward Plaza, Chicago, Ill. 60671. Send protests to: Transportation Assistant Patricia A. Roscoe, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1386, Chicago, Ill. 60604.

No. MC 116200 (Sub-No. 8 TA), filed May 23, 1976. Applicant: UNITED PARCEL SERVICE, INC., 643 W. 43rd St., New York, N.Y. 10036. Applicant’s representative: S. Harrison Kahn, 733 Pennsylvania Ave. N.W., Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting General commodities (except those of especial value and of dangerous or explosive nature), household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment, (A) between the premises of Montgomery Ward’s Catalog Houses in Albany, N.Y. and Baltimore, Md., on the one hand, and on the other, points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia, (B) between points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia; and (2) the premises of Sears, Roebuck and Co., and Montgomery Ward’s Catalog Houses in Baltimore, Md., Albany, N.Y., Chicago, Ill., Denver, Colo., Ft. Worth, Tex., Kansas City, Mo., Oakland, Calif., Portland, Ore., and Seattle, Wash., and further restricted to packages having an immediately prior or subsequent movement by United Parcel Service, Inc. (an Ohio corporation).

No. MC 112255 (Sub-No. 73TA), filed June 1, 1976. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Ave., Newark, Ohio 43055. Applicant’s representative: C. F. Schnee, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting Canned goods, from Austin, Ind., to Albany, Binghamton, Buffalo, Elmira Heights, Falconer, Jamestown, Livermore, Rochester, and Syracuse, N.Y., for 180 days. Applicant has also filed an underlying ETA seeking up to 60 days of operating authority. Supporting shipper: Morgan Packing Co., Inc, Austin, Texas. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, 220 Federal Bldg. & U.S. Courthouse, 85 Marconi Boulevard, Columbus, Ohio 43215.


Peed Supply Corp., for 150 days. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Gypsum, gypsum products, and building materials, and materials, and anti-coagulant solutions, distilled water, (plain or saline, in glass or plastic containers), and commodities used in the administration of the above-named commodities, in refrigerated vehicles, from Atlanta, Ga., to points in the United States on and east of U.S. Highway 85 (except points in Georgia), under a continuing contract with American Hospital Supply Corp. for 180 days. Supporting shipper: Stephen R. Rhoade, Distribution Manager, McGaw Laboratories, Division of American Hospital Supply Corp., 215 N.W. 3rd Street, Oklahoma City, Okla. 73102.

Peed has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Boston Feed Supply Corp., 173 Milk St., Boston, Mass. 02108. Send protests to: Max Gorenstein, General traffic manager, Continental Express, Inc., 860 Lafayette Street, York, Pa. 17405. Applicant's representative: Jeremy Kahn.

New Jersey, New York, Pennsylvania, Ohio, Oklahoma, South Dakota, Wyoming for 180 days. Applicant has also filed an underlying EFTA seeking up to 90 days of operating authority. Supporting shipper: Occidental Chemical Company, P.O. Box 1134, 2603 W. Euless Blvd., Euless, Tex. 76039. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Drugs and medicines, nutritional and anti-coagulant solutions, distilled water, (plain or saline, in glass or plastic containers), and commodities used in the administration of the above-named commodities, in refrigerated vehicles, from Atlanta, Ga., to points in the United States on and east of U.S. Highway 85 (except points in Georgia), under a continuing contract with American Hospital Supply Corp. for 180 days. Supporting shipper: Stephen R. Rhoade, Distribution Manager, McGaw Laboratories, Division of American Hospital Supply Corp., 215 N.W. 3rd Street, Oklahoma City, Okla. 73102.

Peed has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Boston Feed Supply Corp., 173 Milk St., Boston, Mass. 02108. Send protests to: Max Gorenstein, General traffic manager, Continental Express, Inc., 860 Lafayette Street, York, Pa. 17405. Applicant's representative: Jeremy Kahn.


No. MC 135873 (Sub-No. 84TA), filed May 23, 1976. Applicant: LTL PERISHABLES, INC., 550 E. 5th Street South, South St., Paul, Minn. 55075. Applicant's representative: K. E. Edel, President. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: "Foodstuffs in mechanically refrigerated vehicles (except commodities in bulk), from the Kansas City, Missouri-Kansas City, Kansas Commercial Zone, to points in the upper peninsula of Michigan, for 180 days. Supporting shipper: Continental Processors, Inc., P.O. Box 414, Lafayette, Calif. 94549. Send protests to: A. N. Speth, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building & 8th Court, 720 North Grand, P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 135804 (Sub-No. 16TA), filed May 28, 1976. Applicant: H. C. PARRISH TRUCKING SERVICE, INC., R. R. 2, P.O. Box 6240, Placentia, Calif. 92670. Applicant's representative: James W. Patterson, 1200 Building, P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 133928 (Sub-No. 9TA), filed May 28, 1976. Applicant: OSTERKAMP TRUCKING INC., R. D. #3, Box 76C, Moscow, Pa. 18444. Applicant's representative: Joseph F. Hoary, 121 South 6th St., Scranton, Pa. 18503. Applicant sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Materials and supplies used in the manufacture of enameled, glazed, or surface coated paper, from McGaw Laboratories, Inc., and anti-coagulant solutions, distilled water, (plain or saline, in glass or plastic containers), and commodities used in the administration of the above-named commodities, in refrigerated vehicles, from Atlanta, Ga., to points in the United States on and east of U.S. Highway 85 (except points in Georgia), under a continuing contract with American Hospital Supply Corp. for 180 days. Supporting shipper: Stephen R. Rhoade, Distribution Manager, McGaw Laboratories, Division of American Hospital Supply Corp., 215 N.W. 3rd Street, Oklahoma City, Okla. 73102.
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Federal Building, 919 Taylor Street, Fort Worth, Tex. 76102.

No. MC 139207 (Sub-No. 4TA), filed May 27, 1976. Applicant: McNABB-WARDWORTH TRUCKING COMPANY, 1410 Lynn Garden Drive, P.O. Box 3610, Kingsport, Tenn. 37664. Applicant's representative: Herbert Alan Dubin, 1810 H Street, NW., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Crated glass and glass products, not exceeding 108 inches in height from the facilities of ASG Industries at Kingsport and Greenwich, Tenn., to points in Arkansas, Mississippi and Louisiana, for 180 days. Supporting shipper: ASG Industries, Inc., P.O. Box 929, Kingsport, Tenn. 37662. Send protests to: District Supervisor Joe J. Tate, Bureau of Operations Interstate Commerce Commission, Suite A-422, U.S. Court House, 801 Broadway, Nashville, Tenn. 37203.

No. MC 139495 (Sub-No. 150TA), filed May 27, 1976. Applicant: NATIONAL CARRIERS, INC., P.O. Box 1356, 1501 E. Sixth Street, Wichita, Kans. 67202. Applicant's representative: Herbert Alan Dubin, 1080 Federal Bar Building West, 1819 H Street, NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Materials, equipment, and supplies used in reflective traffic markings (except in bulk), from Jackson, Miss., to points in Connecticut, Massachusetts, Pennsylvania, New Hampshire, New Jersey, New York, Ohio (except Cincinnati, Cleveland, Columbus and Toledo), Pennsylvania, Rhode Island, Maryland, Virginia, Vermont, West Virginia (except Charleston and Huntington), and the District of Columbia, for 180 days. Supporting shipper: Cataphote Division—Pero Corp., P.O. Box 2369, Dallas, Tex. 75226. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 141803 (Sub-No. 1 TA) (correction), filed April 30, 1976, published in the May 19 issue, filed May 28, 1976, republished as correction this issue. Applicant: KENNETH W. FREEMAN, doing business as EAGLE TRANSPORT, P.O. Box 28, Haines, Alaska 99827. Applicant's representative: L. B. Jacobson, 123 Seward Street, P.O. Box 1211, Juneau, Alaska 99802. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities including live animals, requiring special equipment, and mobile homes and modular units requiring the use of pinte, hitch, (except articles of unusual value, Classes A and B explosives, livestock and commodities in bulk) between points in Alaska south and east of the Yukon Territory-British Columbia-Alaska boundary line, excepting Skagway, Alaska, for 180 days. Supporting shipper: Standard Oil Co., Haines, Alaska, 99827, L. A. B. Flying Service, Inc. Box 272, Haines, Alaska 99827 Homer Apartments, Box 344, Homer, Alaska 99827, G & T Cutting & Clearing, Box 322, Haines, Alaska 99827, Valley Fuel Service, Box 24, Haines, Alaska, Haisler Hardware Supply, Inc., Box 68, Haines, Alaska 99827, Alaska Forest Products, P.O. Box 99, Haines, Alaska 99827, Harbor Bar, Box 357, Haines, Alaska 99827, Lutak Trading & Stevedoring Co., Inc., P.O. Box 130, Haines, Alaska 99827. Send protests to: Hugh H. Chaffee, Interstate Commerce Commission, P.O. Box 1832, Anchorage, Alaska 99510.

NOTE—The purpose of this republication is to include territorial description.

No. MC 142001 (Sub-No. 1TA), filed May 13, 1976. Applicant: RITE-GUY HAULING, INC., 1900 Weber Drive, Madison, Wis. 53713. Applicant's representative: Edward Solie, Executive Building, Suite 100, 5413 Vernon Blvd., Madison, Wis. 53705. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Fresh, frozen, and cured meats, in bulk, in tank vehicles, from the plant facilities of Wisconsin Power & Light Company at or near Portage, Wis., to points in Illinois; and Slug, in bulk, to points in Illinois. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Wisconsin Power & Light Company-Wisconsin, Inc. of Fargo, N.Dak., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Cataphote Division—Pero Corp., P.O. Box 2369, Dallas, Tex. 75226. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 142030 (Sub-No. 1TA), filed May 28, 1976. Applicant: HARRY AP KARDO, 4650 96th S.W., Bldg No. 16, P.O. Box 99983, Tacoma, Wash. 98449. Applicant's representative: Harry Apkarod (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Lost and misplaced luggage and baggage, also, delayed luggage and charter flight baggage, between the Reno International Airport, on the one hand, and, on the other, points in Lasenin, Plumas, Sierra, Placer, El Dorado, & Alpine Counties, Calif., and Washoe, Storey, Lyon, Carson, and Douglas Counties, Nev., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Western Airlines, Reno International Airport, Reno, Nev. Send protests to: District Supervisor, Robert G. Harison, Interstate Commerce Commission, 203 Federal Building, 705 N. Plaza Street, Carson City, Nev. 89701.


No. MC 142063 TA, filed May 11, 1976. Applicant: RICHARD BARTNESS, doing business as ALL POINTS TRANSPORT, P.O. Box 99983, Tacoma, Wash. 98449. Applicant's representative: Richard Bartness (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: General Commodities (except those of unusual value, Class A and B explosives, livestock and commodities in bulk, and commodities requiring special equipment), between points in the United States including Alaska, Restricted to moves performed under contract with General Movers Corp. P.O. Box 99983, Tacoma, Wash. 98449. Send protests to: General Movers Corp. P.O. Box 99983, Tacoma, Wash. 98449. Send protests to: Interstate Commerce Commission, 203 Federal Building, 705 N. Plaza Street, Carson City, Nev. 89714, T/S L.D. Boone.

No. MC 142073 TA, filed May 20, 1976. Applicant: MELVIN R. STEPHENS, doing business, CIRCLE S TRUCKING,
NOTICES

25086-25650


By the Commission.

ROBERT L. OSWALD, Secretary.

[FR Doc.76-18147 Filed 6-21-76;8:45 am]

[Notice No. 279]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JUNE 22, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 313(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 C.F.R. Part 1132), appear below.

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before July 12, 1976. Pursuant to Section 17(b) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-78596. By order of June 16, 1976, the Motor Carrier Board approved the transfer to Big Sky Express, Inc., Miles City, Montana, of Certificate No. MC-107441 issued June 9, 1971, to Charles H. Kittelmann and Hope Kittelmann, a partnership, d/b/a Big Sky Express, Miles City, Montana, authorizing the transportation of general commodities, with exceptions, between Baker, Mont., and Ekalaka, Mont., serving all intermediate points. H. D. Buelow, 501 Main St., Miles City, Montana 59301, Attorney for Applicants.

ROBERT L. OSWALD, Secretary.
BOOK 2 OF 2 BOOKS
TUESDAY, JUNE 22, 1976

PART II:

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

GUN CONTROL

Published Firearms Laws of Political Subdivisions and States
Pursuant to the provisions of section 921(a)(19), Title 18, United States Code, and §178.24, Title 27, Code of Federal Regulations (27 CFR, Part 178), the following is the annual revised compiled list of published laws of States and political subdivisions relevant to the enforcement of Chapter 44, Title 18, United States Code, relating to firearms.

The list was developed from (a) State firearms statutes and (b) copies of published local firearms laws obtained through a national mail survey of political subdivisions.

The Bureau applied the following criteria in deciding which firearms laws were relevant or non-relevant to the enforcement of 18 U.S.C., Chapter 44. Firearms laws considered relevant to the enforcement of 18 U.S.C. Chapter 44, and therefore included in the accompanying list are those which:

1. Prohibit the sale, possession or receipt of any type of firearm or ammunition, or allow any exemption to such prohibitions;
2. Prohibit the sale, possession, or receipt of any type of firearm or ammunition to or by a particular class of persons; e.g. aliens, felons, drug addicts, or mentally incompetent;
3. Restrict the sale, possession or receipt of firearms such as fully automatic firearms, short-barreled shotguns and rifles, and destructive devices; i.e., bombs, grenades, molotov cocktails, etc.;
4. Require waiting periods or notification to law enforcement officials before a weapon may be delivered to a purchaser;
5. Require a permit, license or I.D. card before a weapon may be sold and/or delivered to a purchaser; and
6. Restrict the age at which a person may purchase a firearm or ammunition.

Firearms laws considered non-relevant to 18 U.S.C. Chapter 44, and therefore not included in the accompanying list are those which:

1. Prohibit the carrying of concealed weapons such as legal handguns, long barrel rifles or shotguns, sling shots, dirks, daggers, etc. on persons or in vehicles;
2. Prohibit the discharge of weapons within city limits or on private property;
3. Require record keeping after sale of the firearms;
4. Require notification to local police departments of sale of firearms after the sale has been made; and
5. Require licenses for selling BB guns, sling shots, dirks, daggers, and other dangerous weapons.

This list comprises the 1976 list of published laws and implements Title 1 of the Gun Control Act of 1968 (82 Stat. 1213; 18 U.S.C. Chapter 44) and supersedes that list published on May 9, 1974 (39 FR 16634) and supplemented by list published on May 14, 1975 (40 FR 21004).

Signed: June 10, 1976.

Rex D. Davis,
Director.
14 §170. Selling, etc., pistol or bowie knife to minor. Any person who sells, gives, or lends to any minor any pistol or bowie knife, or other knife of like kind or description, shall, on conviction, be fined not less than fifty nor more than five hundred dollars.

14 §171(1). Sale of firearms or ammunition to residents of adjoining states; purchase in adjoining states. (1) any resident of Alabama authorized to sell and deliver rifles, shotguns and ammunition may sell and deliver them to a resident of any state adjoining Alabama. Any purchaser of such firearm or ammunition may take or send it out of the state, or have it delivered to his place of residence.

(2) Any resident of Alabama who legally purchases rifles, shotguns and ammunition in any state adjoining Alabama, may take delivery of said weapons either in the state where they were purchased, or in Alabama.

14 §172. Definitions. As used in this article, unless the context requires a different meaning: “pistol” means any firearm with a barrel less than twelve inches in length; “crime of violence” means any of the following crimes, or an attempt to commit any of them, namely, murder, manslaughter, (except manslaughter arising out of the operation of a vehicle), rape, mayhem, assault with intent to rob, assault with intent to ravish, assault with intent to murder, robbery, burglary, kidnapping, and larceny; “person” includes any firm, partnership, association or corporation.

14 §174. Certain persons forbidden to possess pistol. (a) No person who has been convicted in this state or elsewhere of committing or attempting to commit a crime of violence shall own a pistol or have one in his possession or under his control.

(b) No person who is a drug addict or an habitual drunkard shall own a pistol or have one in his possession or under his control.

14 §178. Delivery to minors and others forbidden. No person shall deliver a pistol to any person under the age of eighteen or to one who has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

14 §179. Sales regulated. No seller shall deliver a pistol to the purchaser thereof until forty-eight hours shall have elapsed from the time of the application for the purchase thereof, and, when delivered, the pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name, address, occupation, color, place of birth, the date and hour of application, the caliber, make, model and manufacturer’s number of the pistol to be purchased and a statement that he has never been convicted in this state or elsewhere of a crime of violence. The seller shall within six hours after such application, sign and attach his address and forward by registered mail one copy of such statement to the chief of police of the municipality or the sheriff of the county of which the seller is a resident; the duplicate duly signed by the seller shall within seven days be sent by him with his address to the director of public safety; the triplicate he shall retain for six years. This section shall not apply to purchases by licensed retailers from manufacturers, wholesalers or jobbers, or to purchases by wholesalers or jobbers from manufacturers.

14 §180. Dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol without being licensed ***

14 §182. Certain transfers forbidden. No person shall make any loan secured by a mortgage, deposit or pledge of a pistol contrary to this article, nor shall any person lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this article.

14 §185. Antique pistols. This article shall not apply to the purchase, possession, or sale of pistols as curiosities or ornaments or to the transportation of such pistols unloaded and in a bag, box or securely wrapped package, but not concealed on the person.

3. No seller of a pistol shall deliver the pistol to a purchaser thereof until 48 hours shall have elapsed from the time of the application for the purchase thereof.

4. The provisions of sections 1-3 shall apply to a gift of a pistol just as though the person making such gift were a seller and the person to whom such gift is made were a purchaser thereof and no such gift shall be made except in accordance with such sections.

5. No person shall deliver a pistol to any person under the age of eighteen or to one he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

Anniston

6. This division shall be applicable within the corporate limits and police jurisdiction of this city and shall be construed as supplementing, in such territory, and as not in conflict with, Code of Alabama, Title 14, Sections 172 to 186.

Auburn

Sec. 15-78. Same—Delivery to minors and others prohibited. No person shall deliver a pistol to any person under the age of eighteen or to one who has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

Bessemer

Sec. 15-169. Possession of pistol prohibited. (a) No person who has been convicted in this City or elsewhere of committing or attempting to commit a crime of violence shall own a pistol or have one in his possession or under his control.

(b) No person who is a drug addict or a habitual drunkard shall own a pistol or have a pistol in his possession or under his control.

Sec. 15-172. Delivery of pistol restricted. No person shall deliver a pistol to any person under the age of eighteen (18) years or to any person who has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, habitual drunkard or of unsound mind.

Sec. 15-173. Regulation of sales. (a) No seller shall deliver a pistol to the purchaser until forty-eight (48) hours shall have elapsed from the time of the application for the purchase of the pistol. When delivered, the pistol shall be securely wrapped and shall be unloaded.

(b) At the time of applying for the purchase of a pistol, the purchaser shall sign in duplicate and deliver to the seller a statement [contact local authorities for required contents] **

(c) The seller shall, within six (6) hours after the application, sign and attach his address and forward by registered mail or personally deliver one (1) copy of the statement to the Chief of Police.

(d) This Section shall not apply to purchases by licensed retailers from manufacturers, wholesalers or jobbers, or to purchases by wholesalers or jobbers from manufacturers.

Sec. 15-174. License to carry; dealer. No retail dealer shall sell or otherwise transfer, or
expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol without being licensed as provided in Section 15-171.

Birmingham

Sec. 56-3. Delivery of pistol to minor. No person shall sell give or lend to any minor any pistol.

Sec. 56-12. Definitions. For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Crime of violence. Murder, manslaughter (except manslaughter arising out of the operation of a vehicle), rape, mayhem, assault with intent to rob, assault with intent to ravish, assault with intent to murder, robbery, burglary, kidnapping and larceny or the crime of attempting to commit any of the aforesaid crimes.

Exempt person. Any marshal, sheriff, prison or jail warden and his regularly employed deputies, policeman or other law enforcement officer of any state or political subdivision thereof, member of the army, navy or marine corps of the United States or of the national guard, member of the national guard organized reserves or state guard organizations, when on duty or going to or from duty, regularly enrolled member of any organization duly authorized to purchase or receive such weapons from the United States or from this state, provided such member is at or is going to or from his place of assembly or target practice, officer or employee of the United States duly authorized to carry a pistol, any person engaged in manufacturing, repairing or dealing in pistols or the agent or representative of such person possessing, using, or carrying a pistol in the usual or ordinary course of such business, any common carrier, except taxicabs, licensed as a common carrier, any person permitted by law to possess a pistol while carrying it unloaded in a secure wrapper, from the place of purchase to his home or place of business or to or from a place of repair or in moving from one place of abode or business to another.

Nonexempt person. Any person other than an exempt person.

Pistol. Any firearm with a barrel less than twelve inches in length.

Sec. 56-14. Possession by certain persons prohibited. (a) No person who has been convicted in the state or elsewhere of a crime of violence shall own a pistol or have one in his possession or under his control.

(b) No person who is a drug addict or an habitual drunkard shall own a pistol or have one in his possession or under his control.

Sec. 56-19. Sale to or possession by person under eighteen of toy pistol. No person shall expose for sale, sell or give away to any person under the age of eighteen years, any toy pistol in which blank cartridges, or a metallic cartridge containing a leaden ball can be used, or in which powder and balls can be used or can be exploded. No person under the age of eighteen years shall have in his possession or use any pistol of any kind described in this section.

Sec. 56-20. Statement required of persons desiring to purchase—Filing. At the time of applying for the purchase of a pistol, the person desiring to make such purchase shall sign in duplicate and deliver to the seller a statement [contact local authorities for required contents] provided, that this requirement shall not apply to purchases by licensed retailers from manufacturers, wholesalers or jobbers, or to purchases by wholesalers or jobbers from manufacturers or to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Sec. 56-22. Delivery to purchaser. No seller of a pistol shall deliver the pistol to a purchaser thereof until forty-eight hours shall have elapsed from the time of the application for the purchase thereof. When delivered, the pistol shall be securely wrapped and shall be unloaded.

Sec. 56-23. Gifts. The provisions of sections 56-20 to 56-22 shall apply to a gift of a pistol just as though the person making such gift were a seller and the person to whom such gift is made were a purchaser thereof and no such gift shall be made except in accordance with such sections.

Sec. 56-24. Delivery to certain persons forbidden. No person shall deliver a pistol to any person under the age of eighteen or to one who has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

Brighton

1. All statutory and common law misdemeanors against the State of Alabama are hereby adopted as laws and Ordinances of the City of Brighton.

2. All criminal laws of the State of Alabama by which statutory or common law misdemeanors against the State of Alabama are determined and declared shall be adopted as laws and Ordinances of the City of Brighton, and any and all acts which under said laws of the State of Alabama are held to be misde-

NOTICES

sec. 56-19. Sale to or possession by person under eighteen of toy pistol. No person shall expose for sale, sell or give away to any person under the age of eighteen years, any toy pistol in which blank cartridges, or a metallic cartridge containing a leaden ball can be used, or in which powder and balls can be used or can be exploded. No person under the age of eighteen years shall have in his possession or use any pistol of any kind described in this section.

Sec. 56-20. Statement required of persons desiring to purchase—Filing. At the time of applying for the purchase of a pistol, the person desiring to make such purchase shall sign in duplicate and deliver to the seller a statement [contact local authorities for required contents] provided, that this requirement shall not apply to purchases by licensed retailers from manufacturers, wholesalers or jobbers, or to purchases by wholesalers or jobbers from manufacturers or to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Sec. 56-22. Delivery to purchaser. No seller of a pistol shall deliver the pistol to a purchaser thereof until forty-eight hours shall have elapsed from the time of the application for the purchase thereof. When delivered, the pistol shall be securely wrapped and shall be unloaded.

Sec. 56-23. Gifts. The provisions of sections 56-20 to 56-22 shall apply to a gift of a pistol just as though the person making such gift were a seller and the person to whom such gift is made were a purchaser thereof and no such gift shall be made except in accordance with such sections.

Sec. 56-24. Delivery to certain persons forbidden. No person shall deliver a pistol to any person under the age of eighteen or to one who has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

Citronelle

Chapter 38

Sec. 675. Definitions. As used in this chapter the term "pistol" shall mean any firearm with a barrel less than twelve inches in length, and the term "crime of violence" shall mean the crime of murder, manslaughter, rape, mayhem, assault with intent to rob, assault with intent to ravish, assault with intent to murder, robbery, burglary, kidnapping and larceny or the crime of attempting to commit any of the aforesaid crimes, and the term "exempt person" shall mean a marshal, a deputy marshal, sheriff, deputy sheriff, prison or jail warden, deputy prison or jail warden, policeman or other authorized law enforcement officer, or a person regularly engaged in the business of manufacturing, repairing or dealing in firearms, and the term "nonexempt person" shall mean other than an exempt person.

Sec. 676. Permit to receive pistol.—Required. It shall be unlawful for any exempt or nonexempt person, or for any employee, servant, or agent of any exempt or nonexempt person, to sell, give, lend or deliver a pistol to any nonexempt person unless the latter have in his possession, and deliver to the former, an unrevoked original of a permit issued by the chief of police authorizing him to receive a pistol.

It shall be unlawful for any nonexempt person to buy, borrow, or accept delivery of a pistol from another unless such nonexempt person have in his possession, and deliver to such other, an unrevoked original of a permit issued by the chief of police authorizing such nonexempt person to receive a pistol.

Sec. 677. Same—application; * * *. Any person desiring to buy, borrow or accept delivery of a pistol from another may apply to the chief of police in writing for a permit to receive a pistol. [Contact local authorities for required contents] * * *

Sec. 682. Ex-convict not to possess pistol. No person who has been convicted in the
State of Alabama or elsewhere of a crime of violence shall own a pistol or have one in his possession or under his control.

Sec. 685. Sale to or possession by minor of toy pistol. No person shall expose for sale, sell or give away to any boy or girl under the age of eighteen years, any toy pistol in which blank cartridges, or a metallic cartridge containing a leaden ball can be used, or in which powder and balls can be used or can be exploded, and any such boy or girl having in his possession or using any pistol of any kind described in this section, shall, on conviction, be punished as provided in section 4.

Sec. 687. Delivery of pistol *** to minor. Any person who sells, gives or lends to any minor any pistol *** shall, on conviction, be punished as provided in section 4.

Daleville

1. As used in this ordinance, unless the context requires a different meaning: "pistol" means any firearm with a barrel less than twelve inches in length.

4. Any person who sells, gives, or lends to any minor any pistol *** shall, on conviction, be fined not less than one nor more than one hundred dollars.

Dothan

Sec. 10-25. State misdemeanors. All laws of the State of Alabama, in effect as of October 26, 1965, and as may be adopted or amended thereafter by the State Legislature, the violation of which constitutes a misdemeanor, are hereby adopted as laws of the city.

Eufaula

884. Definitions. As used in this chapter the term "pistol" shall mean any firearm with a barrel less than twelve inches in length, and the term "crime of violence" shall mean the crime of murder, manslaughter, rape, mayhem, assault with intent to rob, assault with intent to ravish, assault with intent to murder, robbery, burglary, kidnapping or larceny or the crime of attempting to commit any of the aforesaid crimes, and the term "exempt person" shall mean a marshal, deputy marshal, sheriff, deputy sheriff, prison or jail warden, deputy prison or jail warden, policeman or other authorized law enforcement officer, or a person regularly engaged in the business of manufacturing, repairing or dealing in firearms, and the term "nonexempt person" shall mean any person other than an exempt person.

885. Permit to Receive Pistol Required. It shall be unlawful for any exempt or nonexempt person, or for any employee, servant or agent of any exempt or nonexempt person, to sell, give, lend or deliver a pistol to any nonexempt person unless the latter have in his possession, and deliver to the former, an unrevoked original of a permit issued by the chief of police authorizing him to receive a pistol.

It shall be unlawful for any nonexempt person to buy, borrow, or accept delivery of a pistol from another unless such nonexempt person have in his possession, and deliver to such other, an unrevoked original of a permit issued by the chief of police authorizing such nonexempt person to receive a pistol.

886. Same—Application; ***. Any person desiring to buy, borrow or accept delivery of a pistol from another may apply to the chief of police in writing for a permit to receive a pistol. ***

891. Ex-convict not to possess pistol. No person who has been convicted in the State of Alabama or elsewhere of a crime of violence shall own a pistol or have one in his possession or under his control.

894. Sale to or possession by minor of toy pistol. No person shall expose for sale, sell or give away to any boy or girl under the age of eighteen years, any toy pistol in which blank cartridges, or a metallic cartridge containing a leaden ball can be used, or in which powder and balls can be used or can be exploded, and any such boy or girl having in his possession or using any pistol of any kind described in this section, shall, on conviction, be punished as hereinafter provided.

896. Delivery of pistol *** to minor. Any person who sells, gives or lends to any minor any pistol *** shall, on conviction, be punished as hereinafter provided.

Florence

Sec. 15-39. Same—Selling to or use by minors. It shall be unlawful for any person to sell, give, lend or otherwise place in the possession of any minor, any pistol, firearm or other weapon which may be concealed upon the person, and it shall be unlawful for any minor to have in his possession or use any such firearm or weapon in the city.

Gadsden

Sec. 28-79. It shall be unlawful for any person to expose for sale, sell, or give away any pistol or firearms of like nature in which

black cartridges or a metallic cartridge, or in which powder and balls, can be used or can be exploded unless licensed by the city.

Gardendale

Ordinance 80

SECTION 2. Definitions. As used in this Ordinance, the term "pistol" shall mean any firearm with a barrel less than twelve inches in length, and the term "crime of violence" shall mean the crime of murder, manslaughter, rape, mayhem, assault with intent to rob, assault with intent to ravish, assault with intent to murder, robbery, burglary, kidnapping or larceny or the crime of attempting to commit any of the aforesaid crimes.

SECTION 6. Ex-Convict not to Possess Pistol. No person who has been convicted in the State of Alabama or elsewhere of a crime of violence shall own a pistol or have one in his possession or under his control.

SECTION 9. Sales to or Possession by Minor of Certain Toy Pistols. No person shall expose for sale, sell or give away to any boy or girl under the age of eighteen years, any toy pistol in which blank cartridges, or a metallic cartridge containing a leaden ball can be used, or in which powder and balls can be used or can be exploded, and any such boy or girl having in his possession or using any pistol of any kind described in this Section shall, likewise, be guilty of a misdemeanor.

SECTION 11. Delivery of Pistol *** to Minor. Any person who sells, gives or lends to any minor any pistol *** shall, on conviction, be punished as provided in Section 2 of Ordinance #13.

Hueytown

3. Delivery of pistol *** to Minor. No person shall sell, give, lend or deliver any pistol *** to any minor or to any one he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict and an habitual drunkard, or of unsound mind.

Midfield

Section 5. No seller, within the corporate limits of the City of Midfield, or within the police jurisdiction thereof, shall deliver a pistol to the purchaser thereof until forty-eight hours shall have elapsed from the time of the
application for the purchase thereof and, when delivered, such pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol, the purchaser shall sign in duplicate and deliver to the seller a statement [contact local authorities for required contents] **. The seller shall, within six hours after such application, sign and attach his address and forward by registered mail or personally deliver one copy of such statement to the chief of police. This section shall not apply to purchases by licensed retailers from manufacturers, wholesalers or jobbers, or to purchases by wholesale or jobbers from manufacturers.

Montgomery

45-4. Selling or giving small pistols to minors. It shall be unlawful for any person in the city to sell, give or deliver to any minor any small pistol, or any pistol known as a toy pistol, in which powder and ball can be used, or a metallic cartridge containing a leaden ball which can be exploded.

45-5. Possession of small pistols by minors. It shall be unlawful for any minor in the city to have in his possession or use any small pistol, or any pistol known as a toy pistol, in which powder and ball can be used, or a metallic cartridge containing a leaden ball which can be exploded.

Newville

SECTION 6. Selling Pistol ** to Minor. Any person who sells, gives, or lends to any minor any pistol ** shall, on conviction, be fined not less than one nor more than one hundred dollars.

Ontario

Sec. 5-10.03. Possession of firearms by minors. (a) Rifles and shotguns. It shall be unlawful for any person under the age of eighteen (18) years to have in his possession, custody, or control any rifle or shotgun within the City unless he has the written permission of his parent or guardian to have such firearm or is accompanied by his parent or guardian while he has such firearm in his possession, custody, or control.

(b) Other weapons. It shall be unlawful for any person under the age of eighteen (18) years to have in his possession, custody, or control within the City any cannon ** or any weapon or device designed to discharge any dangerous missile except as provided in subsection (a) of this section.

Oxford

10-140. Any person applying for the purchase of a pistol shall sign in duplicate and deliver to the seller a statement [contact local authorities for required contents] ** provided, that this requirement shall not apply to purchases by licensed retailers from manufacturers, wholesalers or jobbers, or to purchases by wholesalers or jobbers from manufacturers or to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

10-142. No seller of a pistol shall deliver the pistol to a purchaser thereof until seventy-two hours shall have elapsed from the time of the application for the purchase thereof. When delivered, the pistol shall be securely wrapped and shall be unloaded.

10-143. The provisions of Sections (10-140—10-142) shall apply to a gift of a pistol just as though the person making such gift were a seller and the person to whom such gift is made were a purchaser thereof and no such gift shall be made except in accordance with such sections.

10-144. No person shall deliver a pistol to any person under the age of eighteen or to one he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

Ozark

Sec. 14-29. Definitions. "Pistol" as used in this article, means any firearm with barrel less than twelve (12) inches in length.

"Person", as used in this section, includes firm, partnership, association or corporation.

Sec. 14-30. Application of provisions. This article shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Sec. 14-32. Possession of arms by persons convicted of violent crimes. No person who has been convicted in this city or elsewhere of a crime of violence shall own a pistol or have one in his possession or under his control.

Sec. 14-34. Delivery of pistols to certain persons prohibited. No person shall deliver a pistol to any person under the age of eighteen (18) or to one who he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard or of unsound mind.

Phenix City

Sec. 13-97. Weapons—Restrictions generally. No pawnbroker or pawnbroker’s sales store shall take in pawn, receive, sell or exchange any of the following named articles, to-wit: Shotgun or rifle with barrel length of less than eighteen inches, **.

Sec. 13-98. Same—Pistols. No pawnbroker or pawnbroker’s sales store shall sell any pistol unless and until all of the following regulations have been complied with strictly:

(a) No seller shall deliver a pistol to the purchaser thereof until forty-eight (48) hours have elapsed from the time of the application for the purchase thereof, and when delivered the pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol the purchaser shall sign in triplicate and deliver to the seller a statement [contact local authorities for required contents] **. The seller shall within six (6) hours after such applications, sign and attach his address and forward by registered mail one copy of such statement to the chief of police. This section shall not apply to purchases by licensed retailers from manufacturers, wholesalers or jobbers, or to purchases by wholesalers or jobbers from manufacturers. [If the chief of police disapproves the sale], it shall be unlawful for the pawnbroker or pawnbroker’s sales store to sell said pistol to the prospective purchaser. **

(b) No pistol shall be sold by any pawnbroker or pawnbroker’s sales store until the period of forty-eight (48) hours shall have elapsed after the service of the chief of police of the notice of the proposed sale.
(c) These regulations regarding pistols shall also be complied with before a pawnbroker or pawnbroker’s sales store shall deliver a pistol to the transferee of a pawn ticket.

Prichard

1. For the purposes of this Ordinance a shotgun shall be defined as a weapon firing either single or multiple shots through a smooth bore barrel or barrels, and shall be powered by an individual cartridge or shell (whether re-fillable or not), and the firing of such shall be activated by a trigger or other mechanism, the exercise of which shall propel or fire one cartridge or shell, and not be ready for firing until another shell or cartridge shall have been placed in the breech or other firing partition, whether by hand or mechanically.

2. It shall be unlawful and an offense against the City of Prichard for any person to have in his or her possession, either actively or constructively or to allow to be or remain in any dwelling or place of business under the control of such person a shotgun as defined in SECTION ONE hereof which shall have an overall length, including barrel or barrels, breech or similar firing apparatus and stock, of less than 30 inches.

Satsuma

Ordinance 141

Section 1. It shall be unlawful and an offense against the City of Satsuma for any person to sell, give or deliver a pistol within the City of Satsuma, or the police jurisdiction thereof, to any person under the age of eighteen or to one he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, of unsound mind, a non-resident of the State of Alabama, or a person who has not resided in the State of Alabama for a period of not less than six (6) months next immediately preceding the date of such application.

Section 2. It shall be unlawful and an offense against the City of Satsuma for any person under the age of eighteen or a drug addict, an habitual drunkard, a person of unsound mind, or a person who has been convicted of a crime of violence to own or possess a pistol or have one under his control.

Section 3. DEFINITIONS. As used in this Ordinance the term “Pistol” shall mean any firearm with a barrel less than twelve inches in length, and the term “Crime of Violence” shall mean the crime of murder, first degree manslaughter, rape, mayhem, assault with intent to murder, robbery, burglary, kidnapping or the crime of attempting to commit any of the aforesaid crimes.

Section 7. At the time of applying for the purchase of a pistol, the person desiring to make such purchase shall sign in duplicate and deliver to the seller a statement [contact local authorities for required contents] provided, that this requirement shall not apply to purchases by licensed retailers from manufacturers, wholesalers or jobbers, or to purchases by wholesalers or jobbers from manufacturers, or to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments. The Seller shall within six (6) hours after receiving such application, sign and attach his address thereto and file one copy of such application in the office of the chief of police of the City of Satsuma.

Section 8. When a purchaser of a pistol shall be a resident of Mobile County, Alabama, no seller of a pistol shall deliver the pistol to the purchaser thereof until seven (7) days [not including Saturdays, Sundays or legal holidays as fixed by the State of Alabama] shall have elapsed from the time a copy of the application for the purchase thereof shall have been filed with the chief of police.

Section 9. When a purchaser of a pistol shall be a resident of the State of Alabama and reside outside of Mobile County, no Seller of a pistol shall deliver the pistol to the purchaser thereof until ten (10) days [not including Saturdays, Sundays or legal holidays as fixed by the State of Alabama] shall have elapsed from the time a copy of the application for the purchase thereof shall have been filed with the chief of police.

Section 13. It shall be unlawful for any person to purchase, attempt to purchase or to receive a pistol within the City of Satsuma, or its police jurisdiction, except in strict compliance with the provisions of Sections 1 through 12, inclusive, of this ordinance, or when the application of such person to purchase a pistol has been disapproved by the Chief of Police within the time required to elapse prior to delivery as provided in applicable provisions of Sections 8 and 9.

Section 14. It shall be unlawful for any person to sell, give or deliver a pistol to any person whose application to purchase the same has been disapproved by the Chief of Police within the time required to elapse before delivery as set forth in applicable provisions of Sections 8 and 9.

Selma

Sec. 17-229. Selling, giving or lending to minor. It shall be unlawful for any person to sell, give or lend to any minor any firearm.

Sylacauga

Ordinance 1151

Section 2: Permit to receive pistol. It shall be unlawful for any exempt or non-exempt person, or any employee, servant, or agent of any exempt or non-exempt person to sell, give, lend or deliver a pistol to any non-exempt person unless the latter has in his possession, and shall deliver to the former, an unrevoked original of a permit issued by the Chief of Police of the City of Sylacauga, Alabama, authorizing such non-exempt person to receive a pistol.

Thomasville

Ordinance 69-12

Section 1—Definitions. A. Exempt person. Any marshal, sheriff, prison or jail warden and his regularly employed deputies, police-man or other law enforcement officer of any state or political subdivision thereof, member of the army, navy or marine corps of the United States or of the national guard, member of the national guard organized reserves or state guard organizations, when on duty or going to or from duty, regularly enrolled member of any organization duly authorized to purchase or receive such weapons from the United States or from this state, provided such member is at or is going to or from his place of assembly or target practice, officer or employee of the United States duly authorized to carry a pistol, any person engaged in manufacturing, repairing or dealing in pistols or the agent or representative of such person possessing, using, or carrying a pistol in the usual or ordinary course of such business, and any common carrier, except taxicabs, licensed as a common carrier.

B. Nonexempt person. Any person other than an exempt person.

C. Pistol. Any firearm with a barrel less than twelve inches in length.

Section 2. Permit to receive pistol—Required. A. It shall be unlawful for any
exempt or nonexempt person, or for any em­
ployee, servant or agent of any exempt or
nonexempt person, to sell, give, lend or de­
deliver a pistol to any nonexempt person unless
the latter have in his possession, and deliver to
the former, an unrevoked original of a per­
mitt issued by the Chief of Police authorizing
him to receive a pistol.

B. It shall be unlawful for any nonexempt
person to buy, borrow, or accept delivery of
a pistol from another unless such nonexempt
person have in his possession, and deliver to
such other, an unrevoked original of a permit
issued by the Chief of Police authorizing such
nonexempt person to receive a pistol.

Section 3. Same—Application; *** Any
person desiring to buy, borrow or accept de­
ivery of a pistol from another may apply to
the Chief of Police in writing for a permit to
receive a pistol.

Tuscaloosa

34-13. Definitions. For the purpose of this
article, the following words and phrases shall
have the meanings herein ascribed to them:

Crime of violence. The term "crime of vio­
ence" means any of the following crimes, or
an attempt to commit any of them: Murder,
manslaughter (except manslaughter arising
out of the operation of a vehicle), rape, may­
hem, assault with intent to rob, assault with
intent to ravish, assault with intent to murder,
robbery, burglary, kidnapping and larceny.
Pistol. The word "pistol" shall mean any
firearm with a barrel less than twelve (12)
inches in length.

Purchaser. The term "purchaser" shall, in
addition to its ordinary and customary mean­
ing, include any person who receives a pistol
by gift, pledge or loan.

Seller. The term "seller" shall, in addition
to its ordinary and usual meaning, include any
person who delivers a pistol to another by
way of loan, gift or pledge.

34-15. Sale or delivery to minors, drug ad­
dicts, etc., prohibited. No person shall sell,
give or deliver a pistol to any person under the
age of eighteen (18) or to one who he has rea­
sion to believe has been convicted of a crime
of violence, or is a drug addict, a habitual
drunkard or of unsound mind.

34-16. Sale to unknown purchaser. No
person shall sell a pistol to any purchaser, un­
der any circumstances, unless the purchaser
is personally known to the seller or shall pre­
sent clear evidence of his identity and age.

34-17. ***; Delivery to purchaser. ***
No person shall deliver a pistol to the pur­
rchaser thereof until forty-eight (48) hours
shall have elapsed from the time of the appli­
cation for the purchase thereof, and, when
delivered, the pistol shall be securely
wrapped and shall be unloaded.

34-20. Certain purchases and sales ex­
cempted from article. This article shall not apply to
the purchase or sale of pistols as curiosities or
ornaments, nor shall the same apply to pur­
chases by licensed retailers, manufacturers,
wholesalers or jobbers.

Uniontown

SEC. 99. Firearms. It shall be unlawful for
any person to *** sell, give or lend to any
minor any pistol ***.

Alaska

State Law
Alaska Stats.

Sec. 11.55.030. Possession by convicts. A
person who has been convicted of a felony, or
a misdemeanor involving assault and battery,
assault with a dangerous weapon, burglary,
robbery and like crimes, by a court in the
state, or by the courts of the United States or
of another state or territory, may not own or
have in his possession or under his custody or
control, a pistol, revolver, or other firearm ca­

under his control, or uses or discharges a fire­
arm is guilty of a misdemeanor, and upon con­
viction is punishable by a fine of not more
than $1,000, or by imprisonment in a jail for
not more than one year, or by both.

Fairbanks

(1) No person shall cast, throw, light, or
fire any squib, rocket, cracker, torpedo, gre­
grade, gun, revolver, pistol, dynamite cap, or
cartridge, or other combustible firecrackers or
fireworks of any kind.

(5) No person shall purchase, from or sell,
loan, or furnish any weapon in which any ex­
plorative substance can be used, to any person
under the influence of alcohol or any narcotic
drug, stimulant, or depressant, or to any per­
son in a condition of agitation and excitabil­
ity, or to a minor under the age of eighteen (18)
years without written permission of his parent or
guardian.

Greater Anchorage Area
Borough

18.05.060 Minors, Selling Firearms To; Age.
It shall be unlawful without consent of parent
or guardian for any person to give, barter,
sell, lease or otherwise make available to any
person under the age of eighteen years, any
firearm, including but not limited to pistols,
rifles, and shotguns.

Ketchikan

9.32.060 Sale of firearms to certain minors.
It is unlawful for any person to sell firearms

to minors under the age of nineteen without
the written consent of a parent or guardian of
the minor, or for any vendor to fail to keep a
record of any sale of a firearm to a minor
under said age and to make the record avail­
able to inspection by any policeman on re­
quest.

Kodiak

3. Minors—firearms. It shall be unlawful
for any person to give, barter, sell, lease, or
otherwise make available to any person under
the age of eighteen (18) years, any firearm,
including but not limited to pistols, rifles,
and shotguns, within the City.

Kivalina

Section 5: It shall be unlawful for teenag­
ers under 18 to buy shells of any kind, ***.

M etlakatla Indian
Reservation

1. Definitions. As used in this Ordinance,
the following terms shall have the following
respective meanings: (a) Prohibited Firearm.
The term "Prohibited Firearm" means (1) a
shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length; (5) any other weapon, as defined in subsection (e); (6) a machinegun; (7) a muffer or a silencer for any firearm whether or not such firearm is included within this definition; and (8) a destructive device.

(b) Machinegun. The term "machinegun" means any weapon 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 shall also include the frame or receiver of any such weapons, any combination of parts designed and intended for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.

(c) Rifle. The term "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifle bore for each single pull of the trigger, and shall include any such weapon which may be readily restored to fire a fixed cartridge.

(d) Shotgun. The term "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of projectiles (ball shot) or a single projectile for each pull of the trigger, and shall include any such weapon which may be readily restored to fire a fixed shotgun shell.

(e) Any Other Weapon. The term "any other weapon" means any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a barrel with a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or a revolver having a rifled bore, or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition.

(f) Destructive Device. The term "destructive device" means (1) any explosive, incendiary, or poison gas (A) bomb, (B) grenade, (C) rocket having a propellant charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than one-quarter ounce, (E) mine, or (F) similar device; (2) any type of weapon by whatever name known which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant, the barrel or barrels of which have a bore of more than one-half inch in diameter, except a shotgun or shotgun shell which is generally recognized as particularly suitable for sporting purposes; and (3) any combination of parts either designed or intended for use in converting any device into a destructive device as defined in subparagraphs (1) and (2) and from which a destructive device may be readily assembled.

2. Possession of Certain Firearms Prohibited. No person shall, within the Annette Islands Reserve, own, possess or transport any Prohibited Firearm or destructive device, other than the United States of America or members of the Armed Forces thereof duly authorized to carry such a Prohibited Firearm when on duty on the Annette Islands Reserve, or the State of Alaska, or any duly appointed law enforcement officer of the United States, the Metlakatla Indian Community or the State of Alaska, when such officers are on duty; and enforcing Law and Order on Annette Islands Reserve.

4. Exclusion. Any person who is not subject to the jurisdiction of the Metlakatla Indian Community who violates Section 2 hereof, shall be subject to removal from the Annette Islands Reserve upon issuance of a written order of exclusion by the court, after a hearing upon reasonable notice, subject to the approval of such exclusion order by the Council. Upon the approval of such an order by the Council, the Mayor shall transmit a copy of such order to the Chief Constable or the State Enforcement Officers who shall carry out the order by removing such person as a trespasser from the Annette Islands Reserve.

5. Interpretation. The terms used in this ordinance are intended to prohibit the possession, ownership or transportation within the Annette Islands Reserve of any firearm which is subject to registration with the National Firearms Registration and Transfer Board pursuant to the provisions of the Act of October 22, 1968, 82 Stat. 1229, 26 U.S.C. §5841, or any successor provision of Federal law. In applying the definitions set forth herein, reference shall be made to the regulations and interpretations of the Secretary of the Treasury pursuant to that Act.

Seward

15-13. Same—Sale of firearms to. It shall be unlawful for any person to give, barter, sell, lease or otherwise make available to any person under the age of eighteen years any firearm, including but not limited to pistols, rifles, and shotguns, within the city.

Arizona State Law


§13-917.02. Regulation of firearms by state. Ordinances of any political subdivision of this state relating to the possession, carrying, sale and use of firearms in this state shall not be in conflict with this chapter.

§13-918. Sale or gift of firearm to minor; punishment. A. A person who sells or gives to a minor under the age of eighteen years, without written consent of the minor’s parent or legal guardian, a firearm, ammunition or toy pistol by which dangerous and explosive substances may be discharged, is guilty of a misdemeanor.

B. Nothing in this section shall be construed to require reporting sales of firearms, nor shall registration of firearms or firearms sales be required.

§13-919. Possession of pistol by criminal; punishment; definitions. A. It is unlawful for a person who has been convicted of a crime of violence in any court of the United States, its territories, districts or possessions, or of the several states, to possess a pistol, unless such person has been pardoned for such crime or has by law regained full status as a citizen.

B. A person violating the provisions of this section shall be punished by a fine of not more than two thousand dollars, by imprisonment in the state prison for not more than five years, or both, and shall forfeit the pistol.

C. “Pistol” within the provisions of this section means any weapon with a barrel less than twelve inches in length, which is designed to expel a projectile by the action of expanding gas.
NOTICES

D. "Crime of violence" within the provisions of this section means murder, manslaughter with a dangerous weapon or implement other than an automobile, assault with a dangerous weapon, rape, mayhem, kidnapping, robbery, burglary or assault with intent to commit any offense punishable by imprisonment for more than one year.

§13-924. Firearm purchase in other states.
A. A person residing in this state, or a corporation or other business entity maintaining a place of business in this state, may purchase or otherwise obtain firearms anywhere in the United States if such purchase or acquisition fully complies with the laws of this state and the state in which the purchase or acquisition is made and the purchaser and seller, prior to the sale or delivery for sale, have complied with all the requirements of the Federal Gun Control Act of 1968, Public Law 90-618, §922, subsection (C) and the Code of Federal Regulations, Volume 26, §178.96, subsection (C).

B. For purposes of this section, all terms are to be given the meaning prescribed by the Federal Gun Control Act of 1968, Public Law 90-618, §921.

§26-178. Illegal possession of equipment; penalty.
A. A person having in his possession a uniform, arms, equipment, supplies or other military property of the state or United States, who secrete, desposes of, offers for sale or in any manner pledges, retains or refuses to deliver to an officer entitled to demand possession of the property, is, if the property is of a value more than fifty dollars, guilty of a felony, and if the value is less than fifty dollars, guilty of a misdemeanor punishable as provided by law.

Bisbee

6-4-5. Registration of dealers required:
Every person who deals in arms, ammunition and explosives, or either of them, shall register as a dealer in a book for that purpose kept by the Chief of Police. In said book he shall write his name, his business or occupation and the address of his place of business.

Casa Grande

F. Sale of weapons to minors. A person who sells or gives to a minor under the age of eighteen years, without written consent of the minor’s parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged, is guilty of a misdemeanor.

Globe

10-1-24 Weapons. * * * * * F. Sale of Weapons to Minors. A person who sells or gives to a minor under the age of eighteen years, without written consent of the minor’s parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged, is guilty of a misdemeanor.

Jerrine

2. Any person, firm or corporation who shall sell, give, rent, barter or furnish within the town of Jerome, any rifle, carbine, shotgun, pistol, revolver or any firearm whatsoever, or any ammunition or cartridge for any rifle; carbine, shotgun, pistol, revolver or any firearm whatsoever to any person unless such person shall at the time have and show the permit herein provided for from the Marshal of the town of Jerome shall be guilty of a misdemeanor. * * *.

Kearny

G. A person who sells or gives to a minor under the age of eighteen years, without written consent of the minor’s parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged, is guilty of a misdemeanor.

Phoenix

Sec. 10-1-27 Weapons * * * * * F. A person who sells or gives to a minor under the age of eighteen years, without written consent of the minor’s parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged, is guilty of a misdemeanor.

Surprise

Ordinance No 29

F. It is unlawful for any person to sell or give to a person under the age of eighteen years, without written consent of the person’s parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged, is guilty of a misdemeanor.

Youngtown

Chapter 10

F. Sale of Weapons to Minors. A person who sells or gives to a minor under the age of eighteen years, without written consent of the minor’s parent or legal guardian, a weapon, ammunition or toy pistol by which dangerous and explosive substances may be discharged, is guilty of a misdemeanor.
Arkansas

State Law


41-3101. Definitions. As used in this Chapter [§§41-3101—41-3110], unless the context plainly requires otherwise:

41-3107. Possession of a defaced firearm. (1) A person commits the offense of possession of a defaced firearm if he knowingly possesses a firearm with a manufacturer's serial number, or other identification mark required by law, which has been removed, defaced, marred, covered, altered or destroyed.

(2) It is a defense to a prosecution under this section that the person reported such possession to the police or other governmental agency prior to arrest or the issuance of an arrest warrant or summons.

(3) Possession of a defaced firearm is a class A misdemeanor.

41-3109. Furnishing a deadly weapon to a minor. (1) A person commits the offense of furnishing a deadly weapon to a minor when he sells, barter, leases, gives, rents or otherwise furnishes a firearm or other deadly weapon to a minor without the consent of a parent, guardian, or other person responsible for general supervision of his welfare.

(2) Furnishing a deadly weapon to a minor is a class A misdemeanor.

41-3157. Uniform Machine Gun Act—Definitions. "Machine Gun" applies to and includes a weapon of any description by whatever name known, loaded or unloaded, from which more than five shots or bullets may be rapidly, or automatically, or semi-automatically discharged from a magazine, by a single function of the firing device.

"Crime of Violence" applies to and includes any of the following crimes or an attempt to commit any of the same, namely, murder, manslaughter, kidnapping, rape, mayhem, assault to do great bodily harm, robbery, burglary, housebreaking, breaking and entering, and larceny.

"Person" applies to and includes firm, partnership, association or corporation.

41-3160. Offensive or aggressive purpose defined. Possession or use of a machine gun shall be presumed to be for offensive or aggressive purpose;

(a) when the machine gun is on premises not owned or rented, for bona fide permanent residence or business occupancy, by the person in whose possession the machine gun may be found; or

(b) when in the possession of, or used by, an unnaturalized foreign-born person, or a person who has been convicted of a crime of violence in any court of record, state or federal, of the United States of America, its territories or insular possessions; or

(c) when the machine gun is of the kind described in section 8 [§41-4514] and has not been registered as in said section required; or

(d) when empty or loaded pistol cartridges of 30 (.30 in. or 7.63 mm.) or larger calibre which have been or are susceptible of use in the machine gun are found in the immediate vicinity thereof.

41-3161. Evidence of possession or use of machine gun. The presence of a machine gun in any room, boat, or vehicle shall be evidence of the possession or use of the machine gun by each person occupying the room, boat, or vehicle where the weapon is found.

41-3162. Guns for military use may be manufactured. Nothing contained in this act [§§41-3157—41-3167] shall prohibit or interfere with:

1. the manufacture for, and sale of, machine guns to the military forces or the peace officers of the United States or of any political subdivision thereof, or the transportation required for that purpose;

2. the possession of a machine gun for scientific purpose, or the possession of a machine gun not usable as a weapon and possessed as a curiosity, ornament, or keepsake;

3. the possession of a machine gun other than one adapted to use pistol cartridges of 30 (.30 in. or 7.63 mm.) or larger calibre, for a purpose manifestly not aggressive or offensive.

41-3168. Tear gas—Carrying or possession a misdemeanor. Any person who shall carry or have in his possession any tear gas in any form whatever, and any person who shall carry or have in his possession any gun, bomb, grenade, cartridge or other weapon designed for the discharge of tear gas, shall be guilty of a misdemeanor.

41-3169. Peace officers and banking institutions excepted from provisions of act. Provided the provisions of this act [§§41-3168—41-3170] shall not apply to any peace officer while engaged in the discharge of his official duties, nor to any banking institution desiring to have possession of tear gas in any form for the purpose of securing funds in its custody from theft or robbery.

41-3175. Residents of this state authorized to purchase rifles, shotguns or ammunition in an adjacent state. Hereafter, a resident of this State shall be permitted to purchase a rifle, shotgun, or ammunition in an adjacent state; such sales are hereby expressly authorized pursuant to the regulations issued under the Federal Gun Control Act of 1968 [U. S. C., tit. 18, §§921—928], as the same is in effect on the effective date [March 4, 1969] of this Act.

Danville

Ordinance 147

Section 1: Sale of certain weapons—restricted or prohibited. Licenses required. (a) It shall be unlawful for any manufacturer, gun collector or dealer to sell any pistol at wholesale
NOTICES

El Dorado

23-27 A. Pistols, sale and transfer regulated—definitions. (1) The term "person" includes any individual, partnership, association, or corporation.

(2) The term "pistol" means any firearm with a barrel less than twelve inches in length, except cap and ball, flintlock, wheellock or matchlock hand guns.

(3) The term "manufacturer or dealer" means any person engaged in the business of manufacturing or selling pistols at wholesale or retail, or of accepting or pledging pistols as security for loans.

(4) The term "gun collector" means any person who as a hobby but not for profit shall collect and traffic in pistols.

(5) The term "crime of violence" means murder, manslaughter (except negligent manslaughter arising out of traffic accidents), rape, mayhem, kidnapping, burglary, robbery, assault with intent to kill, commit rape, or rob; or assault with intent to commit any offense punishable by imprisonment for more than one year.

(6) The term "fugitive from justice" means any person who has fled or is fleeing from any law enforcement officer to avoid prosecution or imprisonment for a crime of violence.

23-27 B. Pistols, sale and transfer regulated—license required; sales restricted. (1) It shall be unlawful for any manufacturer, dealer, or gun collector, except a manufacturer, dealer, or collector having a valid federal firearms license, to sell any pistol at wholesale or retail, or to lease or to pledge or accept any pistol as security for a loan.

(2) When delivered, all pistols must be securely wrapped and must be unloaded.

(3) It shall be unlawful for any person to sell, lease, lend or otherwise transfer a pistol to any person who he knows or has reasonable cause to believe has been convicted of a crime of violence, or is a fugitive from justice, or who is of unsound mind, or who is a drug addict, or who is under the influence of drugs or liquor at the time of the transfer, or who is under twenty-nine.

(4) It shall be unlawful for any person to purchase, receive, sell, lease, or otherwise transfer a pistol to any person under twenty-one years of age except as provided in paragraph 2 above.

(5) The term "fugitive from justice" means any person who has fled or is fleeing from any law enforcement officer to avoid prosecution or imprisonment for a crime of violence.

Little Rock

25.96. Pistols, sale and transfer regulated—Definitions. (a) The term "person" includes any individual, partnership, association, or corporation.

(b) The term "pistol" means any firearm with a barrel less than twelve inches in length, except cap and ball, flintlock, wheellock or matchlock hand guns.

(c) The term "manufacturer or dealer" means any person engaged in the business of manufacturing or selling pistols at wholesale or retail, or of accepting or pledging pistols as security for loans.

(d) The term "gun collector" means any person who has a hobby but not for profit shall collect and traffic in pistols.

(e) The term "crime of violence" means murder, manslaughter (except negligent manslaughter arising out of traffic accidents), rape, mayhem, kidnapping, burglary, robbery, assault with intent to kill, commit rape, or rob; or assault with intent to commit any offense punishable by imprisonment for more than one year.

(f) The term "fugitive from justice" means any person who has fled or is fleeing from any law enforcement officer to avoid prosecution or imprisonment for a crime of violence.

25-97. Same—License required; sales restricted. (a) It shall be unlawful for any manufacturer, dealer, or gun collector, except a manufacturer, dealer, or collector having a valid federal firearms license, to sell any pistol at wholesale or retail, or to lease or to pledge or accept any pistol as security for a loan.

(b) When delivered, all pistols must be securely wrapped and must be unloaded.

(c) It shall be unlawful for any person to sell, lease, lend or otherwise transfer a pistol to any person who he knows or has reasonable cause to believe has been convicted of a crime of violence, or who is a fugitive from justice, or who is of unsound mind, or who is a drug addict, or who is under the influence of...
liquor at the time of the sale, or who is under the age of twenty-one years.

25-98. Same—Possession by certain persons prohibited; permit to display; serial number; record of sales, etc. (a) It shall be unlawful for any person who has been convicted of a crime of violence in any court of the United States, the several states, territories, possessions or the District of Columbia, or who is a fugitive from justice, to possess a pistol within this city.

(b) It shall be unlawful for any person under age of eighteen to possess a pistol. The provisions of this section shall not apply to the issue of pistols to members of the State Militia, R.O.T.C., or armed forces of the United States for training or active duty.

(c) It shall be unlawful for any person to sell, lease, lend, or otherwise transfer a pistol to any person under twenty years of age except as provided in paragraph (b) above.

(f) It shall be unlawful for any person to purchase, receive, possess, sell, lease or otherwise transfer any pistol from which the manufacturer's identification mark or serial number has been removed.

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**NOTICES**

**Morrilton**

11-64. Same—Sale of weapons and ammunition. Any person who shall sell, barter or exchange or otherwise dispose of or in any manner furnish to any person any kind of pistol of any kind whatever except as are used in the army or navy of the United States, and known as the navy pistol, or any kind of cartridge for any pistol, or any person who shall keep any such arms or cartridges for sale in the city shall be deemed guilty of a misdemeanor.

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**Springdale**

22-21. Sale, loan, etc., weapons to intoxicated persons, etc. It shall be unlawful for any person to sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person whom he knows or has reasonable cause to believe is under the influence of alcohol or any narcotic, drug, stimulant, or depressant, or who is of unsound mind, or who is a member of any subversive organization.

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**California**

**State Law**

**Ann. Cal. Codes Penal Code**

§12001. Definitions. "Pistol," "revolver," and "firearm capable of being concealed upon the person" as used in this chapter shall apply to and include any device, designed to be used as a weapon, from which is expelled a projectile by the force of any explosion, or other form of combustion, and which has a barrel less than 12 inches in length. "Pistol," "revolver," and "firearm capable of being concealed upon the person" as used in Sections 12021, 12072, and 12073 include the frame or receiver of any such weapon.

§12001.5 Manufacture, sale or possession of sawed-off shotguns not authorized. Nothing in this chapter shall be construed as authorizing the manufacture, importation into the state, keeping for sale, offering for sale, or giving, lending, or possession of any sawed-off shotgun, as defined in Section 12020.

§12020. Blackjacks, etc.; manufacture, sale or possession; concealed explosive or dagger; offense; punishment; exceptions. (a) Any person in this state who manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses any instrument or weapon of the kind commonly known as a sawed off shotgun or who carries concealed upon his person any explosive substance, other than fixed ammunition, is guilty of a felony, and upon conviction shall be punishable by imprisonment in the county jail not exceeding one year or in a state prison for not less than one year nor more than five years.

(b) Subdivision (a) shall not apply to any of the following: (1) The manufacture, possession, transportation or use, with blank cartridges, of sawed-off shotguns solely as props for motion picture film or television program production when such is authorized by the Department of Justice pursuant to Article 6 (commencing with Section 12095) of this chapter and is not in violation of federal law. * * * * (d) (1) As used in this section a "sawed-off shotgun" means a shotgun having a barrel or barrels of less than 18 inches in length, or a rifle having a barrel or barrels of less than 16 inches in length, or any weapon made from a rifle or shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches. * * * *
NOTICES

any minor, under the age of 18 years. In no event shall any such firearm be delivered to the purchaser within five days of the application for the purchase thereof, and when delivered such firearm shall be securely wrapped and shall be unloaded. Where neither party to the transaction holds a dealer’s license, no person shall sell or otherwise transfer any such firearm to any other person within this state who is not personally known to the vendor. Any violation of the provisions of this section is a misdemeanor.

§12078. Exemption of sales to government officers; identification; report of sale. The preceding provisions of this article do not apply to sales of concealable firearms made to persons properly identified as full-time paid officers of a city police department, sheriff’s department, district attorney’s office, the California Highway Patrol, or the State Department of Justice, nor to sales of concealable firearms made to authorized representatives of cities, cities and counties, counties, state or federal governments for use by such governmental agencies. Proper identification is defined as verifiable written certification from the head of the agency by which the purchaser is employed, identifying the purchaser and authorizing the purchase. The certification shall be delivered to the seller at the time of purchase and the purchaser shall identify himself as the person authorized in such certification. On the day the sale is made, the dealer shall forward by prepaid mail to the Department of Justice a report of such sale, or has in his possession any pistol, revolver, or other firearm which has had the name of the maker, model, or the manufacturer’s number or other mark of identification including any distinguishing number or mark assigned by the Department of Justice changed, altered, removed, or obliterated is guilty of a misdemeanor.

§12200. Definition. The term “machine gun” as used in this chapter means any weapon which shoots, or is designed to shoot, automatically, more than one shot, without manual reloading, by a single function of the trigger, and includes any frame or receiver which can only be used with such weapon. The term shall also include any combination of parts designed and intended for use in converting a weapon into a machinegun.

§12201. Exemptions. Nothing in this chapter shall prohibit the sale to, purchase by, or possession of machine guns by police departments, sheriff’s offices, city marshal’s offices, or the military or naval forces of this State or of the United States for use in the discharge of their official duties; nor shall anything in this chapter prohibit the possession of machine guns by regular, salaried, full-time members of a police department, sheriff’s office, or city marshal’s office when on duty and such use is within the scope of their duties.

§12220. Unauthorized sale, possession or transportation; punishment. Any person, firm or corporation, who within this State sells, offers for sale, possesses or knowingly transports any firearms of the kind commonly known as a machine gun, except as provided by this chapter, is guilty of a public offense and upon conviction thereof shall be punished by imprisonment in the state prison not to exceed five years or by a fine not to exceed five thousand dollars ($5,000), or by both such fine and imprisonment.

§12230. Authority to issue; showing necessary. The Department of Justice may issue permits for the possession and transportation or possession or transportation of such machineguns, upon a satisfactory showing that good cause exists for the issuance thereof to the applicant for such permit but no permit shall be issued to a person who is under 18 years of age.

§12250. Authority to grant license; revocation; business regulations. The Department of Justice may grant licenses in a form to be prescribed by it effective for not more than one year from the date of issuance, to permit the sale at the place specified in the license of machineguns subject to all of the following conditions, upon breach of any of which the license shall be revoked.

3. No machinegun shall be delivered to any person not authorized to receive the same under the provisions of this chapter.

§12301. Definition. (a) The term “destructive device,” as used in this chapter, shall include any of the following weapons: (1) Any projectile containing any explosive or incendiary material or any other chemical substance, including, but not limited to, that which is commonly known as tracer or incendiary ammunition, except tracer ammunition manufactured for use in shotguns. (2) Any bomb, grenade, explosive missile, or similar device or any launching device therefor. (3) Any weapon of a caliber greater than .60 caliber which fires fixed ammunition, or any ammunition therefor, other than a shotgun or shotgun ammunition. (4) Any rocket, rocket-propelled projectile, or similar device of a diameter greater than .60 inch, or any launching device therefor, and any rocket, rocket-propelled projectile, or similar device containing any explosive or incendiary material or any other chemical substance, other than the propellant for such device, except such devices as are designed primarily for emergency or distress signaling purposes. (5) Any breakable container which contains a flammable liquid with a flashpoint of 150 degrees Fahrenheit or less and has a wick or similar device capable of being ignited, other than a device which is commercially manufactured primarily for the purpose of illumination.

(b) The term “explosive,” as used in this chapter, shall mean any explosive defined in Section 12000 of the Health and Safety Code.
12304. Any person, firm or corporation who, within this state, sells, offers for sale, possesses or knowingly transports any fixed ammunition of a caliber greater than .60 caliber, except as provided in this chapter, is guilty of a public offense and upon conviction thereof shall be punished by imprisonment in the county jail for a term not to exceed six months or by a fine not to exceed one thousand dollars ($1,000), or by both such fine and imprisonment. ** * **

§12305. Permits to conduct business; fee. Every dealer, manufacturer, importer, and exporter of any destructive device, or any motion picture or television studio using destructive devices in the conduct of its business, shall obtain a permit for the conduct of such business from the Department of Justice. Such permit shall be issued upon a satisfactory showing to him that good cause exists for the issuance thereof and after the payment of a fee of fifty dollars ($50). Such permit shall be valid for a period of one year only.

§12306. Permits; non-business purposes; fee. Any person, firm or corporation, other than those included in Section 12305, shall obtain a permit from the Department of Justice before possessing or transporting any destructive device. The department may issue such a permit upon a satisfactory showing that good cause exists for the issuance thereof, and after the payment of a fee of ten dollars ($10). The department shall issue a permit without payment of a fee upon a satisfactory showing that the possessor of such destructive devices is a bona fide collector of destructive devices. Such permit shall be valid for a period of one year only.

§12400. Tear gas weapon. The term "tear gas weapon" as used in this chapter shall apply to and include: (a) Any shell, cartridge, or bomb capable of being discharged or exploded, when the discharge or explosion will cause or permit the release or emission of tear gases.

(b) Any revolvers, pistols, fountain pens, guns, billies, or other form of device, portable or fixed, intended for the projection or release of tear gas except those regularly manufactured and sold for use with firearm ammunition.

§12403. Exemptions; peace officers. Nothing in this chapter shall prohibit any person who is a sheriff; undersheriff; deputy sheriff; policeman; reserve or auxiliary deputy sheriff or policeman; marshal; deputy marshal; constable; deputy constable; member of the California Highway Patrol; member of the California State Police Division; chiefs, assistant chiefs, or special agents of the investigative bureaus of the Department of Justice; investigator who is regularly employed and paid as such in the office of the Attorney General and is designated by the Attorney General; investigator who is regularly employed and paid as such in the office of a district attorney and is designated by the district attorney; deputy of the Department of Fish and Game; hospital administrator or police officer of the Department of Health; warden, superintendent, supervisor, agent of the law enforcement liaison unit, or guard of the Department of Corrections; enforcement officers of the Department of Alcoholic Beverage Control described in subdivision (c) of Section 830.3; any superintendent, assistant superintendent, supervisor, or employee having custody of wards, of each institution of the Department of the Youth Authority; any employee of the Department of the Youth Authority who is a peace officer pursuant to Section 830.5 and is assigned to the department's missing ward unit; or any transportation officer of the Department of the Youth Authority, from purchasing, possessing, or transporting any tear gas weapon for official use in the discharge of their duties, if such weapon has been certified as acceptable under Article 5 (commencing with Section 12450) of this chapter and if such person has satisfactorily completed a course of instruction approved by the Commission on Peace Officers Standards and Training in the use of tear gas.

§12403.5 Exemptions; private investigators; private patrol operators or uniformed patrolmen employees. Notwithstanding any other provision of law, a person holding a license as a private investigator or private patrol operator issued pursuant to Chapter 11 (commencing with Section 7500), Division 3 of the Business and Professions Code, or uniformed patrolmen employees of a private patrol operator, may purchase, possess, or transport any tear gas weapon, if it is used solely for defensive purposes in the course of the activity for which the license was issued and if such person has satisfactorily completed a course of instruction approved by the Commission on Peace Officers Standards and Training in the use of tear gas.

§12500. Silencer. The term "silencer" as used in this chapter shall apply to and include all devices or attachments of any kind designed, used or intended for use in silencing the report of a firearm.

§12501. Exemptions. Nothing in this chapter shall prohibit any peace officer listed in Section 830.1, or the military or naval forces of this state or of the United States from possessing silencers for official use in the discharge of their duties.

§12520. Possession; offense; punishment. Any person, firm or corporation who within this State possesses any device of the kind commonly known as a silencer for firearms is guilty of a felony and upon conviction thereof shall be punished by imprisonment in the state prison not to exceed three years or by a fine not to exceed five thousand dollars ($5,000) or by both.

§12550. Necessity of parental consent; violation; misdemeanor. No person shall sell any firearm to any minor who is at least 16 years of age but not over the age of 18 years without the written consent of a parent or legal guardian of the minor. Violation of this section is a misdemeanor.

§12551. Sale to minors; misdemeanor. Every person who sells to a minor any firearm, air gun, or gas-operated gun, designed to fire a bullet, pellet or metal projectile, is guilty of a misdemeanor.

§12560. Violation; penalty. Every person who has been convicted of a felony under the laws of the United States, of the State of California, or of any other state, government, or country and who used a firearm in the commission of such felony, who owns or has in his possession or under his custody or control any firearm is punishable by imprisonment in the state prison not exceeding 15 years, or in a county jail not exceeding one year or by a fine not exceeding five hundred dollars ($500), or by both such term of imprisonment and such fine.

§12570. Purchase in contiguous state; laws applicable. Any person residing in this state may purchase any rifle or shotgun, as defined in the federal Gun Control Act of 1968 (18 U.S.C., Sec. 921 et seq.), in a state contiguous to this state pursuant to paragraph (3), subdivision (b), Section 922 of Title 18 of the United States Code, and in conformance with the rules and regulations prescribed by the Secretary of the Treasury pursuant to the Gun Control Act of 1968. The purchase of any such rifle or shotgun pursuant to this section is also subject to any other applicable laws of this state and all such laws of the contiguous state in which the rifle or shotgun is purchased.

Adelanto

Ordinance No. 18

Section 6. Purchase of Firearm and Other Weapons. No person except a parent or guardian shall purchase from, sell, exchange, give, lend or furnish to any person under the age of eighteen years a firearm * * *.

Alameda

16-512. Maxim silencer. It is hereby declared to be unlawful for any person, firm or corporation to have in its or his possession any Maxim silencer to be used, or that may be used, on any firearm or arms, or any similar apparatus or device to be used, or that may be used, on any firearm or arms.
16-517. Firearms ** *— Use or possession of by minors. It shall be unlawful for any persons to sell or give to any minor in the City of Alameda under the age of eighteen (18) years, or to allow any such minor to possess, use or discharge, for any such minor to possess, use, or discharge, any rifle, gun, pistol, revolver, ** or other similar instrument from or by means of which any bullet, shot or other missile of any kind may be projected; provided that the provisions of this section shall not apply to the possession of such firearms or other instruments by such minors in bona fide shooting galleries, gun clubs, or educational institutions authorized to give military instruction, in such firearms or other instruments are being used as a part of such instruction, nor to the possession of unloaded firearms, air rifles or other similar instruments by such minors as an employee of a merchant, when such possession is in the usual course of his employment.

16-521. Sale, etc., except to permit holder unlawful. It shall be unlawful for any person, firm, association or corporation to sell, lease or otherwise transfer a pistol, revolver or other firearm of a size capable of being concealed upon the person, unless the person to whom the same is sold, leased or otherwise transferred, shall first exhibit a permit duly issued by the Chief of Police authorizing such person to acquire such weapon.

16-522. Permit to acquire firearm—Application—Issuance—Sale not to be made without permit—Endorsement. Upon satisfactory proof being made to him that the person applying therefor is of good moral character and that good cause exists for the issuance thereof, the Chief of Police may issue to such person a numbered permit authorizing such person to purchase, lease or otherwise acquire a pistol, revolver or other firearm of a size capable of being concealed on the person [contact local authorities for required contents] ** The Chief of Police shall retain the duplicate copy in the files of his office. No such sale, lease or other transfer of such a firearm shall ever be made without such a permit and unless the description of the person desiring such acquisition shall correspond with the description in such permit, nor unless such permit is then and there surrendered to the person from whom such firearm is received. The person selling, leasing or otherwise transferring such firearm shall endorse upon the permit the make, number and caliber of such firearm and immediately transmit the permit to the Chief of Police.

16-524. Purchase or acceptance of firearm without permit unlawful. It shall be unlawful for any person in the City of Alameda to purchase or accept delivery from any person, firm, association or corporation, outside the City, of any pistol, revolver or other firearm of a size capable of being concealed on the person, without first having procured a permit from the Chief of Police as provided in Section 16-522.

16-525. Article not applicable to officers or dealers receiving or transporting firearms. Nothing in this chapter shall apply to duly elected or appointed peace officers of any political subdivision of the State, or to bona fide dealers receiving or transporting unloaded pistols, revolvers and other firearms in the regular course of business.

Alameda County

4-11.0 Definition of dangerous weapon. Dangerous weapon shall mean and include: ** *** (f) Any rifle, gun, pistol, revolver, ** or other similar instrument or device designed or intended to discharge or capable of discharging a bullet, shot, or other missile of any kind.

4-11.1 Use, possession, discharge, sale of dangerous weapons. Except as otherwise provided in Section 4-11.2, it shall be unlawful for any person in the unincorporated territory of Alameda County to sell, give, loan, or in any way furnish, to cause or permit to be sold, given, loaned, or in any way furnished to a minor, or to allow any minor to use or possess or discharge, or for any minor to use or possess or discharge a dangerous weapon.

4-11.2 Same: exceptions. Nothing in this article shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any minor, upon written consent of the parent or guardian of such minor, any dangerous weapon as defined in subdivision (f) of Section 4-11.0; nor to prohibit such minor from using or having in his possession, care, custody or control any such dangerous weapon as so defined in the event that such possession, care, custody, control or use is had with the consent of the parent or guardian of such minor and is under the direct supervision and control of some adult person; nor to prohibit any minor from using or having in his possession or control any dangerous weapon which is in good faith in his possession or control or use for his lawful occupation or employment or for the purpose of lawful recreation.

Angels

Section 1. It shall be unlawful for any person to sell, give away or dispose, to fire, shoot, discharge or explode, within the limits of the City of Angels any pistol, gun, firearm, cannon, anvill or any other cracker, bomb, torpedo, sky-rocket, chaser, roman candle or any other kind of fire-works, except on Public occasions, fete days or occasions of public parade, and only on such time when written permission shall first have been obtained from the Board of Trustees of the City of Angels and which permission shall fix the time and place and restrict the manner in which such public demonstration may be had.

Antioch

Ordinance 153-C-S

Section 4-6.01 (b) It shall be unlawful for any person under the age of eighteen (18) years to have in his immediate possession any kind of gun, pistol or firearm designed to be loaded with gun powder or any other explosive substance, except under the direct supervision and control of an adult person.

Artesia

I. Except as otherwise provided in Section 4 hereof, it shall be unlawful in the City of Artesia for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen (18) years, any gun, revolver, pistol, firearm, ** *.

II. Except as otherwise provided in Section 4 hereof, it shall be unlawful in the City of Artesia for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen (18) years, any cartridge, shell, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from, any gun, revolver, pistol, or firearm.

Azusa

8.09.020. Possession of dangerous weapons by minors prohibited. Except as otherwise provided for in this Chapter, it shall be unlawful for any person under the age of eighteen years to have in his possession, or under his
control, care, or custody, any gun, revolver, pistol, firearm, or device designed or intended to discharge or capable of discharging any dangerous missile or any cartridge, firearm or device containing any explosive substance designed or intended to be used in or fired from any gun, pistol, or firearm ***. 8.09.030. Providing dangerous weapons to minors unlawful. Except as otherwise provided for in this Chapter it shall be unlawful for any person to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, or loaned, or in any way furnished, to any minor person under the age of eighteen years, any gun, revolver, pistol, firearm, *** or device designed or intended to discharge or capable of discharging any dangerous missile or explosive substance. This Section shall not apply to or include any person who shall loan, give, or furnish to any minor person under the age of eighteen years any firearm or weapon or device when and only when it is so loaned, given or furnished to comply with and when such minor person under eighteen years of age actually participates in shooting at any of the designated target ranges in Section 8.09.050 or while going to and returning from such target ranges.

**Baldwin Park**

3508. No person shall sell at retail within the city, pistols, revolvers, or other firearms capable of being concealed upon the person without first having obtained a permit from the Chief of Police authorizing such person to make such sale ***.

3509. The Chief of Police may issue a permit for the sale of firearms upon receiving an application in conformity with the form prescribed by the Attorney General and further in conformity with Article 4, Chapter 1, Title 2, Part 4 of the Penal Code of the State of California. 3520. Except as otherwise provided in Section 3520.3 hereof, it shall be unlawful in the City of Baldwin Park for any person, firm or corporation to sell, give, loan, or in any way furnish, or cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen (18) years, any gun, revolver, pistol, firearm, ***.

3520.1 Except as otherwise provided in Section 3520.3 hereof, it shall be unlawful in the City of Baldwin Park for any person, firm or corporation to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to any person under the age of eighteen (18) years, any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in, or fired from any gun, revolver, pistol, or firearm.

3520.3 Nothing in this chapter shall be deemed or construed to prohibit in the City of Baldwin Park the giving, loaning, or furnishing to any person under the age of eighteen (18) years any articles mentioned in Sections 3520, and 3521 hereof, nor to prohibit any persons under the age of eighteen (18) years from having in his or her care, custody, or control, any article mentioned in Section 3502.2 hereof in the event that such possession, care, custody, or control of such article is had with the consent of the parent or guardian of such person, or in the event that such person is under the direct supervision and control of some adult person.

**Bellflower**

Section 3400. Except as otherwise provided in Section 3403 hereof, it shall be unlawful in the City of Bellflower for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to any person under the age of eighteen (18) years, any gun, revolver, pistol, firearm, ***.

Section 3401. Except as otherwise provided in Section 3403 hereof, it shall be unlawful in the City of Bellflower, for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to any person under the age of eighteen (18) years, any cartridge, shell, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from, any gun, revolver, pistol, or firearm.

Section 3403. Nothing in Sections 3400, 3401, and 3402 shall be deemed or construed to prohibit in said City of Bellflower the selling, giving, loaning, or furnishing to any person under the age of eighteen (18) years, upon the written consent of the parent or guardian of such person, any article mentioned in Sections 3400 and 3401 hereof:

**Buena Park**

18-13. Possession or use of firearms prohibited. No person under the age of eighteen years shall use or have in his possession any firearm, *** or ammunition within the city.

18-14. Giving, selling, etc., of firearms to minors. No person shall give, sell or loan to any person under the age of eighteen years any firearm, *** or ammunition.

**Burbank**

Sec. 20-57. License to Sell Firearms at Retail. Any person engaging in the business of selling or otherwise transferring, or renting, or advertising for sale, or offering or exposing for sale or transfer or rental at retail, pistols, revolvers, or other firearms capable of being concealed upon the person, shall obtain the license required by Title 2, Chapter 1, Article 4, of the Penal Code of the State of California from the License Division, the purpose of this section being to provide for the granting of the local license prescribed by Section 12071 and amendments thereto of said Penal Code. ***.

Sec. 20-58. Unlawful to Sell without Prior Notice to Chief of Police. No person shall sell, deliver or otherwise transfer any pistol, revolver, or other firearm capable of being concealed upon the person, to any person without notifying the Chief of Police of the

**Beverly Hills**

Sec. 3-7.02. Furnishing weapons to minors. It shall be unlawful for any person to sell, exchange, give or loan, or to cause or permit to be sold, exchanged, given or loaned, any gun, revolver, pistol, *** or firearm of any description to any person under the age of eighteen (18) years.

Sec. 3-7.03. Furnishing ammunition to minors. It shall be unlawful for any person to sell, exchange, give or loan, or to cause or permit to be sold, exchanged, given or loaned, any cartridge, shell or other device containing any explosive or any cartridge, shell or other device designed and intended for use in connection with any gun, revolver, pistol or firearm of any description containing any explosive or any ammunition of any description to any person under the age of eighteen (18) years.

**Beverly Hills**

Sec. 3-7.04. Possession of weapons by minors: Duty of parents. (a) Possession by minors. It shall be unlawful for any person under the age of eighteen (18) years to have in his possession, care, custody or control any gun, revolver, pistol, *** or firearm of any description *** or any cartridge, shell or other device containing any explosive, or any cartridge, shell or other device designed and intended for use in connection with any gun, revolver, pistol or firearm of any description, or any ammunition of any description containing any explosive.

***
intended sale or transfer at least twenty-four (24) hours before the transfer is made, giving the name and address of the transferee, a description of the firearm, and the name and address of the transferee.

Sec. 20-63. Sale of Ammunition to Minors. No person shall sell, exchange, give or loan to any person under sixteen (16) years of age any ammunition, cartridge, shell, pellets, B-B shot, shot or other missile designed for use in any firearm * * *.

Sec. 20-64. Possession of Firearms by Minors. (a) No person under sixteen (16) years of age shall have in his possession any firearm * * * or ammunition * * *

This section shall not apply to a minor under the age of sixteen (16) years when engaged in shooting as provided for in Section 20-59 * * *, or when traveling to or from any of the places mentioned in Subsections (a), (b) and (c) of Section 20-59 for the purposes of shooting.

(b) Other Dangerous Devices.
No person under sixteen (16) years of age shall have in his possession any other device not mentioned in Subsection (a) capable of discharging a dangerous or deadly missile unless engaged in shooting or practicing at a location designated for such purpose by the Chief of Police, or when traveling to or from any such location, or when defending life or property.

(c) Applicability.
The preceding Subsections (a) and (b) shall be applicable to minors between sixteen (16) and eighteen (18) years of age, in possession of the items mentioned therein, without the consent of a parent or legal guardian.

Carson

Section 4302. Minors, Selling or Giving Weapons To. Except as otherwise provided in Section 4305, no person shall sell, give, loan, or in any way furnish, or cause or permit to be sold, given, loaned, or in any way furnished to any person under the age of 18 years, any gun, revolver, pistol, firearm, * * * or device designed to discharge, or capable of discharging, or any dangerous missile.

Section 4303. Minors, Providing Ammunition To. Except as otherwise provided in Section 4305, no person shall sell, give, loan, or in any way furnish, or cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of 18 years, any cartridge, shell, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from, any gun, revolver, pistol or firearm.

Section 4304. Minors, Discharging Weapons. Except as otherwise provided in Section 4305, no person under the age of 18 years shall * * * have in his or her possession * * * any gun, revolver, pistol, firearm, * * * or device designed, or intended, to discharge, or capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in or fired from, any gun, revolver, pistol or firearm.

Section 4305. Exception To. Nothing in this Chapter shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any person under the age of 18 years, upon written consent of the parent or guardian of such person, any article mentioned in Sections 4302 and 4303 hereof; nor to prohibit any such person under the age of 18 years from having in his or her possession, * * * any firearm, * * *

Nor to prohibit any such person under the age of 18 years from having in his or her possession, * * * or ammunition * * *

of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person. * * * * * *

NOTICES

have in his or her possession * * * any gun, revolver, pistol, firearm, * * * or device designed, or intended, to discharge, or capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in or fired from, any gun, revolver, pistol or firearm.

Section 4305. Exception To. Nothing in this Chapter shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any person under the age of 18 years, upon written consent of the parent or guardian of such person, any article mentioned in Sections 4302 and 4303 hereof; nor to prohibit any such person under the age of 18 years, any gun, revolver, pistol or firearm. * * *

Section 4305. Exception To. Nothing in this Chapter shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any person under the age of 18 years, upon written consent of the parent or guardian of such person, any article mentioned in Sections 4302 and 4303 hereof; nor to prohibit any such person under the age of 18 years, any firearm * * *

of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person; * * *

Chula Vista

508-1. Firearms—“Sale to Minors”. No person shall sell, exchange, give or loan to any person under the age of 16 years any gun, revolver, pistol or firearm of any description * * * or any ammunition, cartridge, shell or other device, whether containing any explosive substance or not, designed and intended for use in any weapons enumerated herein.

508-2. Firearms—“Minors Possession of”. No person under the age of sixteen years shall have in his possession, care, custody or control any article or thing set forth in the preceding section.

750-1. Permit from Chief of Police. No person under the age of eighteen years shall have in his possession, care, custody or control any article or thing set forth in the preceding section.

750-2. Permit from Chief of Police. No person under the age of eighteen years shall have in his possession, care, custody or control any article or thing set forth in the preceding section.

Cerritos

Ordinance 17

Section 1. * * * it shall be unlawful for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen (18) years, any gun, revolver, pistol, firearm, * * *

Section 2. * * * it shall be unlawful for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen (18) years, any cartridge, shell, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from, any gun, revolver, pistol, or firearm.

Section 3. * * * it shall be unlawful * * * for any person under the age of eighteen (18) years * * * to have in his or her possession, care, custody, or control, any gun, revolver, pistol, firearm, * * * or any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in or fired from, any gun, revolver, pistol, or firearm.

Section 4. Nothing in this ordinance shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any person under the age of eighteen (18) years, upon the written consent of the parent or guardian of such person, any article mentioned in Sections 1 and 2 hereof; nor to prohibit any such person under the age of eighteen years from having in his or her possession, care, custody or control, any article mentioned in Section 3 hereof in the event that such possession, care, custody, or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person; * * *

Clovis

4-6.07. Sale of firearms. (a) No person who is engaged in the business of selling, leasing, or otherwise transferring, and no person who sells, leases, or otherwise transfers, either title to or possession of a pistol, revolver, or other firearm of a size capable of being concealed upon the person, shall sell, lease, or in any other way transfer title to or possession of such pistol, revolver or other firearm, or deliver the same pursuant to such sale, lease, or transfer, unless the person to whom the same is sold, leased, transferred, or delivered shall at the time exhibit a permit duly issued by the Chief of Police authorizing such person to acquire such pistol, revolver, or firearm; nor shall any person not having such permit receive or accept delivery or transfer of possession of such pistol, revolver, or other firearm of a size capable of being concealed upon the person.

(c) No person shall sell, exchange, give, loan, or otherwise dispose of to any person under the age of eighteen (18) years any * * * rifle, pistol, revolver, gun, or any firearm of any description using B-B pellets, bullets, or shots, or which expels a deadly or dangerous missile by spring, air, gas, or gunpowder, or
any ammunition, cartridge, shell, or other device capable of being projected or projecting a missile, whether or not containing any explosive substance.

Compton

3603. Firearms—Sale to minors. No person shall sell, exchange, give or loan to any person under 18 years of age any gun, revolver, pistol or firearm of any description or any ammunition, cartridge, shell, or device containing any explosive substance designed and intended for use in any weapons enumerated herein.

3603.1 Minors—Possession of. No person under 18 years of age shall have in his possession, care, custody or control any article or thing mentioned in the preceding section.

Contra Costa County

44.4.002 Firearms—Possession by minors. No minor under the age of sixteen years shall possess or use firearms of .22 calibre or greater or air guns except under the direct supervision and control of an adult.

44.4.008 Firearms—Ammunition sale to minors. No person shall sell or give to any minor under the age of sixteen years any ammunition capable of being used in any firearm, unless the minor is accompanied by a parent, legal guardian or adult authorized by the parent.

Corona

4.4-1. Minors, firearms, etc., sale, etc., to. No person except a parent or guardian shall purchase from, sell, exchange, give, lend or furnish to any person under the age of eighteen years a revolver or pistol of any description, shotgun, or rifle which may be used for the explosion of cartridges, or any ammunition therefor.

4.4-2. Possession prohibited. No person under the age of eighteen years shall have in his possession, care, custody or control any of the articles mentioned in Section 4.4-1 except within his own domicile or except when accompanied by and under the immediate supervision of a parent or guardian, or having in his possession written permission signed by such parent or guardian permitting him to have any of said articles in his possession.

Culver City

Section 36-9. Minors—Sale of Firearms to. It shall be unlawful for any person to sell, exchange, give or loan to any person under 18 years of age, any gun, revolver, pistol or firearm of any description.

Section 36-10. Same—Possession of Firearms. No person under 18 years of age shall have in his possession, care, custody or control any article or thing mentioned in the preceding Section.

Daly

Sec. 16.5. Firearms, explosives, cartridge or metallic caps—Sale, exchange, etc., to minors under eighteen years of age. No person shall expose for sale, sell or offer for sale, barter or exchange or offer to barter or exchange to or with any minor under the age of eighteen years, any pistol or other firearm or any instrument capable of receiving or discharging any charge of powder, cartridge or other explosive, or any cartridge or metallic cap, whether loaded or not with ball.

Sec. 16-6. Same—Possession by minors under eighteen years of age. No person under the age of eighteen years shall have in his possession, expose, use or discharge any pistol or other firearm, or have in his possession any instrument capable of receiving or discharging any charge of powder, cartridge or other explosive, or any cartridge or metallic cap whether loaded with ball or not.

Del Ray Oaks

Ordinance No. 112

2. No person shall sell, display for sale, or store preparatory for sale any firearm within the city limits of Del Rey Oaks unless said person has fully complied with all of the following conditions:

a) The Seller shall hold a Federal Firearms Permit and shall meet all of the provisions of the Gun Control Act of 1968.

b) The Seller shall have obtained a permit from the Chief of Police authorizing the storage of the firearms within the City of Del Rey Oaks.

5. Private persons selling their own firearms and not engaged in the commercial sale of the same shall be exempted from the purview of this ordinance. For the purpose of this ordinance, a person selling three (3) or more firearms in any calendar year shall be conclusively deemed to be engaged in the commercial sale of firearms and shall be required to comply with the terms of this ordinance.

Downey

4112. Weapons: Furnishing to minors. Except as otherwise provided in Section 4114 hereof, no person shall sell, give, loan, or in any way furnish to any person under the age of eighteen (18) years, any * * * gun, revolver, pistol, firearm, * * * or device designed, or intended to discharge, or capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from, any gun, revolver, pistol, or firearm.

4113. Minors. Possession. Except as otherwise provided in Section 4114 hereof, no person under the age of eighteen (18) years shall fire, discharge, shoot, or operate, or have in his or her possession, care, custody, or control, any * * * gun, revolver, pistol, firearm, * * * or device designed, or intended to discharge, or capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in, or fired from, any gun, revolver, pistol, or firearm.

4114. Exceptions. Nothing in Sections 4112 or 4113 shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any person under the age of eighteen (18) years, upon the written consent of the parent or guardian of such person, any article mentioned in said Sections, nor to prohibit any such person under the age of eighteen (18) years from having in his or her possession, care, custody or control, any article mentioned in said Sections hereof in the event that such possession, care, custody, or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person; * * *

Duarte

9.52.060 Furnishing weapons to minors prohibited. Except as otherwise provided in Section 9.52.090, it shall be unlawful in the city of Duarte for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen years, any gun, revolver, pistol, firearm, * * *

9.52.080 Use or possession by minors prohibited. Except as otherwise provided in Section 9.52.090, it shall be unlawful in the city of Duarte, for any person under the age of eighteen years to fire, discharge, shoot, or operate, or to assist or participate in the firing, discharging, shooting, or to have in his or her possession, care, custody or control, any gun, revolver, pistol, firearm, * * * or device designed, or intended, to discharge, or capable of discharging, any dangerous missile, or any cartridge, shell, ammunition, or device con-
changing any explosive substance, designed or intended to be used in or fired from, any gun, revolver, pistol or firearm.

El Cajon

18-12. Sale to minors. No person shall sell, within the city to any minor child any *** pistol, revolver, gun, rifle or any other firearm or device fired or discharged by explosives.

El Cerrito

Section 3501. Sale of Firearms to Minors. It shall be unlawful for any person to sell to any minor in the City of El Cerrito *** any firearm, or gun, or rifle or other gun or device discharging by the use of powder *** except when accompanied by parent or legal guardian; provided that the provisions of this section shall not apply to the possession of such firearms, or other such instruments, by such minors in bona fide shooting galleries, or on pistol and rifle ranges, the locations of which have been approved by the Council.

El Monte

12.3. Permits required. a. Permits shall be obtained: (1) To manufacture, possess, store, sell or otherwise dispose of explosives, blasting agents, or small arms ammunition.

4250. Firearm. Defined. For the purposes of this Part, a firearm is defined as any object capable of discharging or projecting any missile, including but not limited to: shotgun, rifle, pistol, revolver, *** target pistol, target gun *** tommy gun, wham-o gun, or any other similar device for the discharging or propelling of missiles capable of inflicting injury to person or property.

4251. Same. Possession by minors prohibited. No person under the age of 16 years shall own, possess, shoot, discharge, or use any firearm.

4252. Same. Parental duty. No parent, guardian, custodian or person in charge of any person under the age of 16 years shall permit any such person under the age of 16 years to own, possess or use any firearm.

4253. Same. Sale to minors prohibited. No person shall give, lend, sell, deliver, or transfer possession of any firearm to a person under the age of 16 years.

Fontana

Sec. 32-11. Sale, etc., of weapons, ammunition, etc., to minors. No person shall sell, exchange, give or lend to any person under eighteen years of age any *** gun, revolver, pistol or firearm of any description *** or any ammunition, cartridge, shell or other device, whether containing any explosive substance or not, designed and intended for use in any weapons enumerated herein.

No portion of this section shall prohibit the giving, lending or possession of any *** rifle, shotgun or pistol, or any ammunition for such firearm, *** nor prohibit the selling thereof for such purpose provided the minor has the written consent of a parent or legal guardian.

Foster City

9.88.060 Sale to minors prohibited. No person shall sell, deliver or transfer ownership to any person under the age of eighteen years any pistol, revolver or other similar weapon capable of being concealed upon the person and designed to discharge a projectile propelled by the expansion of a gas, powder or air.

Fremont

52-1: Sale of weapons to minors. Except as otherwise provided in Section 4 hereof, it shall be unlawful in the City of Fremont for any person, firm or corporation to sell, give, loan or in any way furnish to any person under the age of sixteen years, any gun, revolver, pistol, firearm, *** or device designed, or intended, to discharge or capable of discharging, any dangerous missile.

52-2: Sale of ammunition to minors. Except as otherwise provided in Section 4 hereof, it shall be unlawful in the City of Fremont for any person, firm or corporation to sell, give, loan or in any way furnish to any person under the age of sixteen years, any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in, or fired from, any gun, revolver, pistol or firearm.

52-3: Possession and use of weapons by minors. Except as otherwise provided in Section 4 hereof, it shall be unlawful in the City of Fremont for any person under the age of sixteen years to *** have in his or her possession any gun, revolver, pistol, firearm, *** or device designed or intended to discharge or capable of discharging any dangerous missile, or any cartridge, shell ammunition, or device containing any explosive substance, designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

52-4: Exceptions. Nothing in Sections 1, 2 or 3 of this Ordinance shall be deemed or construed to prohibit in the said City of Fremont the selling, giving, loaning or furnishing any article mentioned in Sections 1 and 2 hereof, to any person under the age of sixteen (16) years who is the holder of a valid hunting license issued to such person in accordance with the provisions of the Fish and Game Code of the State of California; nor prohibit any such licensee under the age of sixteen years from using or possessing any article mentioned in Section 3 hereof.

Fullerton

3.55.010 Definition. "Seller of concealable firearms" means any person who sells or offers for sale at retail any pistols, revolvers or other firearms capable of being concealed upon the person.

3.55.015 Permit required. No person shall engage in, conduct, manage or carry on the business of seller of concealable firearms without a written permit from the chief of police. ***

3.55.020 Fixed location. Each permittee must have a fixed place of business. Sales of concealable firearms may only be made from that fixed place of business.

Gardena

Sec. 3-3.101. Definitions. For the purposes of this article, certain words and terms used herein are defined as follows: (a) "Firearm" shall include, but not be limited to, any gun, revolver, pistol, firearm, *** or device designed or intended to discharge, or capable of discharging, any dangerous missile or any cartridge, shell, ammunition, or device containing any explosive substance, spring, or other impelling force devised or intended to be used or fired from any gun, revolver, pistol, or firearm. ***

Sec. 3-3.103. Possession of firearms by minors. No person under eighteen (18) years of age shall have in his possession *** any firearm.

Sec. 3-3.104. Furnishing firearms to minors. It shall be unlawful for any person to sell, exchange, give, or loan to any person under eighteen (18) years of age any firearm.

Glendale

11-10. Firearms and weapons generally—Selling, lending, etc., to persons under eighteen years of age. No person shall sell, exchange, give or loan, or cause or permit to be sold, exchanged, given or loaned in the city, any gun, revolver, pistol or firearm of any description to any person under the age of eighteen years.

11-11. Same—Selling, lending, etc., ammunition to persons under age of eighteen. No
person shall sell, exchange, give or loan, or cause or permit to be sold, exchanged, given or loaned in the city, any cartridge, shell or other device containing any explosive, or any cartridge, shell or other device designed and intended for use in connection with any gun, revolver, pistol or firearm of any description, or any ammunition of any description containing any explosive, to any person under the age of eighteen years.

11-13. Same—Persons under age of eighteen not to possess firearms, ammunition, etc. No person under the age of eighteen years shall have in his possession, care, custody or control in the city, any gun, revolver, pistol or firearm of any description or any cartridge, shell or other device containing any explosive, or any cartridge, shell or other device designed and intended for use in connection with any gun, revolver, pistol or firearm of any description, or any ammunition of any description containing any explosive.

Guadalupe

Ordinance 66

Section 2. Sale of firearms to minors. It shall be unlawful for any person to sell to any minor in the City of Guadalupe, *** any firearm, or gun, or rifle or other gun or device discharging by the use of powder, *** any bullet or shot of any kind, ***.

Hawaiian Gardens

9.60.010 Sale of weapons to minors. Except as otherwise provided in Section 9.60.040, it is unlawful in the city for any person, firm or corporation to sell, give, lend or in any way furnish to any person under the age of eighteen years any gun, revolver, pistol, firearm, ***.

9.60.020 Sale of ammunition to minors. Except as otherwise provided in Section 9.60.040, it is unlawful in the city, for any person, firm or corporation to sell, give, lend, or in any way furnish or to cause or permit to be held, given, lent, or in any way furnish, to any person under the age of eighteen years any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in, or fired from any gun, revolver or firearm.

9.60.030 Minors possessing or shooting weapons. Except as otherwise provided in Section 9.60.040, it is unlawful in said city, for any person under the age of eighteen years to fire, discharge, shoot or operate, or to assist or participate in the firing, discharging, shooting, operating, or to have in his or her possession, care, custody, or control, any gun, revolver, pistol, firearm, *** or any cartridge, shell, ammunition, or device containing any exploding substance, designed or intended to be used in or fired from, any gun, revolver, pistol or firearm.

9.60.040 Supervision and control of minors. Nothing in this chapter shall be deemed or construed to prohibit in said city the selling, giving, lending or furnishing to any person under the age of eighteen years, upon the written consent of the parent or guardian of such person, any article mentioned in Sections 9.60.010 and 9.60.020, nor to prohibit any such person under the age of eighteen years from having in his or her possession, care, custody or control any article mentioned in Section 9.60.030, in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person, nor to prohibit any such person under the age of eighteen years from firing, discharging, shooting, or operating any article mentioned in Section 9.60.030 when such person is accompanied by, and under the direct care and control of, some adult person and is engaged in hunting any wild game or predatory bird or animal which may be lawfully hunted and killed in said city, or is lawfully engaged in shooting at any inanimate target, or trap-shooting device, while accompanied by, and under the direct care and control of, some such adult person.

Hawthorne

Ordinance 244

SECTION 1. Except as otherwise provided in Section 4 hereof, it shall be unlawful in the City of Hawthorne, for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen years, any gun, revolver, pistol, firearm, ***.

Hayward

3-4.00 Dangerous weapon. Definition. Dangerous weapon shall mean and include: 6. Any rifle, gun, pistol, revolver, *** or other similar instrument or device designed or intended to discharge or capable of discharging a bullet shot, or other missile of any kind.

3-4.10 Use, possession, discharge, sale of dangerous weapons. Except as otherwise provided herein, it shall be unlawful for any person in the City to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to a minor, or to allow any minor to use or possess or discharge, or for any minor to use or possess or discharge a dangerous weapon.

3-4.11 Same. Exceptions. Nothing in this Article shall be deemed or construed to prohibit the selling, giving, loaning or furnishing to any minor, upon written consent of the parent or guardian of such minor, any dangerous weapon as defined in subdivision 6 of Section 3-4.00 ***.

Hermosa Beach

Sec. 18-1. Firearms—Sale to minors. No person shall sell, exchange, give or loan to any person under eighteen years of age any gun, revolver, pistol or firearm of any description or any spring or air gun designed or intended to discharge any shot or other deadly or dangerous missile, or any ammunition, cartridge, shell, or other device containing any explosive substance designed and intended for use in any weapon enumerated herein.

Sec. 18-2. Same—Possession by minors. No person under eighteen years of age shall have in his possession, care, custody or control any article or thing mentioned in the preceding section.

Industry City

9.56.010 Furnishing weapons—Unlawful. Except as otherwise provided in Section 9.56.040, it is unlawful in the city, for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen years, any gun, revolver, pistol, firearm, *** or device, designed or intended to discharge, or capable of discharging, any dangerous missile.

9.56.020 Furnishing ammunition—Unlawful. Except as otherwise provided in Section 9.56.040, it is unlawful in the city, for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen years, any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

9.62.080 Sale of firearms—Permit required. No person shall sell at retail within the city a pistol, revolver or other firearm capable of
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being concealed upon the person without first having received a permit from the county sheriff authorizing such person to make such sale.

Inglewood

Section 5-19.1. Firearm Sale to Minor Prohibited. It shall be unlawful for any person to sell, exchange, give or loan to any person under eighteen years of age, any gun, revolver, pistol or firearm of any description or any ammunition, cartridge, shell or other device, whether containing any explosive substance or not, whether designed or intended for use in any weapons enumerated herein or not.

Section 5-19.2. Firearm Possession by Minors Prohibited. It shall be unlawful for any person under 18 years of age to have in his possession, care, custody or control, any weapon or article designated in Section 5-19.1.

Irwindale

4135. Permit to Sell. No person shall sell at retail within the City a pistol, revolver or other firearm capable of being concealed upon the person without first having received a permit from the Sheriff of Los Angeles County authorizing such person to make such sale.

4140. Weapons. Sale to Minors. Except as otherwise provided in Section 4143 hereof, no person shall sell, give, loan, or in any way furnish to any person under the age of eighteen years, any gun, revolver, pistol, firearm.

4141. Ammunition. Sale to Minors. Except as otherwise provided in Section 4143 hereof, no person shall sell, give, loan, or in any way furnish to any person under the age of eighteen years, any cartridge, shell, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from, any gun, revolver, pistol, or firearm, except ordinary paper caps for toy cap guns.

4142. Weapons. Minors, Possession and Use Prohibited. Except as otherwise provided in Section 4143 hereof, no person under the age of eighteen years shall have in his or her possession, care, custody, or control, any gun, revolver, pistol, firearm or any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in or fired from any gun, revolver, pistol, or firearm.

4143. Same. Same. Consent of Parent. Nothing contained in Sections 4140, 4141 or 4142 shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any person under the age of eighteen years, upon the written consent of the parent or guardian of such person, any article mentioned in said Sections; nor to prohibit any such person under the age of eighteen years from having in his or her possession, care, custody or control any article mentioned in Section 4142 in the event that such possession, care, custody, or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person.

Isleton

42.1. It shall be unlawful for any person, firm, co-partnership, association or corporation to sell at retail within the Town of Isleton any pistol, revolver or other firearm capable of being concealed upon the person, as such firearms are defined by the terms of Chapter 339 of the Statutes of the State of California of the year 1923, without first procuring from said Town of Isleton, a license so to do.

2-3. No pistol or revolver shall be delivered (a) On the day of the application for the purchase, and when delivered shall be unloaded and securely wrapped; or (b) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

Lakewood

3520. Unlawful Sale, Gift or Furnishing. Except as otherwise provided in Section 3520.3 hereof, it shall be unlawful in the City of Lakewood for any person, firm or corporation to sell, give, loan or in any way furnish or to cause or permit to be sold, given, or loaned to any person under the age of eighteen (18) years, any gun, revolver, pistol or firearm. Any devices designed or intended to discharge or capable of discharging any dangerous missile.

3520.1. Except as otherwise provided in Section 3520.3 hereof, it shall be unlawful in the City of Lakewood for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen (18) years, any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in, or fired from, any gun, revolver, pistol, or firearm.

3520.3 Nothing in this Chapter shall be deemed or construed to prohibit in said City of Lakewood the selling, giving, loaning, or furnishing to any person under the age of eighteen (18) years, upon the written consent of the parent or guardian of such person, any article mentioned in sections 3520 and 3520.1 hereof.

La Mesa

10.28.010. Firearm defined. As used in this chapter, the word "firearm" means any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosive.

10.28.020. Possession of firearm by infant. No person under the age of eighteen shall be allowed to have in his possession within the city limits of the city of La Mesa any firearm presently capable of expelling a projectile.

La Mirada

9.40.010. Except as otherwise provided in Section 9.40.040 hereof, it shall be unlawful in the City of Mirada Hills for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to any person under the age of eighteen (18) years, any gun, revolver, pistol, or firearm.

9.40.020. Except as otherwise provided in Section 9.40.040 hereof, it shall be unlawful in the City of Mirada Hills, for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to any person under the age of eighteen (18) years, any cartridge, shell, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from, any gun, revolver, pistol, or firearm.

9.40.040. Nothing in Sections 9.40.010, 9.40.020, shall be deemed or construed to prohibit in the City of Mirada Hills the selling, giving, loaning, or furnishing to any person under the age of eighteen (18) years, upon the written consent of the parent or guardian of such person, any article mentioned in Sections 9.40.010 and 9.40.020 hereof.

La Puente

3.12.090 Retail sale permit—Required. No person shall sell at retail within the city, a pistol, revolver or other firearm capable of being concealed upon the person without first having received a permit from the County Sheriff authorizing such persons to make such sale.

3.12.140 Furnishing firearms to minors prohibited. Except as otherwise provided in
Section 3.12.170, it shall be unlawful in the City of La Puente for any person, firm or corporation to sell, give, loan, or in any way furnish, to cause or permit to be sold, given, loaned, or in any way furnished; to any person under the age of eighteen years, any gun, revolver, pistol, firearm, ***.

3.12.150 Furnishing ammunition to minors prohibited. Except as otherwise provided in Section 3.12.170, it is unlawful in the city for any person, firm or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen years, any cartridge, shell, ammunition, or device containing any explosive substance designed or intended to be used in, or fired from, any gun, revolver, pistol or firearm.

3.12.160 Possession or firing of firearm by minor prohibited. Except as otherwise provided in Section 3.12.170, it is unlawful in the city for any person under the age of eighteen years *** to have in his or her possession, care, custody or control any gun, revolver, pistol, firearm, or any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in or fired from, any gun, revolver, pistol or firearm.

3.12.170 Exceptions from prohibition. Nothing in this chapter shall be deemed or construed to prohibit in the city the selling, giving, loaning, or furnishing to any person under the age of eighteen years, upon the written consent of the parent or guardian of such person, any article mentioned in Sections 3.12.140 and 3.12.150, nor to prohibit any such person under the age of eighteen years from having in his or her possession, care, custody or control, any article mentioned in Section 3.12.160 in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of one adult person.

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Long Beach

4180.4—Same—Sale, gift or loan of firearms to. No person, as principal, agent or otherwise, shall sell, exchange, give or loan, or cause or permit to be sold, exchanged, given or loaned, any gun, revolver, pistol or firearm of any description to any person under the age of eighteen years.

4180.5—Same—Sale, etc., of *** ammunition to persons under eighteen years of age. No person as principal, agent or otherwise, shall sell, exchange, give or loan any *** missile designed or intended for use in any, *** pistol or gun, or any cartridge, shell or other device containing any explosive and designed or intended for use in any gun, revolver, pistol, or firearm of any description, to any person under the age of eighteen years.

4180.7. Possession by minor under eighteen of firearms, air guns or ammunition. No person, as principal, agent or otherwise, under the age of eighteen years, shall have in his or her possession, care, custody, or control, any gun, revolver, pistol, *** or firearm of any description, or any cartridge, shell or other device containing any explosive, and designed or intended for use in any gun, revolver, pistol or firearm of any description, or any explosive ammunition of any description whatsoever.

Los Angeles Municipal Code

Sec. 45.01 Firearms *** Sale to minors: No person shall sell, exchange, give or loan to any person under 18 years of age any *** gun, revolver, pistol or firearm of any description, *** any ammunition, cartridge, shell or other device, whether containing any explosive substance or not, designed and intended for use in any weapons enumerated herein.

Sec. 45.02 Firearms—Minors—Possession of: No person under 18 years of age shall have in his possession, care, custody or control any article or thing mentioned in the preceding section.

103.314. Sellers of concealable firearms: (a) Definition. “Seller of Concealable Firearms” shall be any person who sells or offers for sale at retail any pistols, revolvers, or other firearms capable of being concealed upon the person, including any pistol, revolver or gun which detonates or fires an explosive compound in any manner and discharges or is capable of being altered so as to discharge a projectile.

(b) Permit required. No person shall engage in, conduct, manage, or carry on the business of seller of concealable firearms without a written permit from the Board.

(c) Fixed location. Each permittee must have a fixed place of business. Sales of concealable firearms may only be made at said fixed location.

Los Angeles County

1567-1. Except as otherwise provided in section 4 hereof, it shall be unlawful in the unincorporated territory of Los Angeles County, for any person, firm, or corporation, to sell, give loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen (18) years, any gun, revolver, pistol, firearm, *** or device designed, or intended, to discharge, or capable of discharging, any dangerous missile.

1567-2. Except as otherwise provided in section 4 hereof, it shall be unlawful in the unincorporated territory of said Los Angeles County, for any person, firm, or corporation, to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen (18) years, any cartridge, shell, ammunition, or device containing any explosive substance, designed or intended to be used in, or fired from, any gun, revolver, pistol, or firearm.

1567-4. Nothing in this ordinance shall be deemed or construed to prohibit in said Los Angeles County the selling, giving, loaning, or furnishing to any person under the age of eighteen (18) years, upon the written consent of the parent or guardian of such person, any article mentioned in Section 1 and 2 hereof; ***

Los Gatos

Sec. 17-13. Same—Sale to minors; possession and use by minors. No person shall sell to any minor in the town under the age of sixteen years, and no person shall sell or give to any minor in the town under the age of eighteen years, without written consent of his parent or guardian, any rifle, gun, pistol, revolver, *** or other similar instrument from or by means of which any bullet, shot or other missile of any kind may be projected. No such minor shall use or possess any rifle, gun, pis-
Nortec Park

9.84.010 Possession—By minor. No person shall give, sell or loan to any person under the age of eighteen years, any firearm, ***, or ammunition.

9.84.020 Possession—Prohibited. No person under the age of eighteen years, shall use or have in his possession any firearm, ***, or ammunition within the city.

Norwalk

4302. Minors, Selling or Giving Weapons to. Except as otherwise provided in Section 4305, no person shall sell, give, loan, or in any way furnish, or cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen years, any gun, revolver, pistol, firearm ***, or device designed or intended to discharge, or capable of discharging any dangerous missile, or any cartridge, shell, ammunition or device containing any explosive substance designed or intended to be used in or fired from any firearm.

4303. Same, Providing Ammunition to. Except as otherwise provided in Section 4305, no person shall sell, give, loan, or in any way furnish, or cause or permit to be sold, given, loaned, or in any way furnished, to any person under the age of eighteen years, any cartridge, shell, ammunition, or device containing any explosive substance, designed, or intended to be used in, or fired from, any gun, revolver, pistol, or firearm.

4305. Same, Exception to. Nothing in this Chapter shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any person under the age of eighteen years, upon written consent of the parent or guardian of such person, any article mentioned in Sections 4302 and 4303 hereof, ***.

Oakland

2-2.30. Firearms and air rifles. Use or possession of by minors. It shall be unlawful for any person to sell or give to any minor in the City of Oakland under the age of eighteen (18) years, or to allow any such minor to possess, use or discharge, or for any such minor to use or possess, any rifle, gun, pistol, revolver ***, or other similar instrument from or by means of which any bullet, shot or other missile of any kind may be projected; provided, that the provisions of this section shall not apply to the possession of such firearms or other instruments by such minors in bona fide shooting galleries, gun clubs, or organizations or educational institutions authorized to give military instruction, while such firearms or other instruments are being used as a part of such instruction, nor to the possession of unloaded firearms, air rifles or other such instruments by any such minor as an employee of a merchant, when such possession is in the usual course of his employment.

2-2.31. Maxim silencers. It shall be unlawful for any person to have in his possession any Maxim silencer to be used or that may be used on any firearm or any similar apparatus or device to be used or that may be used on any firearm.

Oceanside

Ordinance No. 75-5

ARTICLE III. Sec. 15.38 Purpose. The purpose of this article is to set forth the procedures for the issuance and revocation of the state license to sell concealable firearms.

Sec. 15.39 Application. Any person desiring a state license to sell concealable firearms shall make written application to the license inspector, who shall refer the application to the appropriate city departments for investigation as to: (1) Security of the business premises; (2) Criminal record or lack thereof of applicant; (3) Applicant's reputation for honesty and integrity in the community.

Orange County

Sec. 5-1-29. Licenses required. It shall be unlawful for any person, firm or corporation to engage in, conduct, manage or carry on any of the following businesses, practices, professions or occupations within the unincorporated area of the County of Orange without first having obtained a license therefor in accordance with division 2 of this title: ***

(n) Retail sale of concealable firearms.

Sec. 5-3-240. Licensing of retail sellers of concealable weapons. The Sheriff of Orange County is hereby designated as the licensing authority for said County and is authorized to issue licenses therefor pursuant to Article 4 of Title 2 of Part 4 of the California Penal Code (commencing with Section 12070) as said Article exists or may be amended from time to time for the sale at retail of pistols, revolvers and other firearms capable of being concealed upon the person.

Pacific

5-14.01. Firearms: Defined. For the purposes of this chapter, "firearms" shall mean and include cannons, guns, pistols, revolvers, automatic pistols, rifles, shotguns, ***,

5-14.04. Firearms: Possession by minors. (a) Unlawful. It shall be unlawful for any per-
on under the age of eighteen (18) years to have in his possession in a public place any firearm except as provided in subsection (b) of this section.

(b) Exceptions. The provisions of subsection (a) of this section shall not apply to such persons under the age of eighteen (18) years: (1) When the person under the age of eighteen (18) years is in the immediate charge of a parent, guardian, or adult person having the responsibility for the conduct of such minor person; and (2) When the firearm is unloaded and is either in a dismantled or “take-down” condition or completely wrapped or in a carrying case made for the purpose of carrying such firearm. A gun shall be deemed to be unloaded only when no ammunition or propellant is in any part of the gun or magazine or clip thereof.

Pico Rivera

3520. Unlawful Sale, Gift or Furnishing. Except as otherwise provided in Section 3520.3 hereof, it shall be unlawful in the City of Pico Rivera for any person, firm or corporation to sell, give, loan or in any way furnish, or to cause or permit to be sold, given, loaned or in any way furnished, to any person under the age of eighteen years, any gun, revolver, pistol, firearm, * * *

Sec. 30-34. Sale of ammunition to minors. Except as otherwise provided in section 30-36, it shall be unlawful for any person to give, loan or in any way furnish, or to cause or permit to be sold, given, loaned in any way furnished, to any person under the age of eighteen years, any cartridge, shell, ammunition or device containing any explosive substance, designed or intended to be used in, or fired from, any gun, revolver, pistol or firearm.

Sec. 30-36. Exceptions to sections 30-33 to 30-35. Nothing in this chapter shall be deemed or construed to prohibit in said City of Pico Rivera the selling, giving, loaning, or furnishing to any person under the age of eighteen (18) years, upon the written consent of the parent or guardian of such person, any article mentioned in sections 30-33 and 30-34; nor to prohibit any such person under the age of eighteen years from having in his possession, care, custody or control any article mentioned in section 30-35 in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person.

12.5. Firearms, etc.—Sales or gifts to minors; use or possession by minors; exceptions. It shall be unlawful for any person to sell or give to any minor in the city, under the age of eighteen years, or to allow any such minor to possess, use or discharge, or for any such minor to use or possess, any rifle, gun, pistol, revolver, * * * or other similar instrument from or by means of which any bullet, shot or other missile of any kind may be projected; provided, however, that the provisions of this section shall not apply to the possession of such firearms or other instruments by such minors in bona fide shooting galleries, gun clubs or organizations and educational institutions authorized to give firearm instructions, while such firearms or other instruments are being used as a part of such instructions, nor to the possession of unloaded firearms, * * * or other such instruments by any such minor as an employee of a merchant, when such possession is in the usual course of his employment.

Pittsburg

383.2 No person, firm or corporation shall sell, offer for sale, deliver, transfer, or give to any minor under the age of eighteen (18) years, nor shall such minor under the age of eighteen (18) years keep, carry or possess, any pistol, revolver, gun, rifle or other firearm or device, regardless of the length of the barrel thereof, discharging by the use of powder, air or springs, any bullet, shot or other object: provided that the provisions of this section shall not apply to the possession of firearms, or other such devices, by such minors under eighteen (18) years in duly licensed shooting galleries and/or on pistol and rifle ranges approved by the Chief of Police.

Placentia City

(c) It shall be unlawful to sell, give away, barter, or trade, any gun, pistol, or firearms * * * to any minor under the age of eighteen (18) years without the written consent of the Police Department.

(d) It shall be unlawful to sell, give away, barter, or trade any ammunition, * * * used for shooting from pistols, guns or fire arms, * * * to any person under the age of eighteen years without the written consent of the Police Department.

(e) It shall be unlawful for any parent, juvenile, or any person, to transport or have shipped into the City of Placentia, any of the above-mentioned items for the use of any person under the age of eighteen years.

Piedmont

Ordinance 52

Section 1. Selling or furnishing guns to persons under 18 Prohibited. It is unlawful for a person to sell, give, loan, or furnish to anyone under the age of eighteen years, a gun, firearm, * * *

Section 2. Selling or furnishing ammunition to person under 18 prohibited. It is unlawful
for a person to sell, give, loan, or furnish to a person under the age of 18 years, a cartridge, shell, ammunition, or device containing an explosive substance, designed or intended to be used in or fired from a gun or firearm.

Section 4. Exceptions. This ordinance does not apply to: (1) A person who sells or furnishes an article mentioned in Section 1 or Section 2 to a person under 18 upon the written consent of the parent or guardian; * * * * *

Ordinance 308
8-805. Possession of firearms by persons under 18 years of age prohibited. No person under 18 may have in his possession or control a firearm * * * or other gun or device which throws or projects a dangerous missile, or a cartridge, shell, ammunition or device containing an explosive substance.

Redding
19.19. Sale of firearms thereto. It shall be unlawful to expose for sale, sell, or offer for sale, barter or exchange, to or with any minor under the age of eighteen years, any pistol or other firearm, or any instrument capable of discharging any charge of powder, or other explosives, or any cartridge loaded with ball.

Redwood
* * * * *
Section 3250.5. Sale of certain firearms prohibited to minors. No person shall sell, deliver or transfer ownership to any person under the age of eighteen (18) years any pistol, revolver or other similar weapon capable of being concealed upon the person and designed to discharge a solid projectile propelled by the expansion of a gas.

Article 2. Sale of certain firearms
Section 3255.0. Portions of penal code adopted. The provisions of Sections 12070-12077, inclusive, of the Penal Code of the State of California, pertaining to the licensing of retailers selling pistols, revolvers, and other firearms capable of being concealed upon the person, are hereby adopted in the County of San Mateo and shall be in full force and effect in this County.

Section 3255.1. Sheriff's licensing authority. The Sheriff is hereby designated and appointed the duly constituted licensing authority of this County for the purpose of this article. * * * *

Section 3255.2. Conditions of license. Licenses shall be subject to the following conditions, for breach of any of which the license shall be subject to forfeiture: * * * c. No pistol or revolver shall be delivered

(1) Within three days of the application for the purchase, and when delivered shall be unloaded and securely wrapped; nor
(2) Unless the purchaser is either personally known to the seller or shall present clear evidence of his identity.

Section 3255.3. Copies of register sheet, disposition of. Licenses shall, immediately upon receiving an application for purchase, mail a copy of the register sheet required to be maintained to the Bureau of Criminal Identification and Investigation and to the Sheriff, as required by Penal Code Section 12076. The Sheriff shall, upon receiving said copy, investigate and report to said retailer whether or not the purchaser is known to be a minor under the age of eighteen (18) years or within one of the classes of persons prohibited by Section 12021 of said Penal Code from owning or possessing such weapon. Such persons are narcotics addicts, persons convicted of felonies and persons not citizens of the United States.

Rolling Hills
Ordinance 8
Section 1: Except as otherwise provided in Section 4 hereof, it shall be unlawful in the City of Rolling Hills for any person, firm or corporation to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned or in any way furnished to any person under the age of sixteen (16) years any gun, revolver, pistol, firearm, * * * *

Section 2: Except as otherwise provided in Section 4 hereof, it shall be unlawful in the City of Rolling Hills for any person, firm, or corporation to sell, give, loan, or in any way furnish or to cause or to permit to be sold, given, loaned or in any way furnished to any person under the age of sixteen (16) years, any cartridge, shell, ammunition or device containing an explosive substance designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

Section 4: Nothing in this Ordinance shall be deemed or construed to prohibit in the event that such possession, care, custody, or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person.

Sacramento
48.7. Purchase and sale of certain firearms. It shall be unlawful for any person in the city to purchase any small firearm that may be concealed upon the person, without first procuring a written permit from the chief of police to do so.

It shall be unlawful for any person in the city to sell or dispose of any such small firearm to any person not holding such written permit, which permit shall be exhibited to the seller or dealer at the time the sale is made.

San Bernardino
Ordinance No 2106
Section one: No person except a parent or guardian shall purchase from, sell, exchange, give, lend or furnish to any person under the age of 18 years a revolver or pistol of any description, shotgun, or rifle which may be used for the explosion of cartridges, * * *

San Bruno
16-6. Firearms—Sale to and possession by minors. (b) No person shall sell, deliver or transfer to any person under the age of eighteen years any pistol, revolver or other similar
San Carlos

Section 5113. Sale of Certain Firearms Prohibited to Minors. No person shall sell, deliver or transfer to any person under the age of eighteen (18) years any pistol, revolver, or other similar weapons capable of being concealed upon the person designed to discharge a solid projectile propelled by the expansion of a gas.

San Diego County

21.1201. License required. It shall be unlawful for any person to sell at retail pistols, revolvers and other firearms capable of being concealed upon the person, and hereinafter referred to as concealable weapons, unless such seller has been issued a license by the Tax Collector of the County of San Diego as provided in this chapter.

21.1207. Delivery of firearms. No concealable weapon shall be delivered: (a) Within ten days of the application for the purchase thereof; nor (b) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity. When delivered, such concealable weapon shall be unloaded and securely wrapped.

Sand City

Ordinance 74-76

Section 1: No person shall sell, exchange, give or loan to any person under the age of 16 years any gun, revolver, pistol or firearm of any description, or other deadly or dangerous missile, or any ammunition, cartridge, shell or other device, whether containing any explosive substance or not, designed and intended for use in any weapons enumerated herein.

Section 2: No person under the age of sixteen years shall have in his possession, care, custody or control any article or thing set forth in the preceding section.

Section 3: No person shall sell, display for sale, or store preparatory for sale any firearm within the city limits of Sand City unless said person has fully complied with all of the following conditions:

A. The Seller shall hold a Federal Firearms Permit, and shall meet all of the provisions of the Gun Control Act of 1968.
B. The Seller shall have obtained a permit from the Chief of Police authorizing the storage of the firearms within the City of Sand City.
C. The City Permit and the Federal Firearms Permit shall be displayed at the location for which it is issued in a prominent place.

Section 5: Private persons selling their own firearms and not engaged in the commercial sale of the same shall be exempted from the perview of this ordinance. For the purpose of this ordinance, a person selling three or more firearms in any calendar year shall be conclusively deemed to be engaged in the commercial sale of firearms and shall be required to comply with the terms of this ordinance.

Section 6: The term "firearms" as used in this ordinance shall include, not by way of limitation, handguns, rifles, shotguns, and other weapons coming under the definition of firearms as defined in the Penal Code of the State of California.

San Dimas

9.52.010. Sale of firearms to minors prohibited; exception. Except as otherwise provided in this chapter (no person shall sell, give, lend or in any way furnish, or cause or permit to be sold, given, lend or in any way furnish, to any person under the age of eighteen years any gun, revolver, pistol, firearm 9.52.020. Sale of ammunition to minors prohibited; exception. Except as otherwise provided in this chapter, no person shall sell, give, lend or in any way furnish, or cause or permit to be sold, given, lent or in any way furnish, to any person under the age of eighteen years, any cartridge, shell, ammunition or device containing any explosive substance, designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

9.52.040. Minors exempted from prohibitions under certain conditions. Nothing in this chapter shall be deemed or construed to prohibit the selling, giving, lending or furnishing to any person under the age of eighteen years, upon the written consent of the parent or guardian of such person, any article mentioned in sections 9.52.010 and 9.52.020.

San Francisco

San Francisco Police Code

SEC. 610. Regulating Possession of Firearms. It shall be unlawful for any person within the City and County of San Francisco to own or possess or to have under his custody or control any firearm unless said firearm is registered as provided in this Article. For the purposes of this Article, the term "firearm" means any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosive.

Sec. 610.1. Nonresidents; Registration Procedure. Any person who is temporarily in the City and County of San Francisco and who brings into said City and County any firearm of a type required to be registered under this Article shall register said firearm with the Chief of Police of an appropriate form furnished by him within seven (7) days after his arrival within said City and County.

Sec. 610.4. Regulating Transfer of Title. It shall be unlawful for any person owning or possessing a firearm required to be registered under the provisions of this Article to sell, give or otherwise transfer title to said firearm within the City and County of San Francisco unless said person immediately notifies the Chief of Police of the said transfer, giving the date thereof, the name and address of the transferor and the transferee and such description of said firearm as may be required in the appropriate form provided for such purposes by the Chief of Police.

Sec. 610.6. Exemptions. The provisions of Sections 610, 610.1, 610.2, 610.3, 610.4 and 610.5 hereof shall not apply to any of the following:

(a) Sheriffs, constables, marshals, policemen, members of the California Highway Patrol, and employees of the State Department of Justice listed in Section 817 of the Penal Code of the State of California who are designated as peace officers, other duly appointed peace officers of other municipalities, counties, states or the federal government; provided, however, that this exemption shall apply only to such firearms held by such persons in connection with the carrying out of official duties in the City and County of San Francisco.
(b) Persons engaged in the business of selling firearms with respect to such firearms as are being held for sale in the regular course of business.
(c) Members of the Army, Navy or Marine Corps of the United States, or the National Guard, or organizations which are by law authorized to purchase or receive firearms from the United States or the State of California with respect to such firearms held by such members in connection with the carrying out of official duties as members of such organizations.
(d) Bona fide collectors of antique or historical firearms with respect to such firearms as are a part of said collection; provided, however, that said collectors shall file, with
NOTICES

Sec. 613. Regulating Sale of Concealable Firearms. Pursuant to the Provisions of Chapter I ($12070 et seq.) Title 2, Article 4 of the Penal Code, any person, firm, corporation or dealer engaging in the business of selling, leasing or otherwise transferring any pistol, revolver, or other firearm capable of being concealed upon the person shall file an application with the Police Department on forms provided by the Police Department for a license to engage in such business and shall pay an application fee of thirty ($30.00) dollars, which fee shall not be refundable.

Sec. 613.4. Issuance of License. (a) The Police Department may grant a license to the applicant if it is found:
(1) That the operation as proposed, if permitted, would comply with all applicable laws including but not limited to the Penal Code of the State of California, and the Building, City Planning and Fire Codes of the City and County of San Francisco.
(2) That the applicant or an officer thereof, has not been convicted of a felony so as to disqualify the applicant or officer from owning or possessing a firearm under Section 12021 of the Penal Code.
(b) If the license is granted it shall be in a form prescribed by the Attorney General, effective for not more than one year from the date of issue, as required by Section 12071 of the Penal Code of the State of California.

Sec. 613.5. Revocation of License. For breach of any one of the following conditions, the license shall be subject to revocation:
(a) The business shall be carried on only in the building denoted in the license.
(b) The license or a copy thereof, certified by the Police Department, shall be displayed on the premises where it can easily be seen.
(c) No pistol or revolver shall be delivered:
(1) Within five days of the application for the purchase and when delivered shall be unloaded and securely wrapped; nor
(2) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

Sec. 613.6. Delivery to Tax Collector. Upon granting said license, the Police Department shall forward said license to the Tax Collector who shall issue said license to the applicant upon the payment of one hundred ($100.00) Dollars.

San Jacinto

14-51. Definitions. For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them herein, unless the text clearly indicates otherwise:
(f) Any rifle, gun, pistol, revolver, or other similar instrument or device designed or intended to discharge or which is capable of discharging a bullet, shot, or missile of any kind.

14-54. Same—Minors—Use, possession, discharge and sale. Except as otherwise provided in section 14-55, it shall be unlawful for any person to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned or in any way furnished to a minor, or to allow any minor to use, possess or discharge, or for any minor to use, possess or discharge a dangerous weapon. For purposes of this article only, a minor is a person who is under the age of eighteen years.

14-55. Same—Consent of parent or guardian; supervision of use, etc. Nothing in this article shall be deemed or construed to prohibit the selling, giving, loaning or furnishing to any minor upon written consent of the parent or guardian of such minor, any dangerous weapon as defined in subsection (f) of section 14-51, nor to prohibit such minor from using or having in his possession, care, custody or control any such dangerous weapon as so defined, in the event that such possession, care, custody, control or use is had with the consent of the parent or guardian of such minor and is under the direct supervision and control of some person over the age of twenty-one years.

17-52. Delivery Of Firearms. No concealable weapon shall be delivered:
(a) Within five days of the application for the purchase thereof; nor
(b) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

When delivered, such concealable weapon shall be unloaded and securely wrapped.

San Marcos

Ordnance 75-338

Section 1: Chapter 17, Article IV—Weapons is hereby amended and Sections 17-50 through 17-54 are hereby added:

17-50. License required. It shall be unlawful for any person to sell at retail pistols, revolvers and other firearms capable of being concealed upon the person, and hereinafter referred to as concealable weapons, unless such seller has been issued a license by the City Clerk of the City of San Marcos as provided in this chapter.

17-51. Records—Second Hand Weapons. If a dealer, licensed by this chapter to sell firearms, shall have offered to him for purchase or for acceptance in trade a second hand concealable weapon, he shall first obtain from the person offering such weapon the following information:
(a) Name, address, and physical description of such person.
(b) The description and license number of the vehicle, if any, being driven by such person.
(c) The caliber, manufacturer's name, description, serial number or numbers, initials or other identifying marks of the weapon.
(d) Such other information which may be required by the Sheriff.

17-52. Delivery Of Firearms. No concealable weapon shall be delivered:
(a) Within five days of the application for the purchase thereof; nor
(b) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

When delivered, such concealable weapon shall be unloaded and securely wrapped.

San Marino

Sec. 14.3 Firearms, ammunition, etc.—selling, etc., to minors.
1. Sale, etc., of firearms to minors. It shall be unlawful for any person to sell, exchange, give or loan, or to cause or permit to be sold, exchanged, given or loaned, any gun, revolver, pistol or firearms of any description to any person under the age of eighteen years.
2. Sale, etc., of ammunition to minors. It shall be unlawful for any person to sell, exchange, give or loan, or to cause or permit to be sold, exchanged, given or loaned, any car-

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tride, shell or other device containing any explosive, or any cartridge, shell or other device designed and intended for use in connection with any gun, revolver, pistol or firearms of any description, or any ammunition of any description, containing any explosive to any person under the age of eighteen years.

San Mateo County

3250.5. Sale of certain firearms prohibited to minors. No person shall sell, deliver or transfer ownership to any person under the age of eighteen (18) years any pistol, revolver or other similar weapon capable of being concealed upon the person and designed to discharge a solid projectile propelled by the expansion of a gas.

3255.8. Portions of penal code adopted. The provisions of Sections 12070-12077, inclusive, of the Penal Code of the State of California, pertaining to the licensing of retailers selling pistols, revolvers, and other firearms capable of being concealed upon the person, are hereby adopted in the County of San Mateo and shall be in full force and effect in this County.

Santa Barbara

9.36.090 Delivery of firearms to minors prohibited. No person engaged in the business of selling or otherwise transferring firearms shall sell, deliver, lease, rent or in any manner transfer, furnish, give or cause to be sold, delivered, leased, rented, transferred, furnished or given any firearm to any person under the age of eighteen years. Members of business man's immediate family are excepted.

9.36.130 Sale of ammunition to certain persons prohibited—Exception. No person, whether or not such person is engaged in the business of selling ammunition for firearms, shall sell ammunition for any firearm to any person to whom the sale or transfer of any firearm using such ammunition is prohibited under this chapter. Minors with written consent of their parent or legal guardian are excepted.

9.36.160 Dealings without permit prohibited. No person without holding a current permit as provided in this chapter shall engage in the business of selling or otherwise transferring or advertising for the sale of any firearms.

Santa Monica

Section 3505. Retailer's Permit for the Sale of Certain Firearms. No person shall sell at retail within the City any pistol, revolver or other firearm capable of being concealed upon the person without first having received a permit from the Chief of Police authorizing such person to make such sale.

Section 3509. Firearms, ***, and other devices. Sale to Minors. No person shall sell, exchange, give, or loan to any person under 18 years of age any *** gun, revolver, pistol, or firearm of any description ** or any ammunition, cartridge, shell, or other device, whether containing any explosive substance or not, designed and intended for use in any weapons or devices enumerated or described herein.

Section 3510. Same. Possession by Minors. No person under 18 years of age shall have in his possession, care, custody, or control any article or thing mentioned in the preceding section.

Section 3511. Same. Exceptions. It is the intent of the preceding sections to absolutely prohibit the sale or exchange to, and the possession by a person under the age of 18 years of, any of the articles or things mentioned therein. Provided, nothing in these sections shall be construed to prohibit any person under the age of 18 years from having in his possession or using any article or device described in Section 3509 when it is with the consent of a parent or guardian.

Seaside

5-101 Conditions for Sale of Firearms. No firearms, including hand guns, rifles, shotguns, *** shall be offered for sale in the City of Seaside by any person or establishment holding a City business certificate and/or located in any commercially zoned property unless and until each and every of the following conditions shall have been fulfilled:

A. The seller shall keep all firearms in a secure facility satisfactory to the Chief of Police.

B. The building housing said firearms held for sale shall be adequately secured against burglary to the satisfaction of the Chief of Police.

C. The seller shall hold a written permit, renewable annually, from the Chief of Police evidencing compliance with each of the within conditions.

South Lake Tahoe

Sec. 18-16. Use, possession, discharge, sale of dangerous weapons by minors. Except as otherwise provided in section 18-17, it shall be unlawful for any person to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to a minor, or to allow any minor to use or possess or discharge, or for any minor
to use or possess or discharge a dangerous weapon. For the purposes of this article only, a minor is a person who is under the age of eighteen years.

Sec. 18-17. Same—Exceptions. Nothing in this article shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any minor, upon written consent of the parent or guardian of such minor, any dangerous weapon as defined in subdivision (f) of section 18-13; nor to prohibit such minor from using or having in his possession, care, custody or control any such dangerous weapon as so defined in the event that such possession, care, custody, control or use is had with the consent of the parent or guardian of such minor and is under the direct supervision and control of some person over the age of twenty-one years.

Stockton

Sec. 4-044. Sale of firearms and/or ammunition to minors: It shall be unlawful, in the City of Stockton, to sell firearms and/or ammunition of any kind to minors under the age of fourteen (14) years, unless accompanied by parent or guardian.

Sec. 4-045. Sale of concealed firearms: It shall be unlawful to sell pistols, revolvers, or other firearms capable of being concealed upon the person, at retail, within the City of Stockton, without a license issued in the manner herein provided for.

Sec. 4-046. License to sell: The City Manager is hereby authorized to issue licenses to sell, at retail, within the City of Stockton, pistols, revolvers, and other firearms capable of being concealed upon the person.

Thousand Oaks

Sec. 3-17.06. Prohibited sales, trades, exchanges, or bartering. No person, firm, or corporation, at any swap meet, whether the operator, or an exhibitor, or any other person or entity, shall sell, exchange, or display, or offer for sale or exchange or barter, at any swap meet any of the following items of personal property: *

(b) Any handgun, rifle, shotgun, or other type of firearm by whatever name, or any deadly weapon; **

Torrance

Section 453.6. Firearms, * * * etc. in possession of minors. (6-216) It shall be unlawful for any person under the age of eighteen (18) years of age to have in his possession, custody or control, within the corporate limits of the City, any gun, revolver, pistol, spring or air gun, or firearm of any description or any cartridge, shell or other device containing any explosive, or any cartridge, shell or other device designed and intended for use in connection with any gun, revolver, pistol or firearm of any description or any ammunition of any description containing any explosive.

Union City

Ordinance 23-59

Section 1. Dangerous weapon. definition. Dangerous weapon shall mean and include: * * * * * Any rifle, gun, pistol, revolver, * * * or other similar instrument or device designed or intended to discharge or capable of discharging a bullet, shot, or other missile of any kind.

Section 2. Use, possession, discharge, sale of dangerous weapons. Except as otherwise provided herein it shall be unlawful for any person in the City of Union City to sell, give, loan, or in any way furnish, or to cause or permit to be sold, given, loaned, or in any way furnished to a minor, or to allow any minor to use or possess or discharge, or for any minor to use or possess or discharge a dangerous weapon.

Section 3. Same. exceptions. Nothing in this Ordinance shall be deemed or construed to prohibit the selling, giving, loaning, or furnishing to any minor, upon written consent of the parent or guardian of such minor, any dangerous weapon as so defined in the event that such possession, care, custody, control or use is had with the consent of the parent or guardian of such minor and is under the direct supervision and control of some person over the age of twenty-one years.

Upland

576-1: Definitions: Firearms: The words “Firearm” or “Firearms” as used in this Ordinance, includes, but is not limited to: any gun, revolver, pistol, firearm, * * * or device, designed or intended to discharge or capable of discharging any dangerous missile or any cartridge, shell, ammunition or device containing any explosive substance, spring or other impelling force devised or intended to be used or fired from any gun, revolver, pistol or firearm.

576-3: That no person under eighteen (18) years of age shall have in his possession, care, custody or control, * * * any firearm or firearms.

576-4: It shall be unlawful for any person to sell, exchange, give or loan to any person under eighteen (18) years of age, any firearm or firearms as defined in Section 1 of this ordinance.

Vista

66-19 * * * * Section 3. Selling weapons to children. No person shall sell to any minor child (age 18 and under), any * * * pistol, re-
volver, gun, rifle, or any other firearm or device fired or discharged by explosives within the corporate limits of this City.

Walnut

Sec. 17-20. Firearms, etc.—Persons under eighteen years of age—Furnishing to. Except as otherwise provided in section 17-22, it shall be unlawful in the city for any person to sell, give, loan or in any way furnish, or to cause or permit to be sold, given, lent or in any way furnished, to any person under the age of eighteen years, any revolver, pistol, firearm, ** *

Except as otherwise provided in section 17-22, it shall be unlawful in the city for any person to sell, give, loan or in any way furnish, or to cause or permit to be sold, given, lent or in any way furnished, to any person under the age of eighteen years, any cartridge, shell, ammunition or device containing any explosive substance, designed or intended to be used, or fired from any gun, revolver, pistol or firearm.

Sec. 17-22. Same—Same—Exceptions. Nothing in this Code shall be deemed or construed to prohibit in the city the selling, giving, lending or furnishing to any person under the age of eighteen years, upon the written consent of the parent or guardian of such person, any article mentioned in section 17-20; nor to prohibit any such person under the age of eighteen years from having in his possession, care, custody or control any article mentioned in section 17-21 in the event that such possession, care, custody or control of such article is had with the consent of the parent or guardian of such person and is under the direct supervision and control of some adult person.

Sec. 17-23. Same—License to sell. No person shall engage in the business of selling or otherwise transferring, or advertising for sale, or offering or exposing for sale or transfer, any pistol, revolver or other firearm capable of being concealed upon the person without first having received a license from the county sheriff.

Walnut Creek

3-6.04. Sale of weapons to minors. It shall be unlawful for any person to sell to any minor under eighteen (18) years of age any * * * ammunition for any firearm, gun, rifle or other gun or device discharging by the use of powder, air or springs, except when accompanied by an authorized person over eighteen (18) years of age.

West Covina

4402. Providing minors with firearms unlawful. No person shall sell, exchange, give or loan to any person under eighteen years of age any gun, revolver, pistol or firearm of any description or any spring or air gun designed or intended to discharge any shot or other deadly or dangerous missile, or any ammunition, cartridge, shell, or other devise containing any explosive device designed and intended for use in any of the weapons enumerated herein.

4403. Possession of firearms by minors prohibited. No person under eighteen years of age shall have in his possession, care, custody or control any article or thing mentioned in Section 4402 hereof.

Westminster

3700.8. Sale, etc. of * * * ammunition to person under eighteen years of age. No person as principal, agent or otherwise shall sell, exchange, give or lend any * * * cartridge, shell or other device containing any explosive and designed or intended for use in any gun, revolver, pistol or firearm or any description, to any person under the age of eighteen (18) years of age without the consent of the parent or guardian of said minor under the age of eighteen (18) years.

3700.10. Possession by minor under eighteen of firearms * * * or ammunition. No person, as principal, agent or otherwise, under the age of eighteen (18) years, shall have in his or her possession, care, custody or control any gun, revolver, pistol, * * * or firearm of any description, or any cartridge, shell or other device containing any explosive, and designed or intended for use in any gun, revolver, pistol or firearm of any description, or any explosive ammunition of any description whatsoever without the express consent of the parent or guardian of said minor under the age of eighteen (18) years.

Whittier

4260.12—Minors—Firearms, etc., Selling, etc., to Prohibited No person shall sell, give, loan or in any manner furnish or cause or permit to be sold, given, loaned, or furnished to any person under the age of eighteen years any gun, revolver, pistol, firearm ** *. The provisions of this Section shall not apply to the loan or use of firearms to such persons for use on a permitted range or shooting gallery in connection with any firearms training program sponsored by the City or any of its departments.

4260.12(a)—Same—Ammunition, Explosives, etc., Selling to Prohibited No person shall sell, give, loan or in any manner furnish or cause to be furnished to any person under the age of eighteen years any cartridge, shell, ammunition or device containing any explosive substance designed or intended to be used in or fired from any gun, revolver, pistol or firearm.

4260.12(b)—Same—Possession of—Prohibited No person under the age of eighteen years shall have in his possession, care, or control any gun, revolver, pistol, firearm ** or similar device, except as provided in this Part.

Yreka

1. Applications for licenses permitting the licensee to sell at retail within the City of Yreka, pistols, revolvers, and other firearms capable of being concealed upon the person, shall be filed with the City Clerk of the City of Yreka. ** **

3. No pistol or revolver shall be delivered (I) within five (5) days of the application for the purchase, and when delivered shall be unloaded and securely wrapped; nor (II) unless the purchaser either is personally known to the seller or shall present clear evidence of his identity. ** **

Colorado

State Law

12-26-101. Firearms defined. As used in this article, unless the context otherwise requires:

(1) "Antique firearms" does not include firearms, as defined in subsection (2) of this section, with or for which ammunition is not sold, or which there is reasonable ground for believing are not capable of being effectually used.

(2) "Firearms" means a pistol, revolver, or other weapon of any description, loaded or unloaded, from which any shot, bullet, or oth-
er missile can be discharged and the length of the barrel of which, not including any revolving, detachable, or magazine breech, does not exceed twelve inches.

12-27-102. Legislative declaration—residents. (1) It is declared by the general assembly that it is lawful for a resident of this state, otherwise qualified, to purchase or receive delivery of a rifle or shotgun in a state contiguous to this state, subject to the following restrictions and requirements:

(a) The sale must fully comply with the legal conditions of sale in both such contiguous states:

(b) The purchaser and the licensee must have complied, prior to the sale or delivery for sale of the rifle or shotgun, with all of the requirements of section 922(c) of the federal "Gun Control Act of 1968", applicable to interstate transactions other than at the licensee's business premises.

12-27-103. Definitions. As used in this article, unless the context otherwise requires:

(1) "A state contiguous to this state" means any state having a common border with this state.

(2) All other terms shall be construed as such terms are defined in the federal "Gun Control Act of 1968".

18-12-101. Definitions. (1) As used in this article, unless the context otherwise requires:

(a) "Bomb" means any explosive or incendiary device or molotov cocktail as defined in section 9-7-103, C.R.S. 1973, which is not specifically designed for lawful and legitimate use in the hands of its possessor.

(b) "Firearm silencer" means any instrument, attachment, weapon, or appliance for causing the firing of any gun, revolver, pistol, or other firearm to be silent or intended to lessen or muffle the noise of the firing of any such weapon.

(c) "Gas Gun" means a device designed for projecting gas-filled projectiles which release their contents after having been projected from the device and includes projectiles designed for use in such a device.

(g) "Machine gun" means any firearm, whatever its size and usual designation, that shoots automatically more than one shot, without manual reloading, by a single function of the trigger.

(2) It shall be an affirmative defense to any provision of this article that the act was committed by a peace officer in the lawful discharge of his duties.

18-12-102. Possessing an illegal weapon. (1) As used in this section, the term "illegal weapon" means a *** bomb, firearm silencer, gas gun, machine gun, short shotgun, short rifle ***

(a) The sale must fully comply with the legal conditions of sale in both such contiguous states:

(b) The purchaser and the licensee must have complied, prior to the sale or delivery for sale of the rifle or shotgun, with all of the requirements of section 922(c) of the federal "Gun Control Act of 1968", applicable to interstate transactions other than at the licensee's business premises.

(b) "Bomb" means any explosive or incendiary device or molotov cocktail as defined in section 9-7-103, C.R.S. 1973, which is not specifically designed for lawful and legitimate use in the hands of its possessor.

(c) "Firearm silencer" means any instrument, attachment, weapon, or appliance for causing the firing of any gun, revolver, pistol, or other firearm to be silent or intended to lessen or muffle the noise of the firing of any such weapon.

(d) "Gas Gun" means a device designed for projecting gas-filled projectiles which release their contents after having been projected from the device and includes projectiles designed for use in such a device.

(g) "Machine gun" means any firearm, whatever its size and usual designation, that shoots automatically more than one shot, without manual reloading, by a single function of the trigger.

(h) "Short rifle" means a rifle having a barrel less than sixteen inches long or an overall length of less than twenty-six inches.

(i) "Short shotgun" means a shotgun having a barrel or barrels less than eighteen inches long or an overall length of less than twenty-six inches.

NOTICES

Brighton

Ordinance 741

Section 7-445. Unlawful to sell weapons to intoxicated persons. It shall be unlawful for any person, firm or corporation to sell, loan, or furnish any instrument or weapon designated in Sections 7-441 or 7-444 to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to any minor.

Section 7-446. Incendiary or explosive device.

A. It shall be unlawful to throw, place or cause to be placed any incendiary or explosive device for the purpose of causing injury to any person or damage to property.

B. It shall be unlawful for any person to prepare or to assist in the preparation of an incendiary or an explosive device, to possess, handle, store, transport or sell any such device, knowing the same is to be thrown, placed or caused to be placed for the purpose of causing injury to any person or damage to property.

C. An incendiary or explosive device includes, but not by way of limitation, any device consisting in whole or in part of flammable material or other material having the capability of exploding, igniting, or burning.

D. Except as otherwise permitted by law, it shall be unlawful for any person to possess on his person, in any motor vehicle or in any structure, an incendiary or an explosive device as defined in this Section.

Colorado Springs

8-14. Dangerous or Deadly Weapons—A. Definition: For purposes of this section, dangerous or deadly weapons shall mean: 1. Any firearm whether loaded or unloaded including any pistol, revolver, rifle, shotgun.

G. Selling Weapons to Intoxicated Persons or Minors It shall be unlawful for any person to purchase, sell, loan, or furnish any dangerous or deadly weapon to any person intoxicated or under the influence of alcohol or any narcotic or dangerous drug or glue, or to any per-
in a condition of agitation and excitement, or to any minor under the age of eighteen (18) years.

Commerce City

14-112. Furnishing to certain persons prohibited. It shall be unlawful for any person to purchase, sell, loan, or furnish any gun, pistol, or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

Cortez

11-6-6. Unlawful to sell weapons to intoxicated persons. A. It shall be unlawful for any person, firm or corporation to purchase, sell, loan, or furnish any gun, pistol, or other firearm which explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

Creede

10-5-18. Selling weapons to intoxicated persons. (a) It shall be unlawful for any person, firm or corporation to purchase, sell, loan, or furnish any gun, pistol, or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Further, such unlawful purchase, sale, loan, or furnishing shall be grounds for revocation of any license issued by the Town of Creede, Colorado to such person, firm or corporation.

Denver, City and County of

6-2(3). Antique Firearm. Any firearm, including any handgun, with a matchlock, flintlock, percussion cap, or similar type of ignition system manufactured in or before 1898; and any replica of any such firearm if such replica (a) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or (b) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

Edgewood

9.92.020 Identification required Every person who sells, rents, or exchanges at retail any weapon described in Sections 9.88.010, 9.88.020 or 9.92.010 shall require the vendee, lessee, or person from whom such exchange is made, to furnish more than one type of identification before such sale, rental, or exchange is consummated. 9.92.050 Sale to certain persons prohibited. It is unlawful for any person, firm or corporation to sell, loan, or furnish any instrument or weapon * * * to any person under the influence of alcohol, or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to any minor.

Englewood

11-3-4: Certain sales prohibited. It shall be unlawful for any person to purchase, sell, loan, or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol, or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

Grand Junction

19-60. Furnishing to intoxicated persons. No person shall, directly or indirectly, sell, barter, loan or deliver any deadly or dangerous weapon to any drunk or intoxicated person.

Greely

Sec. 15-47. Possessing an illegal weapon. (a) As used in this section, the term "illegal weapon" means a * * * firearm silencer, gas gun, machine gun, short shotgun, short rifle * * *

(b) A person other than a peace officer or member of the armed forces of the United States or Colorado National Guard commits the violation of this section if he knowingly possesses an illegal weapon.

(c) Any person convicted of violating this section shall forfeit to the city the illegal weapon involved.
Sec. 15-48. Possession of a defaced firearm. A person commits a violation of this section if he knowingly possesses a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed, defaced, altered or destroyed.

Las Animas

Sec. 23-6. Sale, rental, etc., of firearms to certain persons prohibited. It shall be unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability.

La Veta

Ordinance No 81

16. a. It shall be unlawful for any person, firm or corporation to purchase, sell, loan or furnish any gun, pistol or any other firearm, in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person the seller knows to be under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any minor under the age of eighteen (18) years.

Limon

2. Unlawful to Sell Weapons to Intoxicated Persons. 2-1. It shall be unlawful for any person, firm or corporation to sell, loan, or furnish any gun, pistol, or other firearm in which an explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant or to any person in a condition of agitation and excitability, or to any minor.

Littleton

23.6 Sale, etc., of firearms to certain persons prohibited. It shall be unlawful for any person to purchase for or to sell, loan, or furnish any gun, pistol, or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

NOTICES

cotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability, or to any minor under the age of eighteen years.

Pueblo

11-1-35: Firearms; sale, etc., to minors; consent. It shall be unlawful for any person to sell, give or loan to any minor under the age of eighteen years of age any type of firearms or ammunition whatsoever without first contacting the parent or parents or the legal guardian of such minor and obtaining from such parent or parents or the legal guardian written consent to such gift, sale, or loan; provided, however, where a minor has been emancipated by law or marriage it shall be sufficient, upon proper showing made, for the Chief of Police to authorize such sale, gift or loan.

San Luis

Selling Weapons to Intoxicated Persons: (a) It shall be unlawful for any person, firm or corporation to purchase, sell, loan, or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability.

Connecticut

State Law

§29-27. "Pistol" and "revolver" defined. The term "pistol" and the term "revolver," as used in sections 29-28 to 29-38, inclusive, mean any firearm having a barrel less than twelve inches in length.

§29-28. Permit for selling or carrying pistols or revolvers. No person shall advertise, sell, deliver, or offer or expose for sale or delivery, or have in his possession with intent to sell or deliver, any pistol or revolver at retail without having a permit therefor issued as hereinafter provided. The chief of police or, where there is no chief of police, the warden of the borough or the first selectman of the town, as the case may be, may, upon the application of any person, issue a permit in such form as may be prescribed by the commissioner of state police for the sale at retail of pistols and revolvers within the jurisdiction of the authority issuing such permit.

§29-30. Display of permit to sell. * * * No sale of any pistol or revolver shall be made except in the room, store or place described in the permit for the sale of pistols and revolvers, and such permit or a copy thereof certified by the authority issuing the same shall be exposed to view within the room, store or place where pistols or revolvers are sold or offered or exposed for sale, and no sale or delivery of any pistol or revolver shall be made unless the purchaser or person to whom the same is to be delivered is personally known to the vendor of such pistol or revolver or the person making delivery thereof or unless the person making such purchase or to whom delivery thereof is to be made provides evidence of his identity.

§29-33. No sale to aliens. Application to purchase. Waiting period. No person, firm or corporation shall sell at retail, deliver or otherwise transfer any pistol or revolver to any alien. No person, firm or corporation shall deliver any pistol or revolver at retail except upon written application on a form prescribed

Sheridan

16-65. Furnishing to Certain Persons Prohibited. It shall be unlawful for any person to purchase, sell, loan, or furnish any gun, pistol, rifle, shotgun or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to any minor person under the age of eighteen (18) years.

Thornton

7-903. Unlawful To Sell Weapons to Intoxicated Persons. It shall be unlawful for any person, firm, or corporation to purchase, sell, loan, or furnish any gun, pistol, or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to any minor under the age of 18 years. Further, such unlawful purchase, sale, loan, or furnishing shall be grounds for revocation of any license issued by Thornton to such person, firm, or corporation.

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
§29-38a. Out-of-state purchase or acquisition of rifles or shotguns. (a) For the purposes of the federal gun control act of 1968, Public Law 90-618, 18 U.S.C. 921 et seq., and any law amendatory thereof, any person resident in this state, including a corporation or other business entity maintaining a place of business in this state, may purchase or otherwise receive delivery of a rifle or shotgun in the states of New York or Rhode Island or in the Commonwealth of Massachusetts, unless such purchase or receipt of delivery violates any applicable law of this state, any applicable law of the state in which such purchase or receipt of delivery takes place, or any applicable provision of said control act of 1968, as amended.

(b) Nothing in subsection (a) of this section shall be deemed to deprive any such resident of any rights granted to such resident under title 18 U.S.C. section 922(a)(5), section 922(b)(3)(B) or section 922(b)(3)(C).

§53-202. Machine guns. (1) "Machine gun," as used in this section, shall apply to and include a weapon of any description, loaded or unloaded, from which more than five shots or bullets may be rapidly, or automatically, or semi-automatically, discharged from a magazine, by a single function of the firing device. "Crime of violence," as used in this section, shall apply to and include any of the following-named crimes or an attempt to commit any of the same: Murder, manslaughter, kidnapping, rape, mayhem, assault to do great bodily harm, robbery, burglary, housebreaking, breaking and entering and larceny.

(2) Any person who possesses or uses a machine gun in the perpetration of attempted perpetration of a crime or violence shall be imprisoned not more than twenty years. (3) Any person who possesses or uses a machine gun for an offensive or aggressive purpose shall be imprisoned not more than ten years.

(4) The possession or use of a machine gun shall be presumed to be for an offensive or aggressive purpose: (a) When the machine gun is on premises not owned or rented, for bona fide permanent residence or business occupancy, by the person in whose possession the machine gun was found; or (b) when in the possession of, or use by, an unnaturalized foreign-born person, or a person who has been convicted of a crime of violence in any state or federal court of record of the United States of America, its territories or insular possessions; or (c) when the machine gun is of the kind described in subsection (7) hereof and has not been registered as therein required; or (d) when empty or loaded pistol shells of thirty (.30 in. or 7.63 mm.) or larger caliber which have been or are susceptible of use in the machine gun are found in the immediate vicinity thereof. (5) The presence of a machine gun in any room, boat or vehicle shall be presumptive evidence of the possession or use of the machine gun by each person occupying such room, boat or vehicle.

(9) No provision of this section shall apply to the manufacture of machine guns for sale or transfer to the United States government, to any state, territory or possession of the United States or to any political subdivision thereof or to the District of Columbia.

East Haven

D. No person, persons, firm, or corporation shall sell or expose for sale any blank pistol or any other pistol in the Town of East Haven.

New Haven

18-12. Firearms and ammunition; sales to children. No person shall sell to any child under the age of sixteen (16) years, without the written consent of the parent or guardian of such child, any cartridge or fixed ammunition of which any fulminate is a component part, or any gun, pistol, or other mechanical contrivance arranged for the explosion of such cartridge, or of any fulminate.

Seymour

13-7. (Guns and Firearms)—Sale to children prohibited. It shall be unlawful and is hereby prohibited for any person or persons, firm, corporation or association to sell or offer for sale to any person under the age of sixteen (16) years * * * any gun or rifle or pistol which fires or which is designed or intended to fire a bullet, shell or pellet by means of gunpowder, or other chemical propellant which such devices are generally known as firearms, within the limits of the Town of Seymour.

13-8. Same—Ownership, possession * * * by children prohibited; * * *. It shall be unlawful and is hereby prohibited for any person or persons, under the age of sixteen (16) years to own, possess, * * * any gun, rifle or pistol which fires or which is designed or intended to fire a bullet, shell or pellet by means of gunpowder or other chemical propellant which such devices are generally known as firearms, within the limits of the Town of Seymour. * * *

Windsor

Section 2. Regulation of Dangerous Weapons Where Minors Under Age 18 Are Involved. No person shall within the Town of Windsor
sell, give, lend or otherwise transfer or make available to any person under the age of eighteen (18) years any firearm, airgun or other dangerous weapon * * * except where the relationship of parent and child, guardian and ward, or adult firearm instructor and pupil exists between such person and the person under eighteen (18) years of age.

Delaware

State Law


11 §222. General definitions. * * * *(4) "Dangerous instrument" means any instrument, article, or substance which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious physical injury.

(5) "Deadly weapon" includes any weapon from which a shot may be discharged * * * *.

11 §1444. Possessing a destructive weapon; class D felony. A person is guilty of possessing a destructive weapon when he sells, transfers, buys, receives or has possession of a bomb, bombshell, firearm silencer, sawed-off shotgun, machine gun or any other firearm or weapon which is adaptable for use as a machine gun.

Possessing a destructive weapon is a class D felony. This section does not apply to members of the military forces or to members of a police force in this State duly authorized to carry a weapon of the type described; nor shall the provisions contained herein apply to persons possessing machine guns for scientific or experimental research and development purposes, which machine guns have been duly registered under the provisions of the National Firearms Act of 1968.

The term "shotgun" as used in this section means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shot gun shell to fire through a smooth bore either a number of projectiles (ball shot) or a single projectile for each pull of the trigger. The term "sawed-off shotgun" as used in this section means a shotgun having 1 or more barrels less than 18 inches in length or any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches.

11 §1445. Unlawfully dealing with a dangerous weapon; class B misdemeanor. A person is guilty of unlawfully dealing with a dangerous weapon when:

(2) He sells, gives or otherwise transfers to a child under 16 years of age a firearm * * * * or

(3) Being a parent, he permits his child under 16 years of age to have possession of a firearm * * * unless under the direct supervision of an adult. Unlawfully dealing with a dangerous weapon is a class B misdemeanor.

24 §901. Necessity for license; exceptions.

No person shall sell or expose to sale any pistol or revolver, or revolver of pistol cartridges, * * * without first having obtained a license therefor, which license shall be known as "special license to sell deadly weapons."

This section shall not apply to toy pistols, * * * *.

24 §902. Application and fee for license; duration. Whoever desires to engage in the business of selling any of the articles referred to in the first paragraph of §901 of this title shall apply to the State Tax Department and obtain a license to conduct such business, for which he shall pay the sum of $50. The license shall entitle the holder thereof to conduct such business until the 1st day of June next succeeding its date.

24 §903. Sale to minors or intoxicated persons.

No person shall sell to a minor or any intoxicated person any of the articles referred to in the first paragraph of §901 of this title.

28 §801. Definitions. (a) As used in this chapter, the term "a state contiguous to this State" shall mean any state having a common border with this State.

(b) As used in this chapter, all other terms shall be given the meaning prescribed in 18 U.S.C.A. §921 (the Gun Control Act of 1968), and the regulations duly promulgated thereunder as presently enacted or promulgated and as hereafter modified.

28 §802. Lawful acts. It shall be lawful for a person residing in this State, including a corporation or other business entity maintaining a place of business in this State, to purchase or otherwise obtain a rifle or shotgun in a state contiguous to this State and to receive or transport such rifle or shotgun into this State, subject, however, to such other laws of the State or its political subdivision as may be applicable and subject to §102 of the Gun Control Act of 1968, 18 U.S.C.A. §921 et seq.

Delmar

13-2. No person shall offer for sale any gun, pistol, rifle * * * or any gunpowder, gunshot, rifle bullets or ammunition of any description to any one under the age of sixteen years old within the Town limits of the Town of Delmar, Delaware.

Dover

20-34. Sales to intoxicated persons and minors prohibited. It shall be unlawful for any person to purchase from, sell, loan or furnish any weapon mentioned in Section 20-29(a) and -31(a) to any person under the influence of any alcoholic beverage or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability or to a minor under the age of eighteen (18) years.

Elsmere

Ordinance 108

Section 1. That fire arms means any rifle, revolver, pistol or shotgun capable of propelling a projectile by means of an explosive material or charge.

Section 2. That ammunition is defined as any material used in discharging any fire arm projectile discharged by any fire arm.

Section 3. That it shall be unlawful for anyone within the limits of the Town of Elsmere or within the limits of the public lands vested in said Town to sell, distribute, dispense or give away any fire arms or ammunition of any character whatsoever.

Wilmington

39-1. Ammunition dealers—definitions. For the purposes of section 39-2, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Ammunition. Any material used in discharging any type of firearm or any projectile discharged by such firearm.

Minor. Any person under the age of eighteen years.

39-2. Same—Restrictions on storage and display; sales to minors; identification and registration of purchasers. (a) Any person engaged in the business of selling ammunition shall be required to comply with the following:

(4) No person shall sell, give or deliver any ammunition to minors; provided, that this section shall not apply to ammunition supplied by a parent or guardian to his child for lawful purposes.

(5) No person shall sell any ammunition which can be used in pistols, revolvers or other
er hand guns unless the purchaser produces satisfactory written identification and regis-
ters his name and address.

39-19.1 Manufacturing, delivery, sale or pos-
session of certain weapons prohibited. (a) It
shall be unlawful for any person to manufac-
ture, make, deliver, transport, trade, give, sell, or possess a smooth-bored shot revolver, short-barreled rifle, zip gun, converted tear gas gun, or converted starter pistol.

(b) 1. The term "smooth-bore shot re-

volver" as used in this section means a re-

volver with a smooth-bore having been reamed out so that it can be used to fire shot-

shell.

2. The term "short-barreled rifle" means a rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than 26 inches.

3. The term "zip-gun" means any weapon or instrument not originally designed to be a firearm which has been made or altered to discharge a projectile with sufficient force to cause death or physical injury.

4. The term "converted tear gas gun" as used in this section means a tear gas gun which has been altered to fire a projectile with sufficient force to cause death or physical injury.

5. The term "converted starter pistol" as used in this section means a starter pistol which has been altered to fire a projectile with sufficient force to cause death or physical injury.

(c) Any law enforcement officer while per-
forming his lawful duties within the City shall be exempted from the effect of this section.

39-21. Same—Sale, etc., of firearms to mi-

nors. It shall be unlawful for any person to sell, give away, dispose of or otherwise di-
rectly or indirectly furnish, within the city, to any minor under the age of eighteen years, any gun, pistol, revolver or other firearm whatsoever.

District Of Columbia
D.C. Code Encyclopedia

D.C. Code Title 22

22-3201. Possession, sale, transfer, and use of dangerous weapons—Definition. "Pistol," as used in this chapter, means any firearm with a barrel less than twelve inches in length.

"Sawed-off shotgun," as used in this chap-
ter, means any shotgun with a barrel less than twenty inches in length.

"Machine gun," as used in this chapter, means any firearm which shoots automatic-

ally or semi-automatically more than twelve shots without reloading.

"Person," as used in this chapter, includes individual, firm, association, or corporation.

"Sell" and "purchase" and the various de-

rivatives of such words, as used in this chap-
ter, shall be construed to include letting on hire, giving, lending, borrowing, and other-
wise transferring.

"Crime of violence," as used in this chapter, means any one of the following crimes, or an attempt to commit any of the same, namely: Murder, manslaughter, rape, mayhem, mali-
ciously disfiguring another, abduction, kid-
napping, burglary, housebreaking, larceny, any assault with intent to kill, commit rape, or robbery, assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment in the peniten-
tiary.

22-3203. Unlawful possession of a pistol. No person shall own or keep a pistol, or have a pistol in his possession or under his control within the District of Columbia, if—

(1) he is a drug addict;

(2) he has been convicted in the District of Columbia or elsewhere of a felony;

(3) he has been convicted of violating sec-
tion 22-2701, section 22-2722, or sections 22-3302 to 22-3306; or

(4) he is not licensed under section 22-3210 to sell weapons, and he has been convicted of violating sections 22-3210 to 22-3216.

No person shall keep a pistol for, or intention-
ally make a pistol available to, such a person, knowing that he has been so convicted or that he is a drug addict. ** *

22-3207. Selling pistol to minors and others. No person shall within the District of Colum-
bia sell any pistol to a person who has rea-
sonable cause to believe is not of sound mind, or is forbidden by section 22-3203 to possess a pistol or is under the age of twenty-one years, and (b) unless the purchaser is personally known to the seller or shall present clear evidence of his identity.

No machine gun, sawed-off shotgun, ** * shall be sold to any person other than the per-
sons designated in section 22-3214 as entitled to possess the same, and then only after per-
mission to make such sale has been obtained from the superintendent of police of the Dis-
tribution of Columbia.

22-3213. Exceptions. This chapter shall not apply to toy or antique pistols unsuitable for use as firearms.

22-3214. Possession of certain dangerous weapons prohibited—Exceptions. (a) No per-
son shall within the District of Columbia pos-

sess any machine gun, sawed-off shotgun, ** * 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, ** may be possessed by the mem-
bers of the Army, Navy, Air Force or Marine Corps of the United States, the Na-
tional Guard, or Organized Reserves when on duty, the United States Postal Service or its employees when on duty, marshals, sheriffs, prison or jail wardens, or their deputies, policemen, or other duly appointed law-enforcement officers, and, when deliv-
ered, said pistol shall be securely wrapped and shall be unloaded. At the time of applying
for the purchase of a pistol the purchaser shall

sign in duplicate and deliver to the seller a statement [contact local authorities for re-
quired contents] ** * No machine gun, sawed-off shotgun, or blackjack shall be sold to any person other than the persons desig-
nated in section 22-3214 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 whole-
sale to licensed dealers.

22-3209. Dealers of weapons to be licensed. No retail dealer shall within the District of Columbia sell or expose for sale or have in his possession with intent to sell, any pistol, ma-
chine gun, sawed-off shotgun, ** * without being licensed as provided in section 22-3210. No wholesale dealer shall, within the District of Columbia, sell, or have in his possession with intent to sell to any person other than a licensed dealer, any pistol, machine gun, sawed-off shot gun, ** *

22-3210. Licenses of dealers of weapons—

* * * —Conditions thereof.

* * * * *

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 sec-
tion 22-3203 to possess a pistol or is under the age of twenty-one years, and (b) unless the purchaser is personally known to the seller or shall present clear evidence of his identity.

No machine gun, sawed-off shotgun, ** * shall be sold to any person other than the per-
sons designated in section 22-3214 as entitled to possess the same, and then only after per-
mission to make such sale has been obtained from the superintendent of police of the Dis-
tribution of Columbia.
NOTICES

wholesale dealers and retail dealers licensed under section 22-3210.

22-3215a. 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 uncontrolled 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 uncontrolled combustion, with the intent that the same may be used unlawfully against any person or property.

PoLICE REGULATIONS OF THE DISTRICT OF COLUMBIA

50. Definitions. 1. When used in these Regulations (Article 50 through 55 of the Police Regulations of the District of Columbia), unless the context requires otherwise, the terms "pistol," "sawed-off shotgun," "machine gun," "person," and "self" and "purchase" shall have the meanings ascribed to them in the Act of Congress entitled "An act to control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia," as amended, approved July 8, 1932 (47 Stat. 650, D.C. Code, sec. 22-3201 et seq.). Other terms used in these Regulations, unless the context otherwise requires, shall have the meanings ascribed to them as follows:

(a) "Commissioner" means the Commissioner of the District of Columbia or his designated agent.

(b) "Chief of Police" and "Chief" mean the Chief of Police of the Metropolitan Police Department of the District of Columbia or his designated agent.

(c) "District" means the District of Columbia.

(d) "Firearm" means any pistol, rifle or shotgun which will or is designed to, or may readily be converted to, expel a projectile by the action of an explosive; or the frame or receiver of any such pistol, rifle, or shotgun; but does not include a firearm that is not designed or redesigned to use rim fire or center fire fixed ammunition or manufactured in or before 1898.

(e) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use energy of the explosive in a fixed metallic cartridge to fire a single projectile through a rifle bore for each single pull of the trigger.

(f) "Short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and a weapon made from a rifle, whether by alteration, modification, or otherwise, if such weapon as modified has an overall length of less than twenty-six inches.

(g) "Shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(h) "Ammunition" means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm, machine gun, short-barrel rifle or sawed-off shotgun.

(i) The term "destructive device" means any firearm, weapon or automatic weapon which is not a pistol, rifle, shotgun, sawed-off shotgun or machine gun defined herein and includes any explosive not commonly used for lawful commercial purposes, explosive bomb, poison gas bomb, tear gas or tear gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will, or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

(j) "Dealer" means (i) any person engaged in the business of selling firearms or ammunition, (ii) any person engaged in the business of manufacturing or repairing firearms or of making or fitting special barrels, stocks or trigger mechanisms to firearms, or (iii) any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money. The term "licensed dealer" means any dealer licensed under the provisions of these Regulations.

(k) "Manufacturing" means manufacturing, producing, making or remaking any firearm, destructive device or ammunition for sale or distribution.


(m) The term "these Regulations" means the regulations and provisions contained in Articles 50 through 55 of the Police Regulations of the District of Columbia as adopted by the District of Columbia Council and any orders issued by the Commissioner pursuant to authority transferred to him by the Council in such Articles.

(n) "Carry" means to carry, transport or possess on or about one's person, or in such close proximity to one's person as to be easily and readily accessible.

51. Requiring the registration of firearms in the District of Columbia. 1. Except as herein provided, no person shall within the District, possess, or keep under his control, or sell or otherwise dispose of any pistol, rifle or shotgun unless such person is the holder of a valid registration certificate for such pistol, rifle or shotgun.

2. (a) Each licensed dealer who sells a pistol, rifle or shotgun to a person in whose possession the pistol, rifle or shotgun must be registered shall require from the purchaser a completed application for the registration of the pistol, rifle or shotgun and shall file the application with the Chief of Police at the time of sale.

52. Regulating the sale and carrying of firearms in the District of Columbia. 1. (a) Any person who is not subject to any of the disabilities enumerated in Sec. 7 of the Act (D.C. Code, sec. 22-3207) shall be entitled to purchase a pistol within the District, and a seller is lawfully entitled to sell a pistol to such a person. No such person shall be denied the purchase of a pistol except as provided in the Act.

(c) Any person who is not subject to any of the disabilities set forth in sec. 6(c) of this article shall be entitled to purchase and carry a rifle or shotgun in the District, and a seller shall be entitled to sell a rifle or shotgun to such a person.

2. (b) No person shall purchase, own, possess or carry on or about his person any rifle or shotgun unless he possesses a valid rifle and shotgun license therefor issued to him pursuant to Sec. 5 of this Article.

(c) No person shall within the District sell or transfer any rifle or shotgun to a purchaser who is not a retail dealer licensed under Art. 54 of these Regulations; and no person who is not a licensed retail dealer shall purchase or otherwise acquire any rifle or shotgun from any seller unless—

(1) the purchaser exhibits to the seller a valid rifle and shotgun license issued according to Section 5 of this Article.

3. Each person who is required by Sec. 8 of the Act (D.C. Code, sec. 22-3208) to submit a statement when applying to purchase a pistol, or who is required by Sec. 4 of the Act (D.C. Code, sec. 22-3204) to have a license to carry a pistol, or who is required by Sec. 2(b) of this Article to have a license to purchase or carry a rifle or shotgun shall submit such statement to the seller or an application for such license directly to the Chief of Police in the form and number prescribed by the Chief. 
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FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976

53. Regulating the sale of firearm ammunition. 1. No person shall within the District sell or otherwise transfer ammunition for a firearm to another unless
(a) The sale or transfer is made in a face-to-face transaction;
(b) The purchaser exhibits at the time of the sale or transfer a valid certificate of registration issued under these regulations;
(c) The ammunition sold or transferred is of the same caliber or gauge as the firearm described in the certificate of registration and suitable for use therein;
(d) The purchaser signs a receipt for the ammunition, which receipt shall be maintained by the seller for six months.

2. No person shall within the District of Columbia purchase or possess ammunition for a firearm unless he is the holder of a valid certificate of registration issued under the regulations; and unless the ammunition is of the same gauge or caliber as the firearm described in the certificate of registration issued to such person.

3. For purposes of Secs. 1 and 2 above, a valid firearm registration certificate issued by the United States or any state or subdivision thereof shall be sufficient to authorize ammunition sales to and purchases by persons who are not residents of the District.

4. This Article shall not apply to sales or transfers to government agencies, duly appointed law enforcement officers, or persons duly licensed as dealers of weapons under Section 10 of the Act (D.C. Code, sec. 22-3207) or Article 52, sec. 5(c) of these Regulations.

5. This Article shall not apply to bona fide collectors of ammunition who are purchasing ammunition for their collections. Any such collector may obtain an ammunition collector's certificate from the Chief of Police, upon proof, submission of a statement, verified by the Chief, that he is, in fact, a bona fide collector. This certificate shall be exhibited to the seller whenever the collector purchases ammunition for his collection. The seller shall keep records of all ammunition sales to collectors for six months.

54. Regulating and licensing dealers in dangerous weapons. 1. (a) No person shall within the District engage in the business of selling, or manufacturing, or repairing any pistol, rifle, shotgun, or ammunition without first obtaining a license [contact local authorities for license application requirements] * * *

4. (a) Any dealer within the District who transports or delivers firearms to another dealer in the District shall, before delivery of the firearm, furnish to the Chief of Police an invoice listing his name, his home and business addresses, his license number, the name and address of the dealer to whom such firearms are to be delivered, the place of origin of the shipment, the quantity of firearms transported, and the serial number of each firearm in the shipment.

(b) If such shipment is by common carrier, a copy of the invoice shall be delivered to the common carrier. No common carrier shall knowingly deliver a shipment of firearms to a dealer within the District without having received a copy of such invoice. The copy of the invoice shall be left with the dealer at the time of delivery.

(c) If such shipment is by other than common carrier, the copy of the invoice shall be furnished to the dealer at the time of delivery.

5. (a) No person licensed under this Article shall sell a pistol, rifle, shotgun, or ammunition to any person whom he knows or has reasonable cause to believe is ineligible to own a pistol, rifle or shotgun under Section 7 of the Act (D.C. Code, sec. 22-3207) or Article 52, sec. 5(c) of these Regulations.

7. Beginning one year after the effective date of these Regulations, no retail dealer licensed under this Article shall sell or offer for sale in the District any pistol, rifle or shotgun, which does not have imbedded into the metal portion of such pistol, rifle or shotgun a unique manufacturer's identification number or serial number unless the retail dealer shall have imbedded into the metal portion of such pistol, rifle or shotgun a unique dealer's identification number.

8. (a) No pawnbroker in the District shall sell or offer for sale any firearm or ammunition, or loan money secured by mortgage, deposit or pledge of any firearm or ammunition without obtaining a license under this Article.

(b) No licensed dealer shall take or receive any firearm by way of mortgage, pledge or pawn without also taking and retaining during the term of such pledge or pawn, the registration certificate of the firearm mortgaged, pledged or pawned. If such firearm is not redeemed, the dealer shall return the registration certificate to the Chief of Police and register the firearm in his own name.

55. Miscellaneous provisions.

(d) It shall be unlawful for any person within the District to own, possess, sell, offer for sale, purchase or offer to purchase any destructive device, or military type weapon including weapons known as hand grenades, cannons, anti-tank guns and bazookas; provided, that this section shall not apply to any agency or department of the District of Columbia or Federal Government or to any person licensed or authorized by the Federal Government to own, possess, sell or purchase such weapons.

4. (c) The Commissioner may prohibit the sales of ammunition when he determines that the design, construction or material composition of such ammunition makes it unsuitable or unsafe for any lawful use. * * *

7. (a) Except as provided in the immediately preceding section, no person shall within the District keep any firearm or ammunition for, or intentionally make any firearm or ammunition available to any person who would not qualify under these Regulations for a License for such firearm.

(b) No person shall hold a firearm or loan any money on a firearm as security for the payment or repayment of any debt or pledge, except as otherwise provided for in Art. 55, sec. 8 of these Regulations.

8. No person shall within the District sell or otherwise transfer a firearm or ammunition to a purchaser who is under the influence of alcohol or a narcotic or dangerous drug. No person shall within the District carry or use any firearm while under the influence of alcohol or a narcotic or dangerous drug. * * *

Florida
State Law
Fla. Stat. Ann

790.001 Definitions. The following words and phrases, when used in this chapter, shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this chapter, except where the context otherwise requires.
(1) "Antique firearm" means any firearm manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1898; and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.
(2) "Concealed firearm" means any fire-
NOTICES

arm, as defined in subsection (6), when the same is carried on or about a person in such a manner as to conceal said firearm from the ordinary sight of another person.

(3) (a) "Concealed weapon" means any dirk, metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or any other deadly weapon carried on or about a person in such a manner as to conceal said weapon from the ordinary sight of another person.

(b) "Tear gas gun," "chemical weapon" or "device" shall apply to all weapons of such nature except those designed to be carried in a woman's handbag or a man's pants or coat pocket or designed as a pocket pencil or pen and containing not more than one half (1/2) ounce of chemical.

(4) "Destructive device" means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will, or is designed to or may readily be converted to, expel a projectile by the action of any explosive and has a barrel with a bore of one half inch or more in diameter and ammunition for such destructive devices, but not including shotgun shells or any other ammunition designed for use in a firearm other than a destructive device. "Destructive device" shall not include:

(a) A device which is not designed, redesigned, used, or intended for use as a weapon;

(b) Any device, although originally designed as a weapon, which is redesigned so that it may be used solely as a signaling, line-throwing, safety, or similar device;

(c) Any shotgun other than a short-barreled shotgun;

(d) Any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for use for the hunting of big game.

(5) "Explosive" means any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame, or shock, including but not limited to dynamite, nitroglycerin, trinitrotoluene, ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps and detonators; but not including:

(a) Shotgun shells, cartridges or ammunition for firearms;

(b) Fireworks as defined in §791.01;

(c) Smokeless propellant powder or small arms ammunition primers, if possessed, purchased, sold, transported or used in compliance with §552.241;

(d) Black powder in quantities not to exceed that authorized by chapter 552, or by any rules or regulations promulgated thereunder by the department of insurance, when used for or intended to be used for the manufacture of target and sporting ammunition or for use in muzzle loading flint or percussion weapons.

(6) "Firearm" means any weapon (including a starter gun) which will, or is designed to or may readily be converted to, expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. The term "firearm" shall not include an antique firearm.

(7) "Indictment" means an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

(8) "Law enforcement officer" means:

(a) All officers or employees of the United States or the State of Florida, or any agency, commission, department, board, division, municipality, or subdivision thereof, who have authority to make arrests;

(b) Officers or employees of the United States or the State of Florida, or any agency, commission, department, board, division, municipality, or subdivision thereof, duly authorized to carry a concealed weapon;

(c) Members of the armed forces of the United States, the organized reserves, state militia, or Florida National Guard, when on duty, when preparing themselves for or going to or from military duty, or under orders;

(d) Employees of the state prisons or correctional systems who have been so designated by the division of corrections of the department of health and rehabilitative services or by a superintendent of an institution;

(e) All peace officers;

(f) All state attorneys and United States attorneys, and their respective assistants and investigators.

(9) "Machine gun" means any firearm, as defined herein, which shoots, or is designed to shoot, automatically or semi-automatically, more than one (1) shot, without manually reloading, by a single function of the trigger.

(10) "Short barreled shotgun" means a shotgun having one (1) or more barrels less than eighteen (18) inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six (26) inches.

(11) "Short barreled rifle" means a rifle having one (1) or more barrels less than sixteen (16) inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six (26) inches.

(12) "Weapon" means * * * tear gas gun, chemical weapon or device, or any other deadly weapon except a firearm or a common pocket knife.

790.17 Furnishing weapons to minors under eighteen years of age, etc. Whoever sells, hires, barters, lends or gives any minor under eighteen years of age any pistol, * * * or other arm or weapon, * * * without permission of the parent of such minor or the person having charge of such minor, or sells, hires, barters, lends or gives to any person of unsound mind any dangerous weapon * * * is guilty of a misdemeanor of the first degree, punishable as provided in §775.082 or §775.083.

790.18 Selling arms to minors by dealers. It is unlawful for any dealer in arms to sell to any minor any pistol, springfield rifle or other repeating rifle, * * * and every person violating this section shall be guilty of a misdemeanor of the first degree, punishable as provided in §775.082 or §775.083.

790.22 Use of BB guns, air or gas operated guns, or firearms by child under sixteen; limitation. * * * * *

(2) Any adult responsible for the welfare of any child under the age of sixteen years who knowingly permits such child to use or have in his possession any BB gun, air or gas operated gun, or any firearm in violation of the provisions of subsection (1) of this section is guilty of a misdemeanor of the second degree, punishable as provided in §775.082 or §775.083.

790.221 Possession of short-barreled rifle, short-barreled shotgun or machine gun; penalty.

(1) It is unlawful for any person to own or to have in his care, custody, possession or control any short-barreled rifle, short-barreled shotgun, or machine gun which is, or may readily be made, operable, but this section shall not apply to antique firearms.

(2) Any person convicted of violating this section is guilty of a felony and upon conviction thereof shall be punished by imprisonment in the state penitentiary not to exceed five (5) years.

(3) Firearms in violation hereof which are lawfully owned and possessed under provisions of federal law are excepted.

Compiler's Note: Florida residents legally possessing short-barreled shotguns, short-barreled rifles or machine guns under federal law may transfer such weapons pursuant to 26 U.S.C. Section 5812 to another Florida resident; they would not come within the proscription of Section 790.221, Florida Statutes.

790.23 Felons; possession of firearms unlawful; exception; penalty. (1) It is unlawful for any person who has been convicted of a felony in the courts of this state or of a crime against the United States which is designated as a felony or convicted of an offense in any other state, territory, or country punishable by imprisonment for a term exceeding 1 year
to own or to have in his care, custody, possession, or control any firearm or to carry a concealed weapon, including all tear gas guns and chemical weapons or devices.

(2) This section shall not apply to a person convicted of a felony whose civil rights have been restored.

(3) Any person convicted of violating this section is guilty of a felony of the second degree, punishable as provided in §§775.082, 775.083 and 775.084.

Alachua County

Section 1: Handgun means any weapon commonly referred to as a pistol, other than a BB gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.

Section 2: No retail establishment or pawn shop shall sell or deliver a handgun to any purchaser until three (3) complete days have elapsed after application to purchase has been made.

Section 3: No wholesale establishment shall sell or deliver a handgun to any purchaser except to another wholesale establishment or retail establishment until three (3) complete days have elapsed after application to purchase has been made.

Section 4: It shall be unlawful for anyone to purchase a handgun from any establishment mentioned in Sections 2 and 3 hereof without a valid application hereinafter provided for.

Section 5: All sales and deliveries of handguns except as provided in Section 3 hereof shall require an approved application form to be filed with the seller by applicant. Applications for the purchase of handguns shall be available only in the office of the Sheriff of Alachua County, Florida.

Before the sale or delivery of a handgun within Alachua County, the Seller shall be required to receive from buyer the copy of the approved application. Should the seller determine or have reason to believe that the application has been forged or contains false information, he shall make no sales based thereon but shall immediately report such information to the Sheriff's Office for further investigation.

Section 9: Antique firearms as defined in Section 790.001(1), Florida Statutes, are exempt from the provisions hereof.

Bay Harbor Islands

Section 1. A person ** who, with intent to use the same unlawfully against another, carries or possesses a *** machine gun, sawed-off shotgun, bomb or bombshell, or any explosive substance, or any other dangerous or deadly instrument, or weapon, except a rifle or shotgun not sawed off, is guilty of a misdemeanor. Possession shall include but not be limited to in a person’s house or in his automobile.

Section 2. Any person who shall have in his possession in the Town of Bay Harbor Islands any pistol, revolver, or other fire-arm, or any dangerous or deadly weapon of a size which may be concealed upon the person, without a written license therefor, issued to him as hereinafter prescribed, shall be guilty of a misdemeanor. Possession shall include but not be limited to in a person’s house or in his automobile.

Belle Glade

(a) It is unlawful for any person to purchase, acquire or receive delivery of any pistol or revolver of any description unless he has first filed a notice of intent to acquire same with the chief of police.
(c) It is unlawful for any person to sell, barter, exchange or deliver, or cause to be delivered, any revolver or pistol to any other person without having previously obtained the registration certificate ** from the person seeking actual delivery of such firearm **

Boynton Beach

Sec. 17-50. Same—Sale, purchase from, furnishing to persons under influence of drugs, alcohol, etc.; minors. It shall be unlawful for any person to purchase from, sell, loan or furnish any weapon in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability, or to a minor.

Clearwater

13-32. Buying or receiving goods from minors. It shall be unlawful for any person conducting an auction house, or for any pawnbroker, junk dealer or secondhand dealer to loan money to or buy or receive from any minor any goods, chattels or other article of personal property; provided, however, this section shall not apply to any minor who has in his possession the written consent of the minor's parent or guardian, or shall not apply to any minor whose disabilities of minority have been removed as provided by law.

Cocoa Beach

Sec. 15-35. Same—Sale, loans, etc., to intoxicated persons, etc. It shall be unlawful for any person to sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person whom he knows or has reasonable cause to believe is under the influence of alcohol or any narcotic, drug, stimulant, or depressant, or who is of unsound mind, or who is a member of any subversive organization.

Coral Gables

Section 20-15. Firearms—Sale. (a) Definition. The word "firearm" as used in this ordinance shall be construed to mean any revolver, pistol, auto-loading pistol, any modified shotgun or rifle having an overall length of less than 26 inches, rifles having barrels less than 16 inches, and shotguns having a barrel length of less than 18 inches, machine guns, sub-machine guns and machine pistols or any fully automatic weapon capable of firing more than one shot at each pull of the trigger. This ordinance shall not apply to any antique weapon with flint or percussion ignition using only black powder, or to modern replicas of such weapons, or to antique rifles using ammunition which is no longer manufactured or commercially sold.

(b) Application. Any person desiring to purchase, receive, lease, loan, rent, give or make any other transfer of custody of a firearm shall be required to give the chief of police a statement in duplicate containing true and correct information which shall include the following:

(c) Restrictions. It shall be unlawful for any person knowingly and willfully to sell, lend, lease, rent, give or deliver any firearm to any person under the age of twenty-one (21) years unless accompanied by a parent or guardian, in which event, both the minor and the parent or guardian shall be required to fill out the application form, as provided in Section 20-15 (b) hereof.

It shall be unlawful for any person to sell, loan, give, furnish or transfer any firearm or any ammunition therefor to any person whom the seller knows or has reasonable cause to
believe is under the influence of intoxicating liquor, narcotic, drugs, stimulants, depressants, barbiturates or hallucinogens; or is addicted to any narcotic, drug or barbiturate or hallucinogens; or is a habitual alcoholic; or is of unsound mind; or has been convicted of a felony; or is a fugitive from justice; or is a member of a subversive organization. In addition to all other penalties, violations of Section 20-15 shall be grounds for revocation of any license to sell firearms issued by the City to such violator.

(d) Applicability. The provisions of Section 20-15 shall apply to persons in the firearms business or in the business of gunsmithing, and do not apply to (1) sales or trades by an unlicensed person to a person licensed hereunder, nor to (2) isolated sales, transfers, or trades between unlicensed persons who are not engaged in the firearms business or in the business of gunsmithing.

Section 20-16. Firearms—License required for sale; Qualifications; Application; Credit Report; F.B.I. Reports. Occupational licenses permitting the sale or distribution of firearms shall be issued only to persons of good moral character, who have not been convicted of any offense involving moral turpitude, and who are over twenty-one (21) years of age. Licenses to corporations shall be issued only when all directors, officers and managers of unit qualify as above.

Section 20-16.1 Firearms—Waiting Period Required; Investigation. (a) Dealers or persons licensed to sell firearms shall, before selling, lending, renting, leasing, giving, delivering or transferring custody of any firearm, maintain a permanent record of one copy of the registration or application and shall forward the other copy, after first inserting the serial number of such firearm (make, model, barrel length, caliber, type, finish) to the Chief of Police by first class mail, not later than twenty-four (24) hours after the close of the business day in which the transaction took place. No firearm shall be delivered to any person until seventy-two (72) hours after sale or deposit, or notification of intent to purchase is received.

(b) Delivery of firearm may be made after a twenty-four (24) hour waiting period, only under the circumstances and to those persons listed below:

1. Applicant must furnish any United States of America, State of Florida, County, or municipal I.D. card as a condition precedent to issuance, and must be fingerprinted and photographed by the issuing authority and the applicant’s photo affixed as a part of said I.D. card. The above shall be on an approved list promulgated by the Chief of Police.

2. Applicant must furnish a positive identification card to which a fingerprint and photograph are attached.

(c) The following shall be exempt from either the seventy-two (72) hour or twenty-four (24) hour waiting period required:

1. Wholesale dealers who have valid state, county and/or municipal licenses in their business intercourse with retail dealers for the sale of firearms; retail dealers who have valid state, county and/or municipal licenses in their business intercourse with other retail dealers for the sale of firearms; wholesale or retail dealers in the regular or ordinary transportation of unloaded firearms, merchandise by mail, express or other mode of shipment, to points outside the city, nor to sales or transfer of firearms that do not use a self-containing cartridge.

2. Purchasers who have been issued a pistol or revolver permits by any governmental agency (United States of America, State of Florida, county or municipal) as special police officers. The applicant must present an I.D. card from the issuing authority.

Whenever an identification card is utilized for the waiver of the seventy-two (72) hour or twenty-four (24) hour waiting period, as set forth in the foregoing provisions of this ordinance, the following information shall be imprinted on the application: The issuing agency or authority; The card number; The name and address identical to that on the card.

3. Persons who are on record with a Police Department in Dade County as having previously purchased a pistol, revolver or firearm as defined in Section 20-15 (a) hereof.

4. Persons trading an operable pistol, revolver or firearm, as defined in Section 20-15 (a), for another similar operable pistol, revolver or firearm.

(d) The provisions of Section 20-16 shall not apply to gun shows, conferences or conventions which are staged by a duly recognized non-profit state or national organization.

Dade City

Sec. 15-28. Prohibitions and restrictions as to possession, discharge, use by minors and carrying concealed weapons.

(a) It shall be unlawful for any person to have within the corporate limits of the city any machine gun, shotgun having a barrel of less than twenty inches in length, any firearm equipped with a silencer, ** except a pistol or revolver when a permit to carry the same has been received from the Chief of Police of said city.

(b) It shall be unlawful for any minor under the age of sixteen years to possess any of the weapons described in subparagraph (a) above **

Sec. 15-29. Selling to minors. It shall be unlawful to sell to any minor, within the limits of the city any pistol, revolver or other pocket firearm. The word “pistol”, as used in this chapter, shall be held to include pocket sized mechanical devices designed for or capable of exploding or firing blank shells or cartridges, whether classed or sold as toys or otherwise, **

Dade County

Sec. 21-16. Sale, loan, etc., weapons to intoxicated persons, etc. It shall be unlawful for any person to sell, loan or furnish any firearm as defined in section 21-20.1(a) to any person whom he knows or has reasonable cause to believe is under the influence of alcohol or any narcotic, drug, stimulant, or depressant, or who is of unsound mind, or who is a member of any subversive organization.

Sec. 21-19.1. Sale of Saturday night specials in Dade County prohibited. It shall be unlawful for any person to sell or otherwise transfer any Saturday night special as defined in section 21-20.1(b) or offer or expose for sale or transfer any such Saturday night special.

(a) Notwithstanding the foregoing provisions of this section, the sale of Saturday night specials to law enforcement agencies or for authorized military use shall not be subject to the limitations herein set forth.

(b) This section shall not apply to wholesale dealers in their business intercourse with retail dealers nor to retail dealers in their business intercourse with other retail dealers nor to wholesale or retail dealers in the regular or ordinary transportation of unloaded firearms, merchandise by mail, express or other mode of shipment, to points outside the country, nor to sales or transfer of firearms that do not use a self-containing cartridge.

Sec. 21-20. Registration of sales and transfers required; penalty. (a) Register. Every person engaged in the business of selling, leasing, or otherwise transferring firearms as defined in section 21-20.1(a), of the size capable of being concealed on the person, whether such seller, lessor or transferor is a retail dealer, pawnbroker, or otherwise, shall keep a register **

(b) Purchaser and seller to sign. The person to whom such firearm is sold, leased or otherwise transferred shall sign and the dealer shall require him to sign his name and affix his address to the register in duplicate and the salesman shall affix his signature in duplicate as a witness to the signature of the person to whom such firearm is sold, leased or transferred.
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(c) Waiting period required for handgun. The person to whom such handgun is sold, leased or otherwise transferred shall wait, and the dealer shall require him to wait, a period of seventy-two (72) hours prior to such person acquiring possession of such handgun.

Sec. 21-20.13. Sale of firearm with serial number defaced prohibited. It shall be unlawful to sell any firearm whose serial number has been altered, changed, disfigured or defaced.

Sec. 21-20.14. Sale or delivery of firearms or ammunition to certain classes of persons. It shall be unlawful to sell or deliver any firearm or any ammunition therefor to any person who the seller has reasonable grounds to believe is under the influence of intoxicating liquor, narcotic drugs or barbiturates, or hallucinogens, or is addicted to the use of any narcotic drug or barbiturate, or hallucinogens, or is a habitual alcoholic, or is of unsound mind; or has been convicted of a felony; or is a fugitive from justice; or is a member of a subversive organization.

Sec. 21-20.16. Handgun purchaser's instruction and qualification procedure. (a) Instruction and qualification procedure required. It shall be unlawful for any person to acquire a handgun in Dade County from a licensed dealer, unless such person has received safety instruction and otherwise qualified ** *

(e) Exceptions. This section shall not apply to:

(1) Law enforcement officers or agents of any state or the United States, or any political subdivision, municipal corporation, department or agency of either, members of the organized militia of any state or the armed forces of the United States, or law enforcement officers of any political subdivision, municipal corporation, department or agency of either, while engaged in the discharge of their official duties.

(2) Wholesale dealers in their business intercourse with retail dealers or to wholesale or retail dealers in their business intercourse with other retail dealers or to wholesale or retail dealers in the regular or ordinary transportation of any unloaded firearms, merchandise by mail, express or other mode of shipment to points outside the country.

(3) Nonresidents of the United States having proper authorization from his or her consulate, acting consulate, commercial attaché, or such other authorized representative.

(4) This section applies to persons in the firearms business or in the business of gunsmithing, and does not apply to:

(a) Sales or trades by an unlicensed person to a person licensed hereunder, nor to

(b) Isolated sales, transfers or trades between unlicensed persons who are not engaged in the firearms business or in the business of gunsmithing.

(c) Every handgun sold by a dealer shall be accompanied by an identification card, which shall be in the possession of the person acquiring the handgun.

(d) It shall be unlawful for any person to possess, carry or otherwise have control of any handgun, by whatever name known, or the barrel, receiver, or any part of the firing mechanism of such handgun which is designed to eject or propel a projectile by the action of an explosive or combustible propellant, but does not include inoperable firearms which cannot be rendered operable.

(e) No person is permitted to have possession of any handgun in the United States and which is not designed or redesigned for using rimfire or conventional centerfire ammunition, or uses rimfire or conventional centerfire ammunition in the United States and which is not readily available in the ordinary channels of commercial trade.

(f) It shall be unlawful for any person to possess, carry or otherwise have control of any handgun, by whatever name known, or the barrel, receiver, or any part of the firing mechanism of such handgun which is designed to eject or propel a projectile by the action of an explosive or combustible propellant, but does not include inoperable firearms which cannot be rendered operable.

237.2. It shall be unlawful to sell, hire, barter, lend or give any minor under sixteen (16) years of age any gun, rifle, pistol or other arm or weapon ** without permission of the parent of such minor or the person having charge of such minor.

De Land

21-21. Weapons—Allowing minors or habitual drunkards to obtain firearms. No person shall sell, give, lend or otherwise place in the possession of any minor or habitual drunkard, any pistol, revolver or other weapon which may be concealed on the person.

21-25. Same—Machine guns. It shall be unlawful for any person to possess, use, keep or store any machine gun, sub-machine gun or similar firearm within the city. The provisions of this section shall not apply to the United States Army, Navy, National Guard or any duly constituted and authorized law enforcement officer of the United States government, the State of Florida, or the city.

Dunedin

15-35. Same—Registration of small arms required. It shall be unlawful for any person to own, possess, carry or otherwise have control of any .22 rifle, air rifle, pistol or other similar device, in the city, unless first the ownership thereof be registered within the city.

15-37. Change of ownership. All changes of ownership or possession shall be registered in the same manner as provided in section 15-36.

Fort Pierce

Sec. 19-50. Same—Permit of purchasers required. (a) It shall be unlawful for any person to purchase, give away or sell any pistol, revolver, one-hand firearms, ** within the corporate limits of the city, unless and until a permit shall have first been obtained from the chief of police of the city by the person to whom such articles are to be sold or delivered.

Gainesville

Ordinance 2086

Section 2.

A. Sale or Transfer of Handguns Prohibited. It shall be unlawful for any person to sell or transfer, or offer or expose for sale or transfer, any “handgun” which does not meet the minimum standards provided by this Ordinance.

B. Definitions.

1. “Handgun” means any pistol, revolver, or other firearms, having a barrel not exceeding twelve (12) inches in length, measured by the insertion thereof of a rod with the receiver or slide closed, but does not include handguns designed and safe only for use with black powder.

2. “Firearm” means any weapon, including a handgun, by whatever name known, or the barrel, receiver, or any part of the firing mechanism of such weapon which is designed to eject or propel a projectile by the action of an explosive or combustible propellant, but does not include inoperable firearms which cannot be rendered operable.

3. “Saturday Night Specials” means any handgun which shall not meet the minimum criteria so set forth in Section B-7 herein.

4. “Sale or Transfer” means any sale, transfer assignment, pledge, lease, loan, barter, or gift.

5. “Firearms Dealer” means any person, firm or corporation regularly engaged in the business of selling or trading firearms or ammunition at wholesale or retail within the limits of the City of Gainesville whether as the principal business of such person, firm or corporation, or in addition thereto.

6. “Antique Firearms” means any firearm manufactured in or before the year 1898; and any replica of any such firearm if such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

7. “Minimum Standards” means any handgun with a barrel, cylinder, slide or breech block that is manufactured of a material that has a minimum melting temperature of 800 degrees Fahrenheit and a minimum ultimate tensile strength of 55,000 pounds per square inch.
11-8. ***—Permit for sale. It shall be unlawful for any person to sell to any person any such pistols, revolvers, firearms which may be concealed upon the person or rifles of a caliber larger than .22 caliber without first having obtained a permit in writing from the chief of police or mayor of the city approving such sale to such person, which permit shall be kept by such person, on file for inspection by city officials for a period of one year from the date of such sale or other disposition.

Green Cove Springs

NOTICES

11-9. ***—Sale to minor, incompetent. No person shall sell, give, lend or otherwise place in the possession of any minor, known habitual drunkard or known incompetent any pistol, revolver, firearm which may be concealed upon the person or rifle of a caliber larger than .22 caliber.

Gretna

13-3. Sale or transfer of certain firearms. (a) It shall be unlawful for any person to sell or transfer, or offer or expose for sale or transfer, any "handgun" which does not meet the minimum standards provided by this chapter.

13-4. Definitions. Handgun means any pistol, revolver, or other firearms, having a barrel not exceeding twelve (12) inches in length, measured by the insertion thereof of a rod with the receiver or slide closed, but does not include handguns designed and safe only for use with black powder.

Firearm means any weapon, including a handgun, by whatever name known, or the barrel, receiver, or any part of the firing mechanism of such weapon which is designed to eject or propel a projectile by the action of an explosive or combustible propellant, but does not include inoperable firearms which cannot be rendered operable.

Saturday night specials means any handgun which shall not meet the minimum criteria as set forth in this section.

Sale or transfer means any sale, transfer, assignment, pledge, lease, loan, barter or gift.

Firearms dealer means any person, firm or corporation regularly engaged in the business of selling or transferring firearms or ammunition at wholesale or retail or in the regular or ordinary transportation of unloaded firearms, merchandise by mail, express or other mode of shipment, to points outside the country, nor to sales or transfer of firearms that do not use a self-containing cartridge.

13-7. Sale to minors. (a) It shall be unlawful for any person to sell to any minor within the corporate limits of this chapter, a pistol, gun or other weapon shooting a cartridge.

(b) For the purposes of this section, a "pistol, gun or other weapon shooting a cartridge" shall include toy pistols designed to shoot a blank cartridge and any weapon so designed that by explosive force a bullet may be propelled from it.

Hallandale

Sec. 11A-1. Definitions. For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Firearm. Any firearm, weapon, revolver, pistol, autoloading pistol, modified rifle or shotgun, or any similar mechanism by whatever name known, which is designed to expel a projectile through a gun barrel by the action of any explosive, having the size, length or dimensions which make it capable of being concealed upon the person, but the word "firearm" shall not be construed to mean guns that do not use self-contained cartridges.

Sale. Includes transfer, assignment, pledge, lease, loan, barter or gift.

Sec. 11A-2. License to sell—Required. (a) It shall be unlawful for any person who, without being licensed as provided in this chapter, to engage in the business of selling or otherwise transferring any firearm, or to advertise for sale, or offer or expose for sale or transfer any firearm defined in section 11A-1, or to engage in the business of repairing firearms or in the business of gunsmithing. This section applies to persons in the firearms business or in the business of gunsmithing, and does not...
apply to (1) sales or trades by an unlicensed person to a person licensed hereunder, nor to (2) isolated sales, transfers or trades between unlicensed persons who are not engaged in the firearms business or in the business of gunsmithing.

(b) The provisions of this section shall not apply to gun shows, conventions or conferences which are staged under the auspices of a duly recognized nonprofit, state or national organization.

Sec. 11A-3. Same—By whom granted. The city commission may grant licenses in the form prescribed by the city commission permitting the licensee to sell such firearms within the city on the premises named therein.

Sec. 11A-7. Same—Conditions. (4) No firearm shall be delivered:

(a) Until twenty-four hours after the sale has been completed, unless the purchaser is the possessor of a valid license to carry firearms issued within this state, which license to carry shall be displayed at time of sale, except where an operable firearm is traded for another operable firearm as defined in section 11A-1.

(b) Unless the purchaser is either personally known to the licensee, or presents conclusive evidence of his identity such evidence to be noted on the sales record.

(c) Unless the delivery is made to the identical individual who has purchased the firearm.

(d) The provisions of this section shall not apply to duly employed federal, state, county or municipal law enforcement officers.

Sec. 11A-11. Sales to certain persons prohibited. It shall be unlawful to sell or deliver any firearm or any ammunition therefor to any person who the seller has reasonable grounds to believe is under the influence of intoxicating liquor, narcotic drugs or barbiturates, or hallucinogens, or is addicted to the use of any narcotic drug or barbiturate, or hallucinogens, or is an habitual alcoholic, or is of unsound mind, or has been convicted of a felony, or is a fugitive from justice, or is a member of a subversive organization.

Haverhill

Ordinance 100

Section 1. It shall be unlawful for any person to purchase, give away or sell any pistol, revolver, one-hand fire-arms *** or other similar equipment used primarily by police officers, within the corporate limits of the Town of Haverhill, Florida, unless and until a permit shall have first been obtained from the Town Marshal of the Town by the person to whom such article is to be sold or delivered.

Section 11. Before any person shall possess, purchase, sell, distribute or dispose of any tear gas or tear gas weapons within the Town, such person shall apply to the Town Marshal of the Town for a permit so to do.

Hialeah

21-31. ***—Weapons, unlawful to distribute to. It shall hereafter be unlawful for any person to sell, barter, lend, give or deliver any pistol *** or other deadly weapon to any minor under seventeen years of age; or to sell, barter, lend, give or deliver any pistol *** or other deadly weapon to any minor between the ages of seventeen and twenty-one years of age without the express written approval of one of the parents of such a minor, or the legal guardian of such minor.

21-42. Same—Sales to minors under eighteen. No gun, revolver, pistol, cannon or firearm of any description shall be sold or given to anyone under the age of eighteen years.

21-44. Same—Blank cartridges and pistols. No blank cartridges or blank cartridge pistols shall be kept in stock or sold in the city.

Hollywood

Sec. 19-43. Firearms and ammunition—Defined. Ammunition. All pistol or revolver ammunition, shotgun shells, metallic ammunition suitable for uses in rifles or any .22 caliber rimfire ammunition. No distinction shall be recognized between new and reloaded ammunition.

Firearms. Any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosive.

Firearms and ammunition dealers licenses. Any person engaged in the business of selling new or used firearms or ammunition or cartridge cases, primers, bullets or propellant powder, at wholesale or retail, and shall include pawnbrokers, or any person engaged in the business of repairing such firearms or manufacturing or fitting special barrets, stocks, trigger mechanisms or breach mechanisms to firearms.

(a) All firearms and ammunition dealers shall obtain a firearms and ammunition dealer’s license.

(b) All applications for a dealer’s license shall be approved by the chief of police.

(c) All persons associated with such dealer shall be required to have a police I.D. card.

Homestead

Sec. 24-8. Sale of firearms to. No gun, revolver, pistol, cannon or firearm of any description shall be sold or given to anyone in the city under the age of eighteen years.

Sec. 29-7. Blank cartridges. No blank cartridges or blank cartridge pistols shall be kept in stock or sold in the city.

Sec. 29-32. *** (Firearms)—Information required of purchaser. Any person desiring to purchase or receive delivery of a revolver or other firearm of any description shall hereby be required to first give to the seller or to the person from whom delivery shall be obtained, in writing, a duplicate statement containing the true and correct information concerning his name, occupation, residence and last prior residence before coming to the city.

Sec. 29-33. Same—Sale, etc.—Statement of purchaser prerequisite. No person shall sell, barter, exchange or deliver, any revolver or other firearm of any description to any person, without having previously obtained in writing from the person seeking actual delivery of such firearm a statement of his true name, occupation, residence and last previous residence before coming to the city.

Sec. 29-34. Same—Same—Record to be kept. No gun, revolver, pistol, cannon or firearm of any description shall be sold, unless a record of the name and address of the person to whom such weapon is sold shall be kept in a separate book by the selling agent, together with a record of the manufacturer’s number or other marks by which such weapon may be identified.

Sec. 29-105. Weapons—Carrying concealed. It shall be unlawful for any person in the city, except an officer of the law authorized to make arrests, to carry concealed about his person any pistol *** or any other deadly weapon *** or to carry any fountain pen or other device or instrument designed to discharge, or for the purpose of discharging, tear gas or other injurious gas.

Sec. 29-107. Same—Sale to intoxicated persons, etc. No person in the city shall sell, loan or furnish a weapon described in section 26-105, or other weapon in which an explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation or excitement.

Jacksonville

328.101 Certificate from Sheriff Required for License to Deal in Certain Firearms. No office of the City shall issue to any person a license to sell, vend or deal in pistols, revolvers or other firearms which may be concealed upon the person, until such person shall have obtained from the Sheriff a certificate that such person is trustworthy, reliable and fit to deal in, sell and vend such revolvers, pistols or other firearms. ***
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328.102 Registry of Certain Firearms Sold. *** Each person to whom any pistol, revolver or firearm which may be concealed upon the person is sold or otherwise disposed of by a dealer, shall first file a written and signed statement showing his correct name and address, and such information shall be promptly entered in such registry or book, together with a description of a kind, make, number and the name of the manufacturer of such weapon. ***

328.202 Allowing Minors or Habitual Drunkards to Obtain Firearms. It shall be unlawful and a class D offense against the City for any person to sell, give, lend or otherwise place in the possession of any minor or habitual drunkard, any pistol, revolver or other weapon which may be concealed on the person.

328.205 Possession of Short-barreled Shotgun, Short-barreled Rifle or Machine Gun Prohibited. It shall be unlawful and a class C offense against the City for any person to own or possess any short-barreled shotgun, short-barreled rifle or machine gun which is, or may readily be made operable. A "Short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches. A "Short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches. A "Machine gun" means any firearm, as defined herein, which shoots, or is designed to shoot, automatically or semiautomatically, more than one shot, without manually reloading, by a single function of the trigger, but this section shall not apply to antique firearms; "Antique firearms" being defined as any firearm manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replicas thereof, whether actually manufactured before or after the year 1898; and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

Section 2. Exceptions. Firearms in violation hereof which are lawfully owned or possessed under provisions of federal law are excepted.

Jacksonville Beach

Sec. 16-11. Same—Registry of firearms sold; information to be registered; weekly report to police of sales; permit for each sale. Every person selling pistols, revolvers or firearms which may be concealed upon the person, shall keep a registry or record of such sales in a book, ***

It shall be unlawful for any person to sell or otherwise dispose of any of the weapons, hereinabove mentioned, without first obtaining and entering into such registry all the information required by this section; provided, however, that no person shall sell to any person any such firearms, pistols or deadly weapon without first having obtained a permit in writing from the chief of police or city manager approving such sale to the person. The permit shall be kept by such person on file for inspection for a period of one year from the date of the sale.

Sec. 16-13. Same—Allowing minors or habitual drunkards to obtain firearms. No person shall sell, give, lend or otherwise place in the possession of any minor or habitual drunkard any pistol, revolver or other weapon which may be concealed on the person.

Lantana

16-25. Same—Sale prohibited without permit. No dealer or vendor in firearms, shall sell, hire, barter, lend or give to any other person any pistol, gun or other firearm, except upon written permit of the chief of police, provided that nothing in this section shall prevent the sale, hire, barter, loan or gift of any such weapon to any duly authorized law enforcement officer of the United States, State of Florida, or any political subdivision thereof, for such officer's use in the discharge of his duties.

Mangonia Park

Sec. 17-45. Delivering possession of dangerous weapon to minor. Whoever sells, hires, barters, lends, or gives any minor under sixteen (16) years of age any pistol, *** or other arm or weapon, other than *** a gun or rifle used for hunting, without the permission of the parent of such minor or sells, hires, barters, lends, or gives, to any person of unsound mind any dangerous weapon, *** shall be punished by imprisonment not exceeding ninety (90) days, and/or by fine not exceeding five hundred dollars ($500.00).

Miami

61-1. Sale of firearms generally. (a) "Firearm" defined. The word "firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; ***

(b) Firearm registration. No person, firm, corporation or other legal entity, may acquire, own or possess any firearm within the city unless such firearm has been registered by the owner in accordance with this section or by the dealer selling, renting or leasing firearms with the city police department upon forms furnished by such department. ***

(e) Exemptions. The provisions of this section shall not apply to the following:

1. United States marshals, while engaged in the operation of their official duties;
2. Members of the armed forces of the United States or the National Guard, while engaged in the operation of their official duties;
3. Federal officials required to carry firearms, while engaged in the operation of their official duties;
4. Law enforcement officials of this or any other jurisdiction, while engaged in the operation of their official duties;
5. Nonresident hunters during hunting season, with valid nonresident hunting licenses and while in an area where hunting is permitted; however, at all other places such persons must have their firearms unloaded and enclosed in a case; ***

9. Nonresidents, who are currently licensed or registered to possess firearms in their resident state; ***

11. Any person who has registered the firearm in his possession with a municipality within the county which requires registration of such firearms;
12. Any person holding a current license to deal in firearms with the county or any other municipality located within the county.

(d) Sale to minors prohibited. It shall be unlawful for any person knowingly and willfully to sell, lend, lease, rent, give or deliver any firearm to any person under the age of twenty-one unless accompanied by a parent or guardian, in which event both the minor and the parent or guardian shall be required to fill out the application form as provided in paragraph (b).

(e) Sale to felons prohibited. It shall be unlawful for any person knowingly or willfully to sell, lend, give or deliver any firearm to any person under the age of twenty-one unless accompanied by a parent or guardian, in which event both the minor and the parent or guardian shall be required to fill out the application form as provided in paragraph (b).

(f) Sale to users of narcotics prohibited. It shall be unlawful for any person knowingly or willfully to sell, lend, give or deliver any firearm to any person addicted to the use of narcotics or users of drugs, stimulants or depressants.

(g) Sale to persons under the influence of intoxicating beverages. It shall be unlawful for any person knowingly or willfully to sell, lend, give or deliver any firearm to any person under the influence of intoxicating beverages.

61-2. Delivery of firearms. (a) Dealers or persons licensed to sell firearms shall, before selling, lending, renting,
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leasing, giving or delivering the firearm, maintain a permanent record of one copy of the registration or application and shall forward the other copy, after first inserting the serial number of such firearm, and also description of the firearm (make, model, barrel length, caliber, type, finish) to the chief of police by first class mail, not later than twenty-four hours after the close of the business day in which the transaction took place. No firearm shall be delivered to any person until seventy-two hours after sale or deposit, or notification of intent to purchase is received.

(b) Delivery of a firearm may be made after a twenty-four hour waiting period only under the circumstances and to those persons listed below:

1. Applicant must furnish any United States of America, state, county or municipal I.D. card as a condition precedent to issuance, and must be fingerprinted and photographed by the issuing authority and the applicant's photo affixed as a part of such I.D. card. The above shall be issued in the name of the purchaser and signed by him, and shall be on an approved list promulgated by the chief of police.

2. The applicant must furnish a positive identification card to which a fingerprint and photograph are attached.

(c) The following shall be exempt from either the seventy-two hour or twenty-four hour waiting period required:

1. Wholesale dealers who have valid state, county or municipal licenses in their business intercourse with retail dealers for the sale of firearms; retail dealers who have valid state, county or municipal licenses in their business intercourse with other retail dealers for the sale of firearms; wholesale or retail dealers in the regular or ordinary transportation of unloaded firearms, merchandise by mail, express or other mode of shipment, to points outside the city, nor to sales or transfer of firearms that do not use a self-containing cartridge.

2. Purchasers who have been issued pistol or revolver permits by any governmental agency (United States of America, state, county or municipal) as special police officers. The applicant must present an I.D. card as a condition precedent to issuance, and shall be on an approved list promulgated by the chief of police.

Sec. 25-104. ***(Firearms)—Sale generally.

(a) Firearms defined. The word "firearm" as used in this section and the following sections shall be construed to mean any revolver, pistol, automatic pistol, shotgun, rifle, machine gun, submachine gun, machine pistol, or any fully automatic weapon capable of firing more than one shot at each pull of the trigger, or any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosive, or any fire arm muffler or any firearm silencer, or any part or parts of such firearms. This section and the following sections shall not apply to any automatic weapon with flint or percussion ignition using only black powder, or to modern replicas of such weapons, or to antique or replicas of cartridge pistols, or rifles using ammunition which is no longer manufactured or commonly sold, or to stud guns used as tools by tradesmen.

(b) Application. Any person desiring to purchase or receive delivery of a revolver or other firearm shall be required to give the seller or the person from whom delivery shall be obtained, whether by purchase or gift, in writing, on a form to be supplied by the chief of police, a duplicate statement containing true and correct information which shall be signed by the applicant and shall include the following:

1. Application. Any person desiring to purchase or receive delivery of a revolver or other firearm shall be required to give the seller or the person from whom delivery shall be obtained, whether by purchase or gift, in writing, on a form to be supplied by the chief of police, a duplicate statement containing true and correct information which shall be signed by the applicant and shall include the following:

2. ***(Firearms)—Unlawful to sell to person without police approval.

It shall be unlawful for any dealer or person licensed to sell firearms, to sell, lend, lease, give or deliver any firearm to any person unless such person first presents to the dealer or vendor an application approved by the chief of police in the manner set forth in the preceding section.

3. ***(Firearms)—Waiting period between time of sale and delivery.

No firearm shall be delivered to any person until seventy-two hours after the sale of any firearm.

4. ***(Firearms)—Persons to whom sale is unlawful.

It shall be unlawful for any person knowingly and willfully to sell, lease, lend, give or deliver any firearm to any person under the age of twenty-one; or to any person under the influence of alcohol or any narcotic, drug, stimulant or depressant, or to any person under the age of seventeen and twenty-one years of age without the express written approval of one of the parents or the legal guardian of such minor.

5. ***(Firearms)—Sale, etc., of firearms to intoxicated, etc., persons.

It shall be unlawful for any person to sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used to any person whom he knows or has reasonable cause to believe is under the influence of alcohol or any narcotic, drug, stimulant or depressant, or who is of unsound mind, or who is a member of any subversive organization. In addition to all other penalties, such unlawful sale, loan or furnishing shall be grounds for revocation of any license issued by the city to such person.

6. ***(Firearms)—Applications by firearms dealers.

Any person desiring to sell, offer for sale or cause to be sold or distributed any firearm, device or other instrument designed to discharge, or for the purpose of discharging tear gas or other injurious gas, or any pistol, * * * or other deadly weapon, to any minor under seventeen years of age.

7. ***(Firearms)—Applications by firearms dealers.

Any person desiring to sell, offer for sale or cause to be sold or distributed any firearm, device or other instrument designed to discharge, or for the purpose of discharging tear gas or other injurious gas, or any pistol, * * * or other deadly weapon, to any minor under seventeen years of age.

8. ***(Firearms)—Applications by firearms dealers.

Any person desiring to sell, offer for sale or cause to be sold or distributed any firearm, device or other instrument designed to discharge, or for the purpose of discharging tear gas or other injurious gas, or any pistol, * * * or other deadly weapon, to any minor under seventeen years of age.

9. ***(Firearms)—Applications by firearms dealers.

Any person desiring to sell, offer for sale or cause to be sold or distributed any firearm, device or other instrument designed to discharge, or for the purpose of discharging tear gas or other injurious gas, or any pistol, * * * or other deadly weapon, to any minor under seventeen years of age.

10. ***(Firearms)—Applications by firearms dealers.

Any person desiring to sell, offer for sale or cause to be sold or distributed any firearm, device or other instrument designed to discharge, or for the purpose of discharging tear gas or other injurious gas, or any pistol, * * * or other deadly weapon, to any minor under seventeen years of age.
It shall be unlawful for any person to sell or otherwise dispose of any of the weapons, hereinabove mentioned, without first obtaining and entering into such registry all the information required by this section; provided, however, that no person shall sell to any person any such firearms, pistols or deadly weapons without first having obtained a permit in writing from the city marshal or city council approving such sale to the person.

North Palm Beach

24-74(3) Sales to intoxicated persons and minors. No person shall purchase from, or sell, loan, or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of 18 years.

Ocala

Sec. 15-96. (Weapons)—Sale to intoxicated persons or minors. It shall be unlawful for any person to purchase from, or sell, loan, or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of eighteen years.

Opa-Locka

Sec. 18-13. Registration certificate required for sale, exchange, delivery, etc. No person shall sell, barter, exchange or deliver, or cause to be delivered, any revolver, gun, rifle or other firearm to any other person without having previously obtained the registration certificate, described in section 18-12, from the person seeking actual delivery of such firearm.

Palm Beach Gardens

17-10. Concealed weapons; selling weapons; possession of weapons.

(g) Purchase from, or sell, loan, or furnish any weapon in which any explosive substance can be used to, any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of 18 years, or to any known convicted felon who has not had his civil rights restored according to law.

Pasco County

73-20 Section 1. Definitions. As used in this chapter; ‘Pistol’ means any small firearm, loaded or unloaded, made after 1920, with a barrel of three (3) inches or less, fired by hand. The term shall include all firearms having one or more barrels, such as revolvers, automatics, derringers and the like, capable of discharging loaded ammunition, and having a frame or receiver with a melting point of 850 degrees F. or less.

Section 2. Seventy-two hour waiting period required.—No sale or delivery of exchange of any pistol or revolver shall be made to a purchaser until the expiration of seventy-two (72) hours from the time that an initial offer to purchase said pistol or revolver is made by the purchaser to the seller.

Pinellas County

Ordinance 74-1

Section 1. Definitions. (a) Firearm as used in this division shall be construed to mean any firearm, weapon, revolver, pistol, auto-loading pistol, modified rifle or shotgun, or any similar mechanism by whatever name known, which is designed to expel a projectile or gas through a gun barrel by the action of any explosive, having the size, length or dimensions which make it capable of being concealed upon the person, and originally designed or altered to be used by one hand and having a barrel length of less than 16 inches, and an overall length of less than 26 1/2 inches, but the word firearm shall not be construed to mean guns that do not use self contained cartridges.

(b) Saturday Night Special shall mean any firearm which is 32 caliber or smaller, whose barrel is less than 3 inches, except those whose frame is an investment cast or forged steel, or investment cast or forged high tensile alloy.

(c) Sale includes transfer, assignment, pledge, lease, loan, barter, or gift.

Section 2. Prohibition. It shall be unlawful for any person to sell or otherwise transfer any Saturday Night Special as defined hereinabove or offer or expose for sale or transfer any such Saturday Night Special.

Section 3. Exception. The sale of Saturday Night Specials to law enforcement agencies
or for authorized military use shall not be subject to the limitations herein set forth.

Ordinance 74-7

Section 1. Definitions. (a) The word “Firearm” as used in this Ordinance shall be construed to mean any firearm, weapon, revolver, pistol, auto-loading pistol, rifle, modified rifle, shotgun, or any similar mechanism by whatever name known which is designed to expel a projectile through a gun barrel by the action of any explosive. The word firearm shall not be construed to mean guns that do not use self-contained cartridges.

(b) The word “Sale” includes transfer, assignment, pledge, lease, loan, barter, or gift.

Section 2. Prohibition. It shall be unlawful for any person to transfer any firearm within a 72-hour period following the sale of the firearm.

Section 3. Exceptions. (a) This Ordinance shall not apply to wholesale dealers in their business dealings with retail dealers nor to retail dealers in their business dealings with other retail dealers, nor to wholesale or retail dealers in the regular or ordinary transportation of unloaded firearms, merchandise by mail, express, or other mode of shipment to points outside the County, nor to sales or transfer of firearms that do not use a self-contained cartridge.

(b) This Ordinance shall not apply to duly employed federal, state, county, or municipal law enforcement officers.

Pinellas Park

13-16 (67). Guns, dealers in revolvers, pistols, ammunition, etc. Approval of city manager with the recommendation of police department as well as separate license in addition to other retail merchant’s license required.

Pompano Beach

Sec. 31.16. Firearms, discharging; sale of ammunition. * * * * * (b) It shall be unlawful for any person to sell, barter or give to any other person under the age of sixteen (16) years in the city, ammunition for a firearm, * * * * provided, however, that this ordinance shall not apply to parents or guardians giving such ammunition to their own children, in case of a parent, or to the children over whom they may have lawful custody and control, in the case of a guardian.

Quincy

35-1. License to sell—Required. No person shall, within the corporate limits of the city: (a) Engage in the sale of pistols, machine guns or submachine guns, or (b) Operate or manage any business where pistols, machine guns or submachine guns are sold, without first procuring a license for the sale of same as provided herein.

35-9. License may not sell outside place of business. No licensee shall make sale of, or sell, any pistols, machine guns or submachine guns outside of the place of business licensed hereunder.

35-12. Registration of pistols, machine guns and submachine guns required. No person shall, within the corporate limits of the city: (a) Owners or possessors. Own or possess, or have in his possession, custody or control, a pistol, machine gun or submachine gun, without first having registered the same with the chief of police.

Riviera Beach

13-36. It shall be unlawful for any dealer in arms, pistol, revolver or other weapon which is designed to expel a projectile through a gun barrel by the action of any explosive force a bullet may be propelled from it.

St. Petersburg

20.76. Same—sale to minors. It shall be unlawful for any person to sell to any minor within the corporate limits of the city, a pistol, gun or other weapon shooting a cartridge. For the purposes of this section a “pistol, gun or other weapon shooting a cartridge” shall include any pistol designed to shoot a blank cartridge and any weapon so designed that by explosive force a bullet may be propelled from it.

28.77. Same—registration of sales of pistols, revolvers, and other like weapons. (1) Every retail dealer who deals in and sells pistols, revolvers, or any other weapons which are generally described and referred to as a “hand gun” shall require the purchaser to register his name, age and place of residence in a book the dealer shall keep for that purpose. * * * (2) It shall be unlawful for any dealer of weapons described in Paragraph (1) or any agent or employee to fail or refuse to comply with the provisions of said Paragraph. (3) It shall be unlawful for any person purchasing a weapon as described in Paragraph (1) to give a false name, age or place of residence as provided in this Section. (4) This section shall not be applicable to the sale of any bona fide antique weapon that is incapable of being fired.

Sebastian

Sec. 17-1. Adoption of state laws constituting a misdemeanor. It shall be unlawful to commit, within the limits of the City of Sebastian, any act which is or shall be recognized by the laws of the State of Florida as a misdemeanor; and the commission of such acts is hereby forbidden.

South Miami

15-25. Firearms—Notice of intent to purchase. It shall be unlawful for any person to purchase or receive delivery of a revolver, rifle, or firearm of any description in the city without first filing a notice of such intention with the desk officer at the police station, in the city.

15-26. Same—Selling or receiving without certificate. It shall be unlawful to sell, barter, exchange or deliver, or cause to be bought, sold, bartered or exchanged or delivered, any revolver, gun, rifle or other firearm to any person in the city without having previously obtained a registration certificate * * * from the person seeking actual delivery of such firearm, * * *.

Starke

8-19. (Weapons)—Registry of firearms sold; *** permit for each sale. *** It shall be unlawful for any person to sell or otherwise dispose of (weapons) * * * without first obtaining and entering into such registry all the information required by this section; provided, however, that no person shall sell to any person any such firearms, pistols or deadly weapon without first having obtained a permit in writing from the Chief of Police or Mayor approving such sale to the person. The permit shall be kept by such person on file for inspection for a period of one year from the date of the sale.

8-21. Same—Allowing minors or habitual drunkards to obtain firearms. No person shall sell, give, lend or otherwise place in the possession of any minor or habitual drunkard, any pistol, revolver or other weapon which may be concealed on the person.

8-25. Same—Machine guns. It shall be unlawful for any person to possess, use, keep or store any machine gun, sub-machine gun or similar firearm within the city. The provisions of this section shall not apply to the United States Army, Navy, National Guard or any duly constituted and authorized law-enforcement officer of the United States government, the State of Florida, or the city.

Surfside
of any description shall be and hereby is re­
quired first to give to the seller or to the per­
son from whom delivery shall be obtained, in
writing, a duplicate statement containing true
and correct information concerning his name,
occupation, residence and last prior residence
before coming to the town.

Sec. 13-44. Same—Seller of firearms to ob­
tain designated information in writing. It
shall be unlawful for any person to sell, bar­
ter, exchange or deliver, or cause to be deliv­
ered any revolver, gun, or other firearm to
any other person, without having previously
obtained, in writing, from the person seeking
actual delivery of such firearm, a statement of
his true name, occupation, residence, and the
last previous residence before coming to the
town.

Tallahassee

3. It shall be unlawful for any person, firm
or corporation within the City of Tallahassee
to sell, give, lend or otherwise place in the
possession of any minor any pistol, revolver
or other firearm which may be concealed on
the person.

Tampa

Sec. 24-112. Blank cartridge pistols, tear gas
pistols and ammunition—Sale, possession, etc.
No person shall sell, offer for sale, give or
have in his possession within the corporate
limits of the city any blank cartridge pistol or
other like device made exclusively for the
purpose of firing or discharging any blank car­
tridge; providing, however, that this section
shall not apply to the sale, possession or dis­
charge of any pistol or other like device de­
signed to use .22 caliber crimped blanks and/
or .22 caliber tear gas cartridges.

Sec. 24-113. Same—Selling or giving to mi­
 nors. No person shall sell or give away to
any minor within the corporate limits of the
city any blank cartridges or other like ammu­
ination.

Sec. 24-114. Firearms—Machine guns,
"sawed-off" shotguns and rifles prohibited.
It shall be unlawful for any person to have in
his possession within the corporate limits of the
city any machine gun, or shotgun or rifle
having a barrel of less than twenty (20) inches
in length, or any firearm equipped with a si­
lencer, or any other firearm, which is capable
of being concealed on the person. This section
shall not apply to a pistol, revolver, or blank
or tear gas gun authorized by this chapter.
This section shall not be applicable to regu­
lar law enforcement officers who are perma­
nently employed and devote their full time as
federal, state, county or municipal law en­
forcement officers.

Sec. 24-116. Molotov cocktails, firebombs,
etc. It shall be unlawful for any person to
take designated information in writing. It
shall be unlawful for any person to make,
carry, possess or use any type of
"Molotov cocktail", gasoline or petroleum
base firebomb, or any other incendiary mis­
sile or any explosive bomb, device or missile
unless the same is otherwise permitted as a
lawful act pursuant to the laws and ordi­
nances of this city.

Tallahassee

NOTICES

14-16. Minors—sale of weapons to. It shall
hereafter be unlawful for any person to sell,
barter, lend, give or deliver any pistol, * * * or
other deadly weapon to any minor under sev­
enteen (17) years of age. It shall further be
unlawful for any person to sell, barter, lend,
give or deliver any pistol, * * * or other
deadly weapon to any minor between the ages
of seventeen (17) and twenty-one (21) years of
age without the express written approval of
one of the parents, or legal guardian of such a
minor.

West Palm Beach

51.1. Permit for purchase, sale, etc.—Re­
quired. It shall be unlawful for any person to
purchase, give away or sell any pistol, re­
 volver, one-hand firearms, * * * or other simi­
lar equipment used primarily by police offi­
cers, within the city, unless and until a permit
shall have first been obtained from the chief
of police by the person to whom such article
is to be sold or delivered.

Georgia

State Law

26-1405 Criminal possession of an incendi­
ary (a) A person commits criminal posses­
ion of an incendiary when he possesses,
manufacturers, sells, offers for sale, gives
away, or transports a fire bomb or molotov
cocktail.
(b) The terms "fire bomb" and "molotov
cocktail" mean any device, by whatever
name called, made of a breakable container
containing a flammable liquid or compound
with a flash point of 150 degrees Fahrenheit
or less which has a wick or any similar mate­
rial, which, when ignited, is capable of ignit­
ing such flammable liquid or compound when
such device is thrown or dropped. These
terms do not include a device which is manu­
factured or produced for the primary purpose
of illumination or for marking detours, ob­
structions, defective paving or other hazards
on streets, roads, highways and other haz­
ards on streets, roads, highways and bridges.

(c) Subsection (a) does not apply to a de­
vice coming within the definition of subsec­tion
(b) when it is in the use, possession or
control of a member of the armed forces of
the United States or a fireman or a law en­
forcement officer when acting in his official
capacity or otherwise under proper authority.
(d) A person convicted of criminal posses­
sion of an incendiary shall be punished by im­
prisonment for not less than one nor more
than three years, or by a fine not exceeding
$1,000 or by both.

26-2905 Furnishing weapons to minors. A
person commits a misdemeanor when he
knowingly sells to or furnishes to a person
under the age of 21 years a pistol. * * *

26-2906 Machine guns; sale, etc., illegal. A
person commits a felony when he sells, manu­
factures, purchases, possessed, or carries a
machine gun and upon conviction shall be
punished by imprisonment for not less than
one nor more than five years. A machine gun
is any weapon from which more than eight
shots or bullets may be discharged by a single
function of the firing device. This section
shall not apply to or affect the manufacture,
for, or the transportation, or sale of machine
guns to persons exempted under section
26-2907, provided said machine guns are bro
SAWED-OFF SHOTGUN AND SAWED-OFF RIFLE

26-2907 Exemptions. Sections 26-2901, 26-2902, 26-2903, and 26-2906 shall not apply to or affect any of the following persons while engaged in pursuit of official duty or when authorized by Federal or State law, regulation or order: (1) peace officers; (2) wardens, superintendents, and keepers of prisons, penitentiaries, jails, or other institutions for the detention of persons accused or convicted of an offense; (3) persons in the military service of the State or of the United States; (4) persons employed in fulfilling defense contracts with the Government of the United States or agencies thereof when possession of the weapon is necessary for manufacture, transport, installation, and testing under the requirements of such contract; and (5) district attorneys, investigators employed by and assigned to a district attorney's office, and assistant district attorneys.

A prosecution based upon a violation of sections 26-2901, 26-2902, 26-2903, or 26-2906 need not negative any exemptions.

26-9910a Georgia Firearms and Weapons Act; short title. This law [§§26-9910a through 26-9916a] shall be known and may be cited as the "Georgia Firearms and Weapons Act."

26-9911a Same; possession of certain types of firearms, dangerous weapons and silencers prohibited. No person shall have in his possession any sawed-off shotgun, sawed-off rifle, machine gun, dangerous weapon, or silencer, except as provided in section 26-9914a.

26-9912a Same; punishment. A person commits an unlawful possession of firearms or weapons when he knowingly has in his possession any sawed-off shotgun, sawed-off rifle, machine gun, dangerous weapon or silencer, as defined in this law [§§26-9910a through 26-9916a], and upon conviction for such he shall be punished by imprisonment for not less than one nor more than five years.

26-9913a Same; definitions. (a) The term "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifle bore for each single pull of the trigger, and which has a barrel (or barrels) of less than 16 inches in length (or has an over-all length of less than 26 inches).

(c) The term "machine gun," as used in this law, means any weapon which shoots, or is designed to shoot, automatically, more than six shots, without manual reloading, by a single function of the trigger.

(d) The term "dangerous weapon," as used in this law, shall mean any weapon commonly known as a "rocket launcher," "bazooka" or "recoiless rifle," which fires explosive or nonexplosive rockets designed to injure or kill personnel or destroy heavy armor or similar weapon used for such purpose.

(e) The term "person," when used in this law, shall include any individual, partnership, company, association or corporation.

(f) The term "silencer," when used in this law, shall mean any device for silencing or diminishing the report of any portable weapon, such as a rifle, carbine, pistol, revolver, machine gun, shotgun, fencing piece, or other device from which a shot, bullet or projectile may be discharged by an explosive.

26-9914a Same; exceptions to provisions of law. The provisions of this law [§§26-9910a through 26-9916a] shall not apply to:

(a) A peace officer of any duly authorized police agency of this State or of any political subdivision thereof, or a law enforcement officer of any department or agency of the United States, who is regularly employed and paid by the United States, this State or any such political subdivision, or an employee of the Board of Corrections of this State who is authorized in writing by the director thereof to transfer or possess such firearms while in the official performance of his duties.

(b) A member of the National Guard or of the armed forces of the United States, to-wit: the Army, Navy, Marine Corps, Air Force or Coast Guard, who, while serving therein, possesses such firearm in the line of duty.

(c) Any sawed-off shotgun, sawed-off rifle, machine gun, dangerous weapon or silencer which has been modified or changed to the extent that it is inoperative. Examples of the requisite modification include: weapons with their barrel or barrels filled with lead or hand grenades filled with sand or other non-explosive materials.

(d) Each sawed-off shotgun, sawed-off rifle, machine gun, dangerous weapon or silencer which is possessed by a person who is authorized to possess the same because he has registered the sawed-off shotgun, sawed-off rifle, machine gun, dangerous weapon or silencer in accordance with the dictates of the National Firearms Act, approved August 16, 1964, 68a Stat. 725 (26 U. S. C. 5841-5862).

92A-901. License for dealers. —Any person, firm, retail dealer, wholesale dealer, pawnbroker, or corporation who shall sell, dispose of, or offer for sale, or cause or permit to be sold, disposed of or offered for sale any caliber pistol, revolver or short barreled firearm of less than 15 inches in length, whether the same shall be their own property or whether they shall sell the same as agents or employees of others, shall obtain from the Department of Public Safety a license permitting the sale of said caliber pistols and guns. Nothing in this Chapter shall apply to or prohibit the casual sales of the articles referred to between individuals or bona fide gun collectors.

92A-1601. Purchase by Georgia residents in contiguous States. —Residents of the State of Georgia may purchase rifles and shotguns in any State contiguous to the State of Georgia, provided such residents conform to applicable provisions of statutes and regulations of the United States, of the State of Georgia, and of the contiguous State in which the purchase is made.

Adel

Sec. 14-8. Firearms; * * * (c) Regulation of the sale and purchase of firearms and registration of firearms and other purposes:

(1) It shall be unlawful for any person or corporation to sell any firearms defined as rifle, pistol, shot gun or tear gas to any person who has not yet attained the age of twenty-one (21) years.

(2) It shall be unlawful for any person or corporation to sell any firearms defined as rifle, pistol, shot gun or tear gas within the City of Adel, Georgia, to any person, unless such seller shall verify from the police department of the City of Adel, or from the office of the sheriff of Cook County, Georgia, that such proposed purchaser is a person of good character, and has never been convicted of a felony or other crime, as is revealed by the records of such office.

(3) Any such firearm as hereinbefore defined purchased from any licensed dealer or individual must be registered with the county sheriff's office, as to make, serial number and from whom it was purchased. Copy of same is to be furnished immediately upon purchase by seller. It shall be the responsibility of the
NOTICES

Amicus

Section 15-29. Every person desiring to purchase or otherwise acquire in the City of Amicus a pistol, revolver, or other type hand gun, shall sign in duplicate and deliver to the seller or person disposing thereof an application for the purchase of a pistol, revolver, or other type hand gun, [contact local authorities for required contents] ** *

The seller or persons disposing of such weapons shall within six hours after such application, sign and attach his address and deliver the two copies of the application to the office of the Chief of Police of the City of Amicus. It shall be unlawful to give false information or offer false evidence of the identity of such person in making such application or in acquiring a weapon as set forth herein.

No person shall, within the City of Amicus, deliver or otherwise dispose of a pistol, revolver or other type hand gun, until 72 hours shall have elapsed from the time of receipt of the application in the office of the Chief of Police of the City of Amicus. Provided however, this 72 hour waiting period may be waived by the Chief of Police of the City of Amicus in his sole discretion upon good cause thereof being shown.

No person within the City of Amicus shall sell or otherwise dispose of a pistol, revolver, or other type hand gun to any person whom he has reasonable cause to believe is not a fit and proper person to possess the same, is not of sound mind, is under 18 years of age, is a drug addict, or is a person who has been convicted of a crime of violence.

If, within the 72 hour waiting period required by this section, the Chief of Police of Amicus or any person designated by him from his office shall inform the proposed seller or person proposing to dispose of a pistol, revolver, or other type hand gun, that the applicant is not a fit and proper person to possess the weapon, ** such information shall be prima facie evidence that the seller or person disposing thereof had reasonable cause to believe the applicant is unqualified to acquire such a weapon.

This section shall not be construed to apply to toy pistols, toy revolvers, or toy weapons of any kind and to antique weapons manufactured in or before the year 1898 which are to be used only for display or decoration purposes.

This ordinance shall not be construed to apply to bona fide gun collectors who have registered and obtained a permit from the Chief of Police of the City of Amicus as a bona fide gun collector. The application for a permit as a bona fide gun collector shall be submitted in writing to the Chief of Police of the City of Amicus [contact local authorities for required contents] ** *

Atlanta

Sec. 20-60. Definition of “pistol.” A “pistol”, for the purpose of this article, is any small firearm fired by hand, capable of being concealed upon the person or being strapped around some portion of the body. The term shall include all small firearms having one or more barrels, such as revolvers, automatics, derringers and the like, discharging ball or similar ammunition and usually called pistols.

Sec. 20-61. License to deal in pistols; required, prerequisite to issuance. No license shall be issued to dealers in pistols, wholesale or retail, until the party applying for such license shall have received a special permit from the mayor and board of aldermen to deal in pistols.

Sec. 20-62. Application for dealer’s license; information to be shown. Any person desiring a license to deal in pistols, under the provisions of the preceding section, shall first apply to the mayor and board of aldermen, ** *

Sec. 20-66. Sale of .22 caliber firearms prohibited; exception. (a) It shall be unlawful for any person to sell, possess for sale, exhibit for sale, display or advertise for the purpose of sale, any .22 caliber pistol, revolver or derringer with a barrel three inches or less in length, which sells at a retail price of less than thirty-nine dollars ($39.00).

(b) It shall be unlawful for any person to sell, to possess for sale, exhibit for sale, display or advertise for the purpose of sale, any pistol, revolver, or derringer described in subsection (a), designed and manufactured to fire blank cartridges and ammunition containing explosive charges only, if such pistol, revolver or derringer may be adapted to fire cartridge ammunition containing projectiles, provided, however, that this section shall not apply to any pistol, revolver, or derringer to be used in any organized high school, college, professional or other recognized athletic events.

Sec. 20-67. Sale, delivery, assembly of firearms constructed of materials with melting temperature of less than eighty degrees Fahrenheit prohibited. (a) The term “weapon” means a firearm designed to be held and fired by the use of a single hand. The term also includes a combination of parts in the possession or under the control of a person from which a weapon can be assembled. The term does not include antique firearms, or any firearm which comes within the definition set forth in Section 5845(a) of the Internal Revenue Code of 1954.

(b) It shall be unlawful for any person to sell, deliver or assemble any weapon if the frame or receiver thereof is a die casting of zinc alloy or any other material which has a melting temperature of less than eighty degrees Fahrenheit.

Chatham County

11-9038.1 Handguns.” (a) Every person desiring to purchase or otherwise acquire a pistol, revolver, or other type handgun in Chatham County, Georgia, outside the
boundaries of any incorporated municipality therein, shall sign in duplicate and deliver to the seller or person disposing thereof an application for the purchase of a pistol, revolver, or other type handgun [contact local authorities for required contents] **.

(b) The seller or persons disposing of such weapons shall within six hours after such application, sign and attach his address and deliver the two copies of the application to the office of the Chief of Police of Chatham County. It shall be unlawful to give false information or offer false evidence of the identity of such person in making such application or in acquiring a weapon as set forth herein. No person shall, within Chatham County, outside the boundaries of any municipality therein, deliver or otherwise dispose of a pistol, revolver, or other type handgun, until seventy-two hours shall have elapsed from the time of receipt of the application in the office of the Chief of Police of Chatham County.

(c) No person within Chatham County, outside the corporate boundaries of any municipality therein, shall sell or otherwise dispose of a pistol, revolver, or other type handgun to a person whom he has reasonable cause to believe is not a fit and proper person to possess the same, is not of sound mind, is under 21 years of age, is a drug addict, or is a person who has been convicted of a crime of violence.

(d) If, within the seventy-two hours waiting period required by this ordinance, the Chief of Police of Chatham County or a person designated by him from his office shall inform the proposed seller or person proposing to dispose of a pistol, revolver, or other type handgun, that the applicant is not a fit and proper person to possess the weapon, ** such information shall be prima facie evidence that the seller or person disposing thereof had reasonable cause to believe the applicant is unqualified to acquire such a weapon **.

(e) This Ordinance shall not be construed to apply to toy pistols, toy revolvers, or toy weapons of any kind, or antique souvenirs weapons used only for display or decoration purposes.

Columbus

14-64. Same—Notice; investigation; approval; waiting period. No person doing business in the city or its police district shall sell or deliver any pistol or pistol cartridges until all of the following regulations have been complied with strictly:

Before selling or delivering any pistol or pistol cartridges, such dealer shall notify, in writing, the chief of police, in such notice giving the name, address and description of the prospective purchaser. The prospective purchaser shall, at the same time, furnish to the chief of police three written and signed testimonial vouching for the general good character of the prospective purchaser and such prospective purchaser shall also submit to having his fingerprints taken by the police department of the city. The chief of police shall make full investigation; ** if [the chief of police] ** [disapproves] the proposed sale, ** it shall be unlawful for any such dealer to sell or deliver such pistol or cartridges to the prospective purchaser. **

No pistol or pistol cartridges shall be sold or delivered by any such dealer until the period of five days have elapsed after the service on the chief of police of the notice of the proposed sale.

14-65. Dangerous weapons; prohibited. No person shall within the city or its police district, sell, exchange or keep on hand for the purpose of sale any of the following named articles: Shotgun or rifle with barrel length of less than eighteen inches. **

14-65(c) It shall be unlawful for any person to:

(1) Sell any hand gun that does not have a full case hardened barrel, and in the case of automatics, full case hardened working parts able to withstand 2,700 degrees fahrenheit as certified by the manufacturer.

(2) To sell or transfer a hand gun to any person without a certificate from the Chief of Police or his designee that such purchaser or transferee has not been convicted of a felony within five years, and the Chief of Police or his designee shall have such certificate within three days from the date of the application for such certificate.

14-66. Exclusion from chapter. 14-65(c) shall be applicable to all persons including pawn brokers and pawn brokers sales stores; the other provisions of the preceding sections of this chapter shall not be applicable to pawn brokers and pawn broker sales stores, they being regulated by provisions of this Code specifically relating to them; but this Chapter is applicable to all other persons, and the words "persons" or "person" as used herein shall in addition to them, include their managers, agents, clerks and employees.

15-8. Prohibited items—Receiving. No pawnbroker or pawnbroker's sales store shall take in pawn, or receive, sell or exchange any of the following named articles: shotgun or rifle with barrel length of less than eighteen inches **.

15-9. Same—Possessing. No pawnbroker or pawnbroker’s sales store shall own or keep on hand any of the weapons named or referred to in the preceding section hereof.

15-10. Pistols and cartridges; sale, notice, police findings. All pawnbrokers and pawnbrokers’ sales stores shall at all times keep in their places of business a complete list and description of all pistols and pistol cartridges owned by them or held in pawn, and this provision applies also to pistols and cartridges purchased by such stores from regular dealers in pistols and pistol cartridges. All provisions of this chapter with reference to other articles shall be applicable to the keeping and sale of pistols and pistol cartridges, and in addition thereto the following regulations and prohibitions shall be applicable to pistols and pistol cartridges:

(a) No pawnbroker or pawnbroker’s sales store shall sell any pistol or pistol cartridges unless and until all of the following regulations have been complied with strictly:

Before selling any pistol or pistol cartridges, the pawnbroker or pawnbroker’s sales store shall notify, in writing, the chief of police, and in such notice giving the name, address and description of the prospective purchaser. The prospective purchaser shall, at the same time, furnish to the chief of police three written and signed testimonials vouching for the general good character of the prospective purchaser, and such prospective purchaser shall also submit to having his fingerprints taken by the police department.

The chief of police shall make full investigation; ** if [the chief of police] ** [disapproves] the proposed sale, ** it shall be unlawful for the pawnbroker or pawnbroker’s sales store to sell such pistol or cartridges to the prospective purchaser. **

(b) No pistol or pistol cartridges shall be sold by any pawnbroker or pawnbroker’s sales store until the period of five days have elapsed after the service on the chief of police of the notice of the proposed sale.

These regulations regarding pistols shall also be complied with before a pawnbroker or pawnbroker’s sales store shall deliver a pistol to the transferee of a pawn ticket.

Decatur

16-7.1. Same—Sale, etc., by dealers—Definitions. For the purposes of sections 16-7.2 to 16-7.5, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Dealer. Any person regularly engaged in the business of selling firearms as defined herein.

Firearms. Any pistol, revolver or derringer, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosive, and a firearm muffler or a firearm silencer, or any part or parts of such weapon.

Identification. Any driver’s license, birth certificate, U. S. military identification card, baptismal or christening certificate, employee’s identification card; provided, same shows age and home address of employee and U. S. passport.

Person. An individual, partnership, association or corporation.

16-7.2. Same—Identification of purchaser required. No dealer in firearms as defined herein shall sell, trade or dispose of, in any way, any firearms unless the person ob-
NOTICES

16-7.4. Same—Same—Fingerprint of purchaser required. ***(a) Failure to fingerprint the person purchasing such firearm shall constitute an offense under these sections.

16-25.1. Pistols, revolvers, etc.; sale, etc., of certain types prohibited. It shall be unlawful for any person to sell, possess for sale, exhibit for sale, display or advertise for the purpose of sale, any .22 caliber pistol, revolver or derringer with a barrel three inches or less in length, which sells at a retail price of less than thirty-nine dollars ($39.00).

It shall be unlawful for any person or persons to sell, to possess for sale, exhibit for sale, display or advertise for the purpose of sale, any pistol, revolver or derringer described in the preceding paragraph, designed and manufactured to fire blank cartridges and ammunition containing explosive charges only, if such pistol, revolver or derringer may be adapted to fire cartridges and ammunition containing projectiles; provided however, that this paragraph shall not apply to any pistol, revolver or derringer to be used in any organized high school, college, professional or other recognized athletic events.

Hapeville

14-21.1. Pocket pistols, revolvers, derringers—Sale, possession, et cetera; ***(a) It shall be unlawful for any person to sell, possess for sale, exhibit for sale, display or advertise for the purpose of sale, any .22 caliber pistol, revolver or derringer with a barrel three inches or less in length, which sells at a retail price of less than thirty-nine dollars ($39.00).

(b) It shall be unlawful for any person to sell, to possess for sale, exhibit for sale, display or advertise for the purpose of sale, any pistol, revolver, or derringer described in subsection (a), designed and manufactured to fire blank cartridges and ammunition containing explosive charges only, if such pistol, revolver or derringer may be adapted to fire cartridges and ammunition containing projectiles; provided, however, that this section shall not apply to any pistol, revolver, or derringer to be used in any organized high school, college, professional or other recognized athletic events.

Jackson

Be it ordained by the Mayor and Council of the City of Jackson, and it is hereby ordained by the authority of the same that from and after the passage and adoption of this ordinance it shall be unlawful for any person to provide, furnish, or sell any pistol, rifle or gun to any person under the age of 21 to have, control, or possess any pistol or concealed weapons within such municipality and any person so violating this ordinance shall be guilty of disorderly conduct and subject to fine or imprisonment in the discretion of the Mayor or recorder.

Macon

14-28. Permit required to sell or purchase pistol or revolver. (a) It shall be unlawful for any person, merchant or pawnbroker in the City of Macon to sell any pistol or revolver to any person unless said person first presents to such person, merchant or pawnbroker a written permit issued to said person by the Chief of Police of the City of Macon authorizing him to purchase a pistol or revolver.

(b) It shall be unlawful for any person to purchase in the City of Macon any pistol or revolver from any person, merchant, or pawnbroker without first having secured from the Chief of Police of the City of Macon a written permit authorizing him to purchase a pistol or revolver.

(j) The provisions of section 14-28 of said Code, as herein enacted, shall not apply to sales of pistols or revolvers at wholesale by persons, firms and corporations, licensed by the City of Macon to sell the same at wholesale, to persons, firms or corporations, licensed by the City of Macon to sell pistols and revolvers at wholesale, or to any bona fide wholesale or retail dealer in pistols and revolvers whose establishment is located and whose business is transacted outside the corporate limits of the City of Macon, nor shall the provisions of section 14-28 of said Code, as herein enacted, apply to the purchase of pistols and revolvers by such wholesale and retail dealers, it being the purpose and intent of this paragraph to exempt the bona fide sale at wholesale of pistols and revolvers from the application of section 14-28 of said Code.

(k) No person, who is the holder of a valid and subsisting license to carry a pistol or revolver, issued to him by the Ordinance of the City of Macon, shall be required to secure a permit from the Chief of Police of Macon in order to purchase a pistol or revolver.

The seller or persons disposing of such firearms shall within six hours after such application, sign and attach his address and deliver the two copies of the application to the Office of the Chief of Police of the City of Macon.

It shall be unlawful to give false information or offer false evidence of the identity of such person in making such application or in acquiring a weapon as set forth herein.

No person shall, within the City of Savannah, deliver or otherwise dispose of a pistol, revolver, or other type handgun, until seventy-two hours have elapsed from the time of receipt of the application in the Office of the Chief of Police of Savannah.

Maysville

1. No person shall have in his or her possession within the Town Limits of the Town of Maysville, any sawed-off shotgun, rifle or machine gun, dangerous weapons, or silencers, except as provided below.

3. No person shall sell or place in the hands of an Alien, a Felon, Drug Addict, or Mentally Incompetent, any weapon or explosive device.

6. All requirements as to age, permits, license, or other identification required by State of Federal Statute, must be complied with prior to delivery of any weapon to a purchaser within the Town Limits of the Town of Maysville, Georgia. * * * Further, any exceptions as to persons or things enumerated in the various provisions of this Ordinance shall be in accordance with Section 26-9914a, Georgia Code Annotated.
No person within the City of Savannah, shall sell or otherwise dispose of a pistol, revolver, or other type handgun to a person whom he has reasonable cause to believe is not a fit and proper person to possess the same, is not of sound mind, is under 21 years of age, is a drug addict, or is a person who has been convicted of a crime of violence.

If, within the seventy-two hour waiting period required by this Section, the Chief of Police of Savannah or a person designated by him from his office shall inform the proposed seller or person proposing to dispose of a pistol, revolver, or other type handgun, that the applicant is not a fit and proper person to possess the weapon, such information shall be prima facie evidence that the seller or person disposing thereof had reasonable cause to believe the applicant is unqualified to acquire such a weapon.

This section shall not be construed to apply to toy pistols, toy revolvers or toy weapons of any kind.

Tifton

Be it enacted by the City of Tifton, and through the Board of City Commissioners of said city, and it is hereby enacted by the authority of the same that from and after passage of this Ordinance it shall be unlawful for any person, firm, or corporation within the said city to keep on hand for sale or barter, or to sell to any person, firm or corporation, any pistols or revolvers, without first obtaining from the authorities of said city a license to sell said pistols or revolvers.

Be it further enacted that any person engaged in the sale of revolvers or pistols after having obtained a license for such sales is by this ordinance prohibited from accepting in pawn any pistol or revolver from any minor.

Valdosta

Sec. 18-39. Weapons—Sales of, regulated. (a) It shall be unlawful for any person, firm or corporation to sell to any purchaser any pistol, without complying with the following provisions of this section:

(1) The merchant or dealer from whom a prospective buyer shall seek to purchase such weapon shall, before making a sale to such prospective purchaser, obtain from such prospective purchaser (a statement) contact local authorities for required contents.

(2) The information obtained by such inquiry shall be entered in writing or in print upon a printed form provided therefor by the police department and shall be made in duplicate. The duplicate copy shall be delivered at once by hand or by mail to the police department.

(3) Having obtained such information, the merchant or dealer, shall forthwith, before any sale is made, contact the chief of police, or, in his absence, one authorized to act in his stead, and inform the chief or his alter ego of the information obtained from the prospective purchaser. It shall then be the duty of the chief or of the officer authorized to speak for him to advise the merchant or dealer that he may, or may not, as the case may be, sell the object involved to the customer.

(4) It shall then be the duty of the merchant or dealer promptly to deliver to the police department a duplicate of the questions pounded to the purchaser, together with a duplicate of the answers made by him, all as recorded in the printed form provided therefor. Where such a sale is made, a description of the item sold, including serial number, if any, shall be entered on said form by said seller in the place provided.

(5) For obtaining the consent and approval of the police department to make such sale, the merchant or dealer may communicate with the chief of police or with one authorized by him to act in his stead in person or by telephone.

(b) The foregoing provisions of this section having been complied with, the police department shall then advise the merchant or dealer that he may, or may not, as the case may be, sell to the prospective purchaser the item sought to be purchased.

Waycross

Chapter 7.

Sec. 1. Definitions. The following words as used in this chapter shall have the meanings ascribed to them:

(1) Firearm. The word "firearm", as used in this chapter, shall be construed as including any pistol, revolver, rifle or shotgun of whatever form of action, caliber or gauge.

(2) Ammunition. The word "ammunition" shall be construed as meaning any pistol or rifle cartridge or shotgun shell and like cartridges and shells, of any caliber or gauge with bullet or projectile or shots made up within the same shell or cartridge with the propelling charge.

Sec. 2. Permit to purchase, receive or accept—Required. It shall be unlawful for any person to purchase, receive or accept in any manner any firearm or ammunition within the city without first having obtained a written permit from the chief of police of the city authorizing such person to receive or accept such firearm or ammunition.

No person shall sell, deliver, barter or give, or otherwise transfer a firearm or ammunition within the city to any person who is not the holder of a written permit from the chief of police authorizing such person to purchase, receive or accept such firearm or ammunition. In no case shall any person deliver a firearm or ammunition to the person to whom it is to be sold or transferred until approved by the chief of police.

Sec. 6. Same—Transfer at time of sale and at time of reports. It shall be the duty of any person who sells, transfers or gives away any firearm or ammunition as provided in this chapter, at the time such sale, gift or delivery is made, to require the holder of such permit to deliver the permit to such person who sells, transfers or gives away any firearm or ammunition.

Sec. 10. Hours when exchange of firearms prohibited. It shall be unlawful for any person to purchase, receive or accept in any manner, to barter or give away any firearm or ammunition between the hours of 5:00 P. M. and 5:00 A. M.

Guam

Territorial Law

Govt. Code, Territory of Guam

8900. As used in this Chapter: (a) 'Firearm' means any weapon, the operating force of which is an explosive. This definition includes pistols, revolvers, rifles, shotguns, machine guns, automatic rifles, noxious gas projectors, mortars, bombs, cannon and submachine guns. The specific mention of certain weapons does not exclude from the definition other weapons operated by explosives.

(b) 'Pistol' or 'revolver' means any firearm of any shape whatever, and designed to be fired with one hand with a barrel less than twelve inches (12) in length and capable of discharging loaded ammunition or any noxious gas.

(c) 'Rifle' means a firearm designed, made, redesigned or remade, and intended to be fired from the shoulder and to fire only a single projectile through a rifled bore for each single pull of the trigger, and shall include any such firearm which may be readily restored to fire loaded ammunition, and any antique rifle or long gun, regardless of the type of charge or projectile used, which is capable of being used as a weapon.

(d) 'Shotgun' means any firearm designed, made, redesigned or remade and intended to be fired from the shoulder and to fire through
a smooth barrel either a number of projectiles (ball shot) or a single projectile, and shall include any such firearm which may be readily restored to fire any of the above, and shall also include any firearm of any age designed and capable of firing the above-mentioned projectiles.

(c) The terms 'Director' and 'Department' means the Director of Public Safety and the Department of Public Safety respectively.

8900.1. This Chapter shall not apply to: (a) Law enforcement officers when using firearms authorized by the Director in their official duty.

(b) Persons in the Armed Forces of the United States engaged in official duty.

(c) Devices which are not designed or redesigned for use as a weapon. Any device, although originally designed as a firearm, which has been redesigned, or was designed initially for use as, a signalling, pyrotechnic, line-throwing, safety, industrial or similar device, surplus ordnance sold, loaned or given by the Secretary of the Army pursuant to the provisions of Sections 4684(2), 4685 or 4686 of Title 10 of the United States Code is not covered by this Chapter.

8901. Ownership, etc. of certain firearms prohibited. The manufacture, possession, sale, barter, trade, gift, transfer, or acquisition of any machine guns, sub-machine guns, automatic rifles or any other firearm not a rifle having a barrel length of sixteen (16) inches or greater, or not a shotgun having a barrel length of eighteen (18) inches or greater, or a revolver or pistol having a barrel length of more than twelve (12) inches is prohibited. Mufflers, silencers, or devices for deadening the sound of discharged firearms are also prohibited. Any person violating this section shall be imprisoned for a term of not less than two years nor more than five years, without probation.

8901.1. Ownership, etc. permitted. Any person who qualifies under this Chapter may lawfully own, possess, use or carry any rifle, shotgun, pistol or revolver not prohibited by Section 8901 subject to the conditions and penalties provided in this Chapter.

8901.2. Dealer, etc. must register. Any person who is a dealer, manufacturer, wholesaler, or retailer of firearms or ammunition within the territory of Guam who must register pursuant to Section 8901.2 shall do so by supplying the Department with information required by it relative to the name of the business, name or names of the owners, whether the business is a corporation, sole proprietorship, partnership or any other form, relative to the types of firearms sold, manufactured, bought or repaired by such business, to the security of the storage areas of the business wherein the firearms are stored and any other information deemed necessary by the Department. Upon receipt of the necessary information, the Department shall issue a registration card, which shall be prominently displayed at the place of business of the person or firm so registered, and copies to he displayed at each location where firearms are sold.

8905.1. Any person or firm licensed pursuant to Section 8905.2 shall, in the conduct of his business: * * * *

(3) Permit only persons who are holders of identification cards making them eligible to purchase, possess and use the firearms sold by the registrant or repaired by the repair facility to have access to the firearms or ammunition, except that nothing in this section shall be construed to require a customer to show an identification card prior to his engaging in a transaction for which an identification card is required by this Chapter.

(4) Sell only to persons who have a valid identification card making them eligible to purchase, own, possess, use and carry the firearm or ammunition which is the subject of the transaction. * * * *

8905.2. No person, other than the owner or possessor of a firearm, may accept any firearm for repair without having first been shown a valid identification card showing the person delivering the firearm to such person accepting it for repair to be eligible to possess the firearm in question. No firearm shall be returned to any person after repair or other work done on it without the repairer having seen the identification card of the one to whom the firearm is to be given.

* * * *

Hawaii

State Law

Hawaii Rev. Stats.

§134-1 Definitions. As used in this chapter: "Firearm" means any weapon, the operating force of which is an explosive. This definition includes pistols, revolvers, rifles, shotguns, machine guns, automatic rifles, noxious gas projectors, mortars, bombs, cannon, and submachine guns. The specific mention of certain weapons does not exclude from the definition other weapons operated by explosives.

"Pistol" or "revolver" means any firearms of any shape whatsoever with barrel less than twelve inches in length and capable of discharging loaded ammunition or any noxious gas.

§134-2 Registration, mandatory. Every person arriving in the State who brings with him firearms of any description, whether useable or unusable, serviceable or unserviceable, modern or antique, or ammunition of any type and description, shall within forty-eight hours after arrival, register the same with the chief of police of the county of his place of business, or if there be no place of business, his residence, or if there be neither place of business nor residence, his place of sojourn.

Registration shall not be required for: (a) any device designed to fire loose black powder; (b) a device not designed to fire or make incapable of discharging a shot by means of an explosive and incapable of being readily restored to a firing condition; and/or (c) all unserviceable firearms and destructive devices registered with the Director, Alcohol, Tobacco, and Firearms Division of the U.S. Internal Revenue Service as provided in Part 179 of Title 26, Code of Federal Regulations.
NOTICES

§134-31 License to sell and manufacture firearms; fee. Any person desiring to engage in the business to sell and manufacture firearms for sale in the State either at wholesale or retail, shall annually file an application for a license therefor with the director of finance of each county of the State. * * *

Idaho

State Law
Idaho Code

18-3302. Concealed and dangerous weapons—Possession and exhibition—Sale to minors. If any person, excepting officials of a county, officials of the State of Idaho, officials of the United States, peace officers, guards of any jail, or any officer of any express company on duty, shall carry concealed upon or about his person any *** pistol, revolver, gun or any other deadly or dangerous weapon within the limits or confines of any city, town or village, or in any public assembly, or in any mining, lumbering, logging, railroad or other construction camp, public conveyances or on public highways within the State of Idaho, or shall, in the presence of one or more persons, exhibit any deadly or dangerous weapon in a rude, angry or threatening manner, or shall have or carry such weapons upon or about his person when intoxicated or under the influence of intoxicating drinks, or shall, directly or indirectly, sell or deliver, loan or barter to any minor under the age of sixteen years any such weapon without the consent of the parent or guardian of such minor, he shall, upon conviction, be punished by a fine of not less than $25.00 nor more than $200.00, and by imprisonment in the county jail for a period of not less than twenty days nor more than ninety days: provided, however, that any person shall be allowed to carry any of the above weapons in the places mentioned above on securing a permit from the sheriff of the county after satisfying the sheriff of the necessity therefor.

18-3308. Selling explosives, ammunition or firearms to minors. No person, firm, association or corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor more than $100, or be imprisoned in the county jail not less than ten days nor more than thirty days, or be punished by both such fine and imprisonment in the discretion of the court.

Illinois

State Law

38 §24-1. Unlawful use of weapons. (a) A person commits the offense of unlawful use of weapons when he knowingly: * * *
(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm: or
(7) Sells, manufactures, purchases, possessses or carries any weapon from which more than 8 shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than 18 inches in length, any bomb, bomb-shell, grenade, bottle or other container containing an explosive substance, such as but not lim-
38 §24-2. Exemptions. * * *
(c) Subsection 24-1a(7) does not apply to or affect any of the following:
(1) Peace officers.
(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.
(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.
(4) Manufacture, transportation, or sale of machine guns to persons authorized under (1) through (3) of this Subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or not immediately accessible. * * *
(g) An information or indictment based upon a violation of any Subsection of this Article need not negative any exemptions contained in this Article. The defendant shall have the burden of proving such an exemption.

38 §24-3. Unlawful sale of firearms. A person commits the offense of unlawful sale of firearms when he knowingly:
(a) Sells or gives any firearm of a size which may be concealed upon the person to any person under 18 years of age; or
(b) Sells or gives any firearm to a person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent; or
(c) Sells or gives any firearm to any narcotic addict; or
(d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction within 5 years from release from the penitentiary or within 5 years of conviction if penitentiary sentence has not been imposed; or
(e) Sells or gives any firearm to any person who has been a patient in a mental hospital within the past 5 years; or
(f) Sells or gives any firearms to any person who is mentally retarded; or
(g) Delivers any firearm of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least 72 hours after application for its purchase has been made, or delivers any rifle, shotgun or other long gun, incidental to a sale, without withholding delivery of such rifle, shotgun or other long gun for at least 24 hours after application for its purchase has been made. However, this paragraph shall not apply to: (1) the sale of a firearm to a law enforcement officer or a person who desires to purchase a firearm for use in promoting the public interest incident to his employment as a bank guard, armed truck guard, or other similar employment; or (2) a mail order sale of a firearm to a nonresident of Illinois under which the firearm is mailed to a point outside the boundaries of Illinois; or (3) the sale of a firearm to a nonresident of Illinois while at a firearm showing or display recognized by the Illinois Department of Law Enforcement; or (4) the sale of a firearm to a dealer licensed under the Federal Firearms Act of the United States; or
(h) While holding any license under the Federal "Gun Control Act of 1968", as amended, as a dealer, importer, manufacturer or pawnbroker; manufactures, sells or delivers to any unlicensed person a handgun having a barrel, slide, frame or receiver which is a die casting of zinc alloy or any other nonhomogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit. For purposes of this paragraph, (1) "firearm" is defined as in "An Act relating to the acquisition, possession and transfer of firearms and firearm ammunition, to provide a penalty for the violation thereof and to make an appropriation in connection therewith", approved August 3, 1967, as amended; (2) "handgun" is defined as a firearm designed to be held and fired by the use of a single hand, and includes a combination of parts from which a firearm can be assembled.

(i) Paragraph (h) of this Section shall not include firearms sold within 6 months after enactment of this amendatory Act of 1973, nor shall any firearm legally owned or possessed by any citizen or purchased by any citizen within 6 months after the enactment of this amendatory Act of 1973 be subject to confiscation or seizure under the provisions of this amendatory Act of 1973. Nothing in this amendatory Act of 1973 shall be construed to prohibit the gift or trade of any firearm if that firearm was legally held or acquired within 6 months after the enactment of this amendatory Act of 1973.

(2) Any person convicted under the provisions of Section 24-2 of the "Criminal Code of 1961", as amended, from acquiring or possessing firearm ammunition.

38 §83-1. Legislative Declaration. It is hereby declared as a matter of legislative determination that in order to promote and protect the health, safety and welfare of the public, it is necessary and in the public interest to provide a system of identifying persons who are not qualified to acquire or possess firearms and firearm ammunition within the State of Illinois by the establishment of a system of Firearm Owner's Identification Cards, thereby establishing a practical and workable system by which law enforcement authorities will be afforded an opportunity to identify those persons who are prohibited by Section 24-3.1 of the "Criminal Code of 1961", as amended, from acquiring or possessing firearm ammunition.

38 §83-1.1 Definitions. For purposes of this Act: "Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding, however:
(1) any pneumatic gun, spring gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter.
(2) any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or
(3) any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition;
(4) an antique firearm (other than a machine-gun) which, although designed as a weapon, the Department of Law Enforcement finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.
"Firearm Ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm; excluding, however:
(1) any ammunition exclusively designed for use with a device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or
(2) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

38 §38-2. Requisites for Acquisition or Possession—Exempted Persons or Entities. (a)
No person may acquire or possess any firearm or any firearm ammunition within this State without having in his possession a Firearm Owner’s Identification Card previously issued in his name by the Department of Law Enforcement under the provisions of this Act.

(b) The provisions of this Section regarding the possession of firearms and firearm ammunition do not apply to:

(1) United States Marshals, while engaged in the operation of their official duties;
(2) Members of the Armed Forces of the United States or the National Guard, while engaged in the operation of their official duties;
(3) Federal officials required to carry firearms, while engaged in the operation of their official duties;
(4) Law enforcement officials of this or any other jurisdiction, while engaged in the operation of their official duties;
(5) Members of bona fide veterans organizations which receive firearms directly from the armed force of the United States, while using such firearms for ceremonial purposes with blank ammunition;
(6) Nonresident hunters during hunting season, with valid nonresident hunting licenses and while in an area where hunting is permitted; however, at all other times and in all other places such persons must have their firearms unloaded and enclosed in a case;
(7) Nonresidents while on a firing or shooting range recognized by the Department of Law Enforcement; however, such persons must at all other times and in all other places have their firearms unloaded and enclosed in a case;
(8) Nonresidents, while at a firearm show or display recognized by the Department of Law Enforcement; however, at all other times and in all other places must have their firearms unloaded and enclosed in a case;
(9) Nonresidents, whose firearms are unloaded and enclosed in a case;
(10) Nonresidents, who are currently licensed or registered to possess a firearm in their resident state; and
(11) Unemancipated minors while in the custody and immediate control of their parent or legal guardian or other person in loco parentis to such minor if such parent or legal guardian or other person in loco parentis to such minor has a currently valid Firearm Owner’s Identification Card.

38 §83-3. Requisites for transfer. (a) No person within this State may knowingly transfer, or cause to be transferred, any firearm or any firearm ammunition to any person within this State unless the transferee with whom he deals displays a currently valid Firearm Owner’s Identification Card which has previously been issued in his name by the Department of Public Safety under the provision of this Act.

(c) The provisions of this Section regarding the transfer of firearm ammunition shall not apply to those persons specified in paragraph (b) of Section 2 of this Act. (Chapter 38, §83-2.)

38 §83-6. Contents of Identification Card. A Firearm Owner’s Identification Card, issued by the Department of Law Enforcement at such places as the Director of the Department shall specify, shall contain the applicant’s name, residence, date of birth, sex, physical description, recent photograph and such other personal identifying information as may be required by the Director. Each Firearm Owner’s Identification Card must have printed on it the following: “CAUTION—This card does not permit bearer to UNLAWFULLY carry or use firearms.”

Abingdon

6-2-4-14: Sale of firearms or weapons to minors prohibited: (A) It shall be unlawful for any person to sell to any minor person any firearm. (B) It shall be unlawful for any person to sell to any minor person any firearm ammunition.

6-2-3-15: Unlawful use of weapons: (A) It shall be unlawful for any person to: (1) Possess any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or (2) Possess or carry any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen inches (18) in length, or any bombshell, grenade, bottle or other container containing an explosive substance, such as, but not limited to, black powder bombs and Molotov cocktails.

Addison

2. Permit. It shall be unlawful for any person to sell or give away to any person within the Village of Addison any firearm unless such person so purchasing or receiving such firearm shall have a valid State of Illinois Gun Owner’s Identification Card and shall have secured a written permit for the purchase of said firearm from the Chief of Police, and it shall be the duty of the person selling or giving away firearms to receive and keep such written permits from the Chief of Police in a permanent file for inspection purposes. Every such person with a license to deal in firearms shall, on demand, allow the Chief of Police or his deputy to enter for inspection during normal business hours, all stock on hand and shall on request of such officer, produce for inspection all written permits issued by the Chief of Police for the sale of such firearms, and the register so required to be kept.

Arlington Heights

Article XXXIII—Gun Dealers.

Section 14-3301 Gun Dealers—License Required. No person shall engage in the business of selling firearms, ammunition, black powder, smokeless powder, or any other propellant, without first having obtained a business license therefor from the Village of Arlington Heights pursuant to the provisions of Chapter 9 of this Code.

Section 14-3304 For the purpose of this ordinance, “firearm” shall not mean an antique firearm (other than a machine-gun) which, although designed as a weapon, is by reason of the date of its manufacture, value, design and other characteristics primarily a collector’s item and is not likely to be used as a weapon, or which is designated as a collector’s item or antique firearm by state or federal law.

Aurora

29-24. Unlawful use of weapons—prohibited. (a) A person commits the offense of unlawful use of weapons when he knowingly:

(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or
(7) Sells, manufactures, purchases, possesses or carries any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen (18) inches in length, or any bomb, bombshell, grenade, bottle or other container containing an explosive substance, such as, but not limited to, black powder bombs and Molotov cocktails.

(c) Section 29-24(a)(7) does not apply to or affect any of the following:
(1) Peace officers.
(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

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(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under (1) through (3) of this subsection to possess machine guns, if the machine guns are broken down in a nonfunctioning state or not immediately accessible.

29-27. Furnishing firearms to minors. No person shall sell, loan, or furnish to any minor any gun, pistol, or other firearm within the city; provided that minors may be permitted, with the consent of their parents or guardians, to use firearms on the premises of a duly licensed shooting gallery, gun club, or rifle club.

48-11. Dealer’s license required. It shall be unlawful for any person to engage in the business of selling, or to sell or give away, any pistol, revolver, * * * derringer, * * * or other deadly weapon which can be concealed on the person, without securing a license so to do.

48-17. Disposing of weapon to unauthorized persons. It shall be unlawful for any person to sell, barter, or give away to any person within the city, any deadly weapon mentioned in section 48-11, except to licensed dealers and to persons who have secured a permit for the purchase of such articles from the chief of police as hereinafter required.

48-25. Required. It shall be unlawful for any person to purchase any deadly weapon mentioned in section 48-11, which may be concealed on the person, without first securing from the chief of police a permit so to do.

48-33. License required. It shall be unlawful for any person to engage in the business of repairing any pistol, revolver, derringer, or other firearm, which can be concealed on the person without securing a license so to do.

Bartlett

23.014 Firearms—Minors. It shall be unlawful to sell, loan, or furnish to any minor any gun, rifle, pistol, shotgun or other firearm.

Beecher

6-1.7 * * * (B) It shall be unlawful for any person to sell, loan, or furnish to any minor any gun, pistol, shotgun or other firearm within the limits of the Village.

Belvidere

Sec. 133.006 Unlawful use of weapons; prohibited. (A) A person commits the offense of unlawful use of weapons when he knowingly: * * * (6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; * * *

Sec. 133.014 Unlawful sale of firearms. (A) A person commits the offense of unlawful sale of firearms when he knowingly:

(1) Sells or gives any firearm of a size which may be concealed upon the person to any person under 18 years of age; or

(2) Sells or gives any firearm to a person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent; or

(3) Sells or gives any firearm to any narcotic addict; or

(4) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction within 5 years from release from the penitentiary or within 5 years of conviction if penitentiary sentence has not been imposed; or

(5) Sells or gives any firearm to any person who has been a patient in a mental hospital within the past 5 years; or

(6) Sells or gives any firearm to any person who is mentally retarded; or

(7) Delivers any firearm, of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least 72 hours after application for its purchase has been made; or delivers any rifle, shotgun or other long gun incidental to a sale, without withholding delivery of such rifle, shotgun or other long gun for at least 24 hours after application for its purchase has been made. However this paragraph shall not apply to:

(a) The sale of a firearm to a law enforcement officer or a person who desires to purchase a firearm for use in promoting the public interest incident to his employment as a bank guard, armed truck guard, or other similar employment; or

(b) A mail order sale of a firearm to a non-resident of Illinois who is mailed to a point outside the boundaries of Illinois; or

(c) The sale of a firearm to a non-resident of Illinois while at a firearm showing or display recognized by the Illinois Department of Law Enforcement; or

(d) The sale of a firearm to a dealer licensed under the Federal Firearms Act of the United States.

Sec. 133.015 Unlawful possession or acquisition of firearms or ammunition.

(A) A person commits the offense of unlawful possession of firearms or firearm ammunition when:

(1) He is under 18 years of age and has in his possession any firearm of a size which may be concealed upon the person;

(2) He is under 21 years of age, has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent and has any firearm or firearm ammunition in his possession; or

(3) He has been convicted of a felony under the laws of this or any other jurisdiction within 5 years from release from the penitentiary or within 5 years of conviction if penitentiary sentence has not been imposed, and has any firearms or firearm ammunition in his possession; or

(4) He is a narcotic addict and has any firearms or firearm ammunition in his possession; or

(5) He has been a patient in a mental hospital within the past 5 years and has any firearms or firearm ammunition in his possession; or

(6) He is mentally retarded and has any firearms or firearm ammunition in his possession.

Bensenville

42.08 Firearms to minors. No persons shall sell, loan or furnish to any minor any gun, pistol or other firearm *** within the village.

Berkeley

Ordinance 69-12

Section one: That it shall be unlawful for any firm, business or corporation within the Village of Berkeley, to manufacture for sale, or cause to be manufactured, sell, keep for sale, offer, or dispose of, any instrument or weapon of the kind usually known as a pistol, revolver, shotgun, rifle, * * * or any other offensive and dangerous weapon or instrument, or to give or sell a pistol or firearm to any person.

Berwyn

36-6. Definition. “Firearms,” for the purposes of this article, are pistols, revolvers, guns and small arms of a size and character that may be concealed upon or about the person.

36-7. License to sell concealable firearms required. It shall be unlawful for any person to engage in the business of selling, or to sell or give away to any person within the city, any firearms which are of such size of nature as may be concealed upon the person, without securing a license therefor.

36-9. License not to sell concealable firearms; exception. No person having secured a license required by section 36-7 of this Code, shall sell, loan or give away any firearm described in section 36-6 of this Code to any person who has not secured a permit from the chief of police to purchase such firearm.
36-11. Persons ineligible for permits. No person shall be permitted to purchase a firearm without having secured a permit from the chief of police. Such permit shall not be issued to a criminal, vagabond, minor under eighteen years of age or an alien.

Bloomington

69. Minors—selling, etc., weapons to prohibited. No person shall sell, give, loan, hire, barter, furnish, or offer to sell, give, loan, hire, barter or furnish to any minor within the City any gun, pistol, revolver, bowing piece, or toy firearm in which any explosive substance can be used *** or other deadly weapon of a like character.

Blue Island

2273. 1.01—Definitions. For the purposes of this ordinance—
A. "Deadly Weapons" means pistols, revolvers and other firearms of such size or nature that they may be concealed on or about the person, short-barreled shotguns and short-barreled rifles. Deadly weapons do not include any antique firearm. Deadly weapons do not include any firearm which is not designed to or may not readily be converted to expel a projectile by the action of an explosive.
B. "Short-Barreled Shotguns" means shotguns having one or more barrels less than eighteen inches in length.
C. "Short-Barreled Rifles" means a rifle having one or more barrels less than sixteen inches in length.
D. "Antique Firearm" means:
(1) any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; and
(2) any replica of any firearm described in subsection D.(1) if such replica—
(a) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or
(b) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.
E. "Dealer" means any person, firm or corporation—
(1) engaged in the business of selling firearms at wholesale or retail,
(2) engaged in the business of repairing firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms, or
(3) any person who is a pawnbroker.
F. "Licensed Dealer" means any dealer who is validly licensed as a dealer under the provisions of Chapter 44 of Title 18 of the United States Code.
G. "Licensed Collector" means any person who acquires, holds, or disposes of firearms or ammunition as curios or relics and who is validly licensed as a collector by the Secretary of the Treasury of the United States under the provisions of Chapter 44 of Title 18 of the United States Code.
H. "Sale or Other Transfer" means any sale, gift, exchange, loan, rental or other transfer of a deadly weapon, but does not include any of the following:
(1) acquisition of a deadly weapon as the executor, administrator or other legal representative of a decedent's estate, or
(2) transfer of a deadly weapon by bequest or intestate succession, or
(3) acquisition or transfer of a deadly weapon by a trustee in bankruptcy in the administration of a bankrupt's estate, or
(4) return of a deadly weapon to a person, firm or corporation from whom it was received.
(5) transfer of a deadly weapon where it is required by or in accordance with a judgment or decree of any court of lawful jurisdiction, or
(6) transfer of a deadly weapon to any Federal, State or Local government, or any department, agency, bureau, institution or commission thereof,
(7) transfer of a deadly weapon to a private museum, society institution or other private organization which customarily acquires and holds firearms as curios or relics or for scientific or research purposes, or
(8) loan or rental of a deadly weapon solely for the purpose of target shooting upon a lawful pistol range or other lawful target range.
2.01 Unlawful Sale or Other Transfer of Deadly Weapons. It shall be unlawful for any person, firm or corporation to make any sale or other transfer of a deadly weapon in the City of Blue Island, Illinois, to any person, firm or corporation other than the following:
A. Persons who are required or authorized to possess and use a deadly weapon incident to their membership, employment or association with any of the regular armed forces, military services or reserve organizations of the United States.
B. Persons who are required or authorized to possess and use a deadly weapon incident to their membership, employment or association with the organized militia of any State.
C. Persons who are required or authorized to possess and use a deadly weapon incident to their employment by any Federal, State or Local government thereof, specifically including by way of example but not limited to:
(1) Peace Officers;
(2) Wardens, Superintendents and Keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense; and
(3) Agents and Investigators of the Illinois Legislative Investigatory Commission authorized by the Commission to carry weapons.
D. Licensed detectives and employees of licensed detective agencies as defined in Illinois Revised Statutes, Chapter 38, Section 201-1 as now or hereafter amended.
E. Special agents employed by a railroad or public utility to perform police functions.
F. Watchmen, bank guards, armed truck guards or other similar private security personnel, in accordance with the provisions of Section 4.02 of this ordinance.
G. A licensed collector of deadly weapons.
H. A licensed dealer in deadly weapons.
3.01—Dealer License Required. No person, firm or corporation shall engage in the business of a dealer in deadly weapons in the City of Blue Island, Illinois, without securing a license therefor.
4.02—Sale or Other Transfer to Private Security Personnel. Any dealer in deadly weapons who sells or otherwise transfers a deadly weapon to any watchman, bank guard, armed truck guard or other similar private security personnel shall before making such sale or transfer request and receive from such person's employer a letter stating that such person is employed as a private security guard and requires the deadly weapon which he is seeking to obtain from the dealer.

Bolingbrook

Section 19-203. Sale to minors or aliens prohibited. None of the weapons the sale of which is licensed by this article, or any weapon of like character, shall be sold or donated to any minor or alien.

Section 19-204. Permit required for purchase of concealable weapons—Application: Ineligible applicants. (A) No sale of any revolver, pistol, *** or other deadly weapon which can be concealed on a person shall be made by any licensee under this article to any person unless such person shall first exhibit to the licensee a permit for the purchase thereof, as issued by the Chief of Police of the Village.
(B) Before any permit required by this section can be granted, an application in writing must be made to the Chief of Police. ***

Cahokia

4. No person, firm or corporation shall sell or give or loan to any person under the age of 18 years any firearm or other deadly weapon in the Village of Cahokia, Illinois.

Carpentersville

8-39. Unlawful Use of Weapons. A person commits the offense of unlawful use of weapons when he knowingly:
(I) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or
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(g) Sells, manufacturers, purchases, posses­
ses or carries any weapon from which more than 8 shots or bullets may be dis­
charged by a single function of the firing de­
vice. ** *

Subsection *** (g) shall not apply to or affect any of the following:
(a) Peace officers.
(b) Manufacture, transportation, or sale of
machine guns to persons authorized under (a)
of this subsection to possess such, provided
said machine guns are broken down in a non­
functioning state or not immediately accessi­
ble. ** *

8-40. Unlawful Sale of Firearms. A person
commits the offense of unlawful sale of fire­
arms when he knowingly:
(a) Sells or gives any firearm of a size
which may be concealed upon the person to
any person under 18 years of age; or
(b) Sells or gives any firearm to any narc­
ocetic addict; or
(c) Sells or gives any firearm to any person
who has been convicted of a felony under the
laws of this or any other jurisdiction within 5
years from release from the penitentiary or
within 5 years of conviction if penitentiary
sentence has not been imposed.

Champaign

13.505. Weapons. No pawnbroker shall re­
ceive as a pledge or purchase any revolver,
pistol, *** or sawed-off shotgun. And no
pawnbroker shall display in his window or
shop any such weapons for sale.

22.209. Weapons. It shall be unlawful to
carry or possess any firearm or weapon in the
City in violation of the laws of this State.

Centralia

16-1-4. Unlawful use of weapons. A per­
son commits the offense of unlawful use of weapons when he knowingly:
(1) Sells, manufactures, purchases, posses­
ses or carries any *** shotgun with a bar­
rel less than 18 inches in length, *** or
****
(6) Possesses any device or attachment of
any kind designed, used or intended for use in
silencing the report of any firearm; or
(7) Sells, manufactures, purchases, posses­
ses or carries any weapon from which more than eight shots or bullets may be dis­
charged by a single function of the firing de­
vice.
C. Subsection 16-1-4 (7) shall not apply to
or affect any of the following:
(1) Peace Officers.
(2) Wardens, superintendents and keepers
of prisons, penitentiaries, jails and other in­
titutions for the detention of persons accused
or convicted of an offense.
(3) Members of the Armed Services or Re­
serve Forces of the United States or the Illi­
nois National National Guard, while in the
performance of their official duty.
(4) Manufacture, transportation, or sale of
machine guns, to persons authorized under (1)
through (3) of the subsection to possess such,
provided said machine guns are broken down in a non-functioning state or not immediately accessi­
ble. ** *

16-1-6. Unlawful sale of firearms. A per­
son commits the offense of unlawful sale of
firearms when he knowingly:
(1) Sells or gives any firearms of a size
which may be concealed upon the person to
any person under 18 years of age; or
(2) Sells or gives any firearm to any narc­
ocetic addict; or
(3) Sells or gives any firearm to any person
who has been convicted of a felony under the
laws of this or any other jurisdiction within 5
years from release from the penitentiary or
within 5 years of conviction if penitentiary
sentence has not been imposed.

Chicago

Registration

11.1-4. At the time of sale the seller shall
complete a registration form, designed or ap­
proved by the Director of Revenue, [contact local authorities for required contents] ** *
11.1-5. At such time of sale the seller shall
witness to the best of his knowledge that the
information submitted on the registration
form by the purchaser is true and correct and
that the transaction is not in violation of law.

11.1-14. For the purposes of this Chapter
the term "firearm" means any weapon, by
whatever name known, which is designed to
expel a projectile or projectiles by the action
of an explosive and a firearm muffler or fire­
arm silencer, or any part or parts of such
weapon.
11.1-15. Any person under 18 years of age,
any narcotic addict, any person who has
been convicted of a felony under the laws of
this State or any other jurisdiction within 5
years from release from penitentiary or within
5 years of conviction if penitentiary sentence
has not been imposed, and any person who has
been released from a mental institution or
from the custody of the Illinois Youth Com­
mission within the last 5 years, or is mentally
retarded, and any person who possesses any
firearm, the possession of which is prohibited
by any State or Federal law relating to weap­
ons or firearms, shall be ineligible to register
pursuant to this Chapter. Any purported reg­
istration by any of the above-described per­
sons shall be null and void.

11.1-16. A person may not possess or har­
bor any firearm, whether concealed or not
concealed, if such person is ineligible to regis­
ter such firearm with the licensing authority
pursuant to the provisions of this Chapter.

Unlawful Acts

183-1. It shall be unlawful for any person
to engage in the business of selling, or to sell
or give away, any pistol, revolver, *** der­
ingers, *** or other deadly weapon which
can be concealed on the person, without se­
curing a license so to do.
183-6. It shall be unlawful for any person
to sell, barter, or give away to any person
within the city, any deadly weapon mentioned
in section 183-1, except to licensed dealers
and to persons who have secured a permit for
the purchase of such articles from the super­
intendent of police as hereinafter required.
This section shall not apply to sales made of
such articles which are to be delivered or fur­
nished outside the city.

183-7. It shall be unlawful for to purchase
any deadly weapon mentioned in section
183-1, which can be concealed on the person
without first securing from the superintendent
of police a permit so to do. Before any such
permit is granted, an application in writing
shall be made therefor, [contact local authori­
ties for required contents] ** *
183-9.1 Gunsmiths. It shall be unlawful
for any person to engage in the business of
repairing any pistol, revolver, derringer, or
other firearm which can be concealed on the
person without securing a license so to do.

Chicago Heights

30-101. Unlawful use of weapons. A per­
son commits the offense of unlawful use of
weapons when he knowingly:

(f) Possesses any device or attachment of
any kind designed, used or intended for use in
silencing the report of any firearm; or

(g) Sells, manufactures, purchases, posses­
ses or carries any weapon from which more than eight (8) shots or bullets may be dis­
charged by a single function of the firing de­
vice, any shotgun with a barrel less than
eighteen (18) inches in length, or any bomb,
bombshell, grenade, bottle or other contain­
er containing an explosive substance, such as
but not limited to black powder bombs and
Molotov cocktails; ** *

30-104. Unlawful sale of firearms. A per­
son commits the offense of unlawful sale of
firearms when he knowingly:
(a) Sells or gives any firearm of a size
which may be concealed upon the person to
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any person under eighteen (18) years of age; or
(b) Sells or gives any firearm to a person under twenty-one (21) years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent; or
(c) Sells or gives any firearm to a narcotic addict; or
(d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction within five (5) years from release from the penitentiary or within five (5) years of conviction if penitentiary sentence has not been imposed; or
(e) Sells or gives any firearm to any person who has been a patient in a mental hospital within the past five (5) years; or
(f) Sells or gives any firearm to any person who is mentally retarded; or
(g) Delivers any firearm of a size which may be concealed upon the person without withholding delivery of such firearm for at least seventy-two (72) hours after application for its purchase has been made, or delivers any rifle, shotgun or other long gun, incidental to a sale, without withholding delivery of such rifle, shotgun or other long gun for at least twenty-four (24) hours after application for its purchase has been made. However, this paragraph shall not apply to:
(1) The sale of a firearm to a law enforcement officer or a person who desires to purchase a firearm for use in promoting the public interest incident to his employment as a bank guard, armored truck guard, or other similar employment; or
(2) A mail order sale of a firearm to a non-resident of the state under which the firearm is mailed to a point outside the boundaries of this state; or
(3) The sale of a firearm to a non-resident of this state while at a firearms showing or display recognized by the state department of public safety; or
(4) The sale of a firearm to a dealer licensed under the federal firearms act.

30-105. Unlawful possession of firearms and firearm ammunition. A person commits the offense of unlawful possession of firearms or firearm ammunition when:
(a) He is under eighteen (18) years of age and has in his possession any firearm of a size which may be concealed upon the person.
(b) He is under twenty-one (21) years of age, has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent and has any firearms or firearm ammunition in his possession; or
(c) He has been convicted of a felony under the laws of this or any other jurisdiction within five (5) years from release from the penitentiary or within five (5) years of conviction if penitentiary sentence has not been imposed, and has any firearms or firearm ammunition in his possession; or
(d) He is a narcotic addict and has any firearms or firearm ammunition in his possession; or
(e) He has been a patient in a mental hospital within the past five (5) years and has any firearms or firearm ammunition in his possession; or
(f) He is mentally retarded and has any firearms or firearm ammunition in his possession.

Chicago Ridge

Section 1—License required. It shall be unlawful for any person, firm or corporation to engage in the business of selling or to sell, loan or give away to any person within the Village any pistol, revolver, derringer, *** or any toy firearms or other toy in the nature of a firearm in which any explosive substance can be used or other weapon of like character without securing a license so to do as herein-after provided; and no person, firm or corporation having secured such a license shall sell or give away such weapon to any person within this Village who has not secured a permit from either the Chief of Police or the Village Clerk to purchase such weapon in the manner hereinafter provided.

Section 5—Permit. It shall be unlawful for any person to purchase any pistol, revolver, derringer, *** or weapon of like character without first securing from the Village Clerk a permit so to do. Before any such permit is granted an application in writing shall be made *** [contact local authorities for required contents]. Before issuing such permit the Village Clerk shall refer the same to the Chief of Police ***. In addition the Chief of Police shall make such inquiry or investigation as shall be necessary to ascertain whether or not the applicant is entitled to receive such a permit: ***.

Section 6—Refusing permit. It shall be the duty of the Chief of Police to refuse his approval of such permit to: a) All persons having been convicted of any crime; b) All minors.

Clarendon Hills

Selling firearms to minors unlawful. No person shall sell, loan or furnish to any minor, any gun, pistol, fowling piece or other firearm, *** within the Village of Clarendon Hills, under a penalty of not less than five dollars not more than fifty dollars for each offense.

Countryside

8-11.01 License required. It shall be unlawful for any person, firm or corporation to engage in the business of selling, or to sell or give away, any loaded paper shells, metallic shot, loaded cartridges, bank cartridges, percussion caps, primers, detonators, or any other explosives without having first obtained a license therefor.

8-11.11 Minors. It is hereby declared to be unlawful for any person to sell, deliver, or give to any person under eighteen years of age any of the items set forth in 8-11.01.

Crest Hill

1. Violation. It shall be unlawful for any person to engage in the business of selling or to sell, or offer for sale or give away to any person within the city any pistol, revolver, *** or other weapons of like character with-
out securing a license to do so.

3. Sale to minors. None of the articles enumerated in Section 1, or of like character, shall be sold to any minor.

5. Permit. No sale of a revolver, pistol, * * * or other deadly weapon which can be concealed on the person shall be made by any licensee to any purchaser unless such purchaser shall first exhibit to such licensee a permit for the purchase thereof, issued by the chief of police of this city. * * * It shall be the duty of the chief of police to refuse such permit to all minors or persons having been convicted of any crime.

Creve Coeur

6-2-17: Unlawful use of weapons: (A) It shall be unlawful for any person to: 6. Possess any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or
7. Possess or carry any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen inches (18) in length, or any bomb, bomb-shell, grenade, bottle or other container containing an explosive substance, such as, but not limited to, black powder bombs and Molotov cocktails; * * *.

Decatur

51.19 Firearms to minors. No person shall sell, loan or furnish to any minor any gun, pistol, revolver, derringer, * * * or other weapon of like character which can be concealed on the person, unless such person so purchasing or receiving such weapon shall have secured a written permit for the purchase of such articles from the Chief of Police * * *

Elmwood Park

52-3. Definition of "firearm". Firearms for the purposes of this chapter are pistols, revolvers, guns and small arms of a size and character that may be concealed upon or about the person.

52-5. License to sell firearms—Required. It shall be unlawful for any person to engage in the business of selling or to sell, or give away, to any person within the village, any firearm which may be concealed upon the person, without securing a license therefor.

52-7. Permit to purchase firearms. No person shall be permitted to purchase a firearm within the corporate limits of the city of East St. Louis without having secured a permit from the chief of police.

52-8. Sales, etc., of firearms to persons without permit. No person, having secured a license to sell firearms shall sell, loan, or give away, any such weapon to any person who has not secured a permit from the chief of police to purchase such weapon.

52-11. Sale, etc., of firearms to minors. No person shall sell or give to any alien or to any minor under the age of eighteen years any firearm of a size which may be concealed upon the person.

52-10 Firearms ***(b) Selling to minors. No person shall sell, give, loan or furnish to any minor within the City any pistol, revolver, * * * derringer, * * * or other weapon of like character which can be concealed upon the person, except to limited to, black powder bombs and Molotov cocktails; * * *.

52-9. Unlawful use of weapons. (a) It shall be unlawful for any person to: (6) Possess any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; (7) Possess or carry any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen inches (18) in length, or any bomb, bomb-shell, grenade, bottle or other container containing an explosive substance, such as, but not limited to, black powder bombs and Molotov cocktails.

East Peoria

51.19 Firearms to minors. No person shall sell, loan or furnish to any minor, any gun, pistol or other firearm or any airgun or toy pistol on which percussion caps are used.

East St. Louis

51.19 Firearms to minors. No person shall sell, loan or furnish to any minor any gun, pistol, revolver, derringer, * * * or other weapon of like character which can be concealed on the person, unless such person so purchasing or receiving such weapon shall have secured a written permit for the purchase of such articles from the Chief of Police * * *

52-9. Unlawful use of weapons. (a) It shall be unlawful for any person to: (6) Possess any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; (7) Possess or carry any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device.

Downers Grove

Sec. 15-13. Same—Sale to minors. No person shall sell, loan or furnish to any minor any gun, pistol, bowing piece or other firearm, * * *

DuQuoin

20-65. Purchasing from or selling, loaning or furnishing weapons using explosive substances to persons under the influence of alcohol, etc., agitated persons, or minors. It shall be unlawful for any person, firm or corporation to engage in the business of selling or to sell, loan or furnish to any minor within the City any pistol, revolver, derringer, * * * or other weapon of like character which can be concealed on the person, except to limited to, black powder bombs and Molotov cocktails; * * *.

Elmhurst

Sec. 32-2. Certain acts involving weapons deemed unlawful—In general. It shall be unlawful for any person to knowingly:
(a) Sell, manufacture, purchase, possess or carry any * * * shotgun with a barrel less than eighteen inches (18) in length * * *
(b) Possess any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or
(g) Sell, manufacture, purchase, possess or carry any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device.

Sec. 52-5. License to sell firearms—Required. It shall be unlawful for any person to engage in the business of selling or to sell, or give away, to any person within the village, any firearm which may be concealed upon the person, without securing a license therefor.
Sec. 32-3. Same—Exceptions. The preceding section 32-2 shall not apply to peace officers or any persons summoned by any such officer to assist in making arrests or preserving the peace while he actually is engaged in assisting such officer.

Sec. 32-11. License required to engage in business or to sell or give away deadly weapons. It shall be unlawful for any person to engage in the business of selling or to sell or give away any pistol, revolver, *** or other deadly weapon, which can be concealed on the person without securing a license so to do.

Sec. 32-17. Limitations on sale or gift of deadly weapons; exception. It shall be unlawful for any person to sell, barter, or give away to any person to engage in the business of selling or to sell or give away any pistol, revolver, *** or other deadly weapon, which can be concealed on the person without securing a license so to do.

Sec. 32-20. Purchase required to secure permit to purchase deadly weapon; application; fingerprinting; grounds for disapproval; fee. It shall be unlawful for any person to purchase any deadly weapon as defined in this article without filling out a federal firearms affidavit.

Sec. 32-36. License required to engage in business. It shall be unlawful for any person to engage in the business of repairing any pistol, revolver, derringer or other firearm, which can be concealed on the person without securing a license so to do.

Franklin Park

Sec. 17-202. Affidavit required for sales. (a) No person licensed under the provisions of this article having secured such a license, shall sell or give away any deadly weapon as defined in this article to any person within the village, any deadly weapon mentioned in section 32-11, except to licensed dealers and to persons who have secured a permit for the purchase of such articles from the chief of police, or as hereinafter required. This section shall not be construed to apply between licensed dealers.

Sec. 32-18. Purchaser required to secure permit to purchase deadly weapon; application; fingerprinting; grounds for disapproval; fee. It shall be unlawful for any person to purchase any deadly weapon mentioned in section 32-11, which can be concealed on the person without first securing from the chief of police a permit so to do.

Sec. 32-36. License required to engage in business. It shall be unlawful for any person to engage in the business of repairing any pistol, revolver, derringer or other firearm, which can be concealed on the person without securing a license so to do.

Geneva

19-10. Unlawful use of weapons.

(a) It shall be unlawful for any person to commit the offense of unlawful use of weapons.

(b) A person commits the offense of unlawful use of weapons when he knowingly: ***

(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(7) Sells, manufactures, purchases, possesses or carries any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen (18) inches in length, or any bomb, bombshell, grenade, bottle or other container containing an explosive substance, such as, but not limited to, black powder bombs and Molotov cocktails;

Gibson City

8.21 Illegal to Sell Firearms and Other Devices to Persons Under Twenty-One. No person shall sell to any person under the age of twenty-one (21) any gun, pistol, bowie knife, *** or other firearm or device which is calculated or intended to propel or project a bullet, pellet *** or similar projectile, without written permission of parent or guardian.

Glencoe

Sec. 24-49. Same—Sale of weapons which can be concealed. It shall be unlawful to sell any firearms which can be concealed on or about the person in the village.

Sec. 24-50. Same—Sale, etc., to minors. No person shall sell, loan or furnish to any minor any gun, pistol or other firearm, or any air gun or ammunition for any firearm or air gun within the village.

Glendale Heights

Sec. 13-72. Unlawful use of weapons. ***

(3) Carries on or about his person or in any vehicle, a tear gas gun projector or bomb or any object containing noxious liquid gas or substrate; ***

(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm;

(7) Sells, manufactures, purchases, possesses or carries any weapon from which

Sec. 13-74. Unlawful possession of firearms and firearm ammunition. A person commits the offense of unlawful possession of firearms or firearm ammunition, which shall be a violation of this Code, when:

(a) He is under eighteen (18) years of age and has in his possession any firearm of a size which may be concealed upon the person;
NOTICES

1. License to sell, loan or give away: It shall be unlawful for any person, firm or corporation to engage in the business of selling, to sell, loan or give away to any person, within the Village, any pistol, revolver, derringer, ***, or any toy firearms or other toy in the nature of a firearm in which any explosive substance can be used, or other weapon of like character, without securing a license so to do as hereinafter provided, and no person, firm or corporation having secured such a license, shall sell or give away such weapon to any person within this Village who has not secured a permit from either the Chief of Police or the Village Clerk to purchase such weapon. ***

29-5. Permit: It shall be unlawful for any person to purchase any pistol, revolver, derringer, ***, or weapon of like character, without first securing from the Village Clerk a permit so to do. ***

Highland Park

134.001. Definitions: For the purpose of this chapter. (A) The term “person” includes any individual, corporation, company, association, partnership, society or joint stock company.

(B) The term “hand gun” means any device, or part of a device, by whatever name known, which is designed or may be readily converted to expel a projectile or projectiles by the action of an explosive, expansion of gas or air, or escape of gas or air, having an over-all length of 18 inches or less and designed to be held and operated with one hand.

(C) The term “Chief of Police” means the head law enforcement officer of the City of Highland Park or his duly authorized agent.

134.002. Manufacture, assembly, sale prohibited—special permit. No person shall engage in the business of selling, assembling or selling, within the corporate limits of the City of Highland Park, any hand gun as defined in Section 134.001 of this Code, except in compliance with the provisions of this Chapter. No person shall engage in the business of manufacturing, assembling or selling such hand guns without first having been granted a special permit therefor by the City Council. No such permit shall be granted to any person ineligible to register a hand gun in accordance with the requirements of Sections 134.007 and 134.010, nor to any person who fails to meet the standards for Federal and Illinois Dealer’s licenses.

Hillsdale

(A) It shall be unlawful for any person to: 6. Possess any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or 7. Possess or carry any weapon from which more than eight (8) shots, or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen inches (18) in length, or any bomb, bomb-shell, grenade, bottle or other container containing explosive substance, such as, but not limited to, black powder bombs and Molotov cocktails; ***

Homewood

53.18 Dealers in weapons. (a) Definition. The term “deadly weapon” as used in this section shall include any pistol, derringer, *** or any other object of similar nature which can be concealed on the person.

(b) License Required. No person shall engage in the business of selling or sell or give away any deadly weapon without a license.

(c) Sale Procedure. 1. No deadly weapon shall be sold to any person who fails to present a permit to purchase issued by the Chief of Police.
(d) Purchase Permit. It shall be unlawful for any person to purchase or receive any deadly weapon which can be concealed on the person without first obtaining a permit so to do from the Chief of Police. * * *

(e) Gunsmiths. No person shall engage in the business of repairing any pistol, revolver, derringer or other firearm which can be concealed on the person without a license. * * *

53.19 Sale of weapons to minors. No person shall sell, loan, or furnish to any minor, any gun, pistol or other fire-arm, * * * or ammunition for any fire-arm * * *, within the limits of the Village.

Island Lake

7. Unlawful use of weapons. (5) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(6) Sells, manufactures, purchases, possesses or carries any firearm from which more than 8 shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than 18 inches in length, or any bomb, bomb-shell, grenade, bottle or other container containing an explosive substance, such as but not limited to black powder bombs and Molotov cocktails * * *

Jerseyville

Sec. 20-67. Unlawful sale of firearms. A person commits the offense of unlawful sale of firearms when he knowingly:

(a) Sells or gives any firearm of a size which may be concealed upon the person to any person under eighteen (18) years of age;

(b) Sells or gives any firearm to a person under twenty-one (21) years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent;

(c) Sells or gives any firearm to any narcotic addict;

(d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of the state or any other jurisdiction;

(e) Sells or gives any firearm to any person who has been a patient in a mental hospital within the past five (5) years;

(f) Sells or gives any firearm to any person who is mentally retarded; or

(g) Delivers any firearm, incidental to a sale, without withholding delivery of such firearm for at least seventy-two (72) hours after application for its purchase has been made; however, this subsection shall not apply to:

(1) The sale of a firearm to a law enforcement officer or a person who desires to purchase a firearm for use in promoting the public interest incident to his employment as a bank guard, armed truck guard or other similar employment;

(2) A mail-order sale of a firearm to a non-resident of the state under which the firearm is mailed to a point outside the boundaries of the state;

(3) The sale of a firearm to a non-resident of the state while at a showing or display recognized by the state department of public safety;

(4) The sale of a firearm when another firearm is traded-in for the firearm purchased, in whole or in part; or

(5) The sale of a firearm to a dealer licensed under the Federal Firearms Act of the United States.

Joliet

Sec. 32.19. Licensed required. It shall be unlawful for any person to engage in the business of selling or to sell or offer to sell or give away to any person within the city any pistol, rifle, shotgun, revolver, * * * or other weapons of like character without first securing a license to do so. * * *

Sec. 32.21. Sales to minors. None of the articles governed by this article or of like character, shall be sold to any minor.

Sec. 32.22. Permit required for concealable weapons; application; contents; ineligible applicants. (a) No sale of any revolver, pistol, * * * or other deadly weapon which can be concealed on the person shall be made by any licensee under this article to any purchaser unless the purchaser shall first exhibit to the licensee a permit for the purchase thereof, issued by the chief of police of the city.

(b) Before any permit required by this section is granted, an application in writing shall be made to the chief of police (contact local authorities for required contents). * * *

Kankakee

136-1. Unlawful use of weapons. (A) A person commits the offense of unlawful use of weapons when he knowingly: (1) Sells, manufactures, purchases, possesses or carries any ** gun with a barrel less than 18 inches in length, ** *

(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.

La Grange

Sec. 115-320. Weapons. No pawnbroker shall receive or have in his possession as a pledge or purchase, any revolver, pistol, machine gun, ** * or sawed-off shotgun, or display in his window or shop any such weapons for sale.

Sec. 136-1. Unlawful use of weapons. (A) A person commits the offense of unlawful use of weapons when he knowingly: (1) Sells, manufactures, purchases, possesses or carries any ** gun with a barrel less than 18 inches in length. ** *

(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.

Lake Bluff

52.02. No person shall sell, loan or furnish to any minor, any gun, pistol, bowie knife, or other firearm within the limits of the Village of Lake Bluff.

Lindenhurst

41.01 Gun dealers—license required. No person shall engage in the business of selling or sell or give away any pistol, revolver, * * * derringer, * * * or other deadly weapon which can be concealed on the person, without securing a license to do so as provided in Chapter 31.

41.06 Restrictions on sale or gift. It shall be unlawful for any person to sell, barter or give away to any person within the Village any deadly weapon mentioned in this section except to licensed dealers and to persons who have secured a permit for the purchase of such articles from the Village Marshal as herein required. This does not apply to sales made of such articles which are to be delivered or furnished outside the Village.

41.07 Permit to purchase weapon. It shall be unlawful for any person to purchase any deadly weapon mentioned in this section without first securing from the Village Marshal a permit to do so. * * *

41.08 Revocation of license. In case the Village Marshal revokes a license for the selling of such weapons, no other such license shall be issued to such licensee for a period of three (3) years thereafter.

41.09 Gunsmiths—license required. No person shall engage in the business of repairing any pistol, revolver, derringer, or other firearm which can be concealed on the person without securing a license to do so as provided in chapter 31.

Lockport

15-1. License—manner of issuance. It shall be unlawful for any person, firm or corporation to engage in the business of selling or to sell, or offer for sale or give away to any person within the City limits any pistol, rifle, shotgun, revolver, * * * or other weapons of like character without securing a license to do so. * * *
15-3. Sale to minors. None of the articles enumerated above, or of like character, shall be sold to any minor.

15-5. Permit. No sale of any revolver, pistol, * * * or other deadly weapon which can be concealed on the person shall be made by any licensee to any purchaser unless said purchaser shall first exhibit to said licensee a permit for the purchase thereof, issued by the Chief of Police of this City. * * *

Lombard

9.16.040 Selling firearms to minors unlawful.
No person shall sell, loan or furnish to any minor any gun, pistol or other firearm, in which any explosive substance can be used, within the limits of the village.

Loves Park

Sec. 13-15. Furnishing ammunition to, acquisition by, minors. It shall be unlawful for any person to sell, give or deliver any ammunition, ball, bullet, pellet, * * * or other missile or projectile to any person under the age of eighteen (18) years and it shall be unlawful for any person under the age of eighteen (18) years to obtain any ammunition, ball, bullet, pellet, * * * or any other missile or projectile by purchase, sale or gift, or in any other manner.

Sec. 13-50. Unlawful use of weapons—Prohibited. (a) A person commits the offense of unlawful use of weapons when he knowingly:

(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(7) Sells, manufactures, purchases, possesses or carries any weapon from which may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen (18) inches in length, or any bomb, bombshell, grenade, bottle or other container containing an explosive substance, such as but not limited to black powder bombs and Molotov cocktails; * * *

Manteno

3-15-1: License required; It shall be unlawful for any person to engage in the business of selling, or to sell or give away, any pistol, revolver * * * derringer * * * or other deadly weapon which can be concealed on the person without securing a license to do so.

3-15-5: Restrictions on sales and gifts; It shall be unlawful for any person to sell, barter or give away to any person within the Village any deadly weapon mentioned in this Chapter which can be concealed on the person without first securing from the Police Chief a permit to do so. The Police Chief may require such information from such applicant as he deems reasonable and necessary.

3-15-6: Permit; It shall be unlawful for any person to purchase any deadly weapon mentioned in this Chapter which can be concealed on the person without first securing from the Police Chief a permit so to do. The Police Chief may require such information from such applicant as he deems reasonable and necessary. No such permit shall be issued to one convicted of any crime or to a minor.

Maywood

8.259 It shall be unlawful for any person to engage in the business of selling, or to sell or give away, any pistol, revolver, * * * derringer * * * or other deadly weapon which can be concealed on the person, without securing a license so to do.

8.264 It shall be unlawful for any person to sell, barter, or give away to any person within the Village, any deadly weapon mentioned in Section 8.259, except to licensed dealers and to persons who have secured a permit for the purchase of such articles from the Chief of Police as hereinafter required. This section shall not apply to sales made of such articles which are to be delivered or furnished outside the Village.

8.265 It shall be unlawful for any person to purchase any deadly weapon mentioned in Section 8.259, which can be concealed on the person without first securing from the Chief of Police a permit so to do.

8.268 It shall be unlawful for any person to engage in the business of repairing any pistol, revolver, derringer, * * * or other firearm which can be concealed on the person without securing a license so to do.

McCook

9-10-3. License to sell; Firearms for the purposes of this Chapter are pistols, revolvers, guns, and small arms of a size and character that may be concealed upon or about the person. It shall be unlawful for any person to engage in the business of selling or to sell, or give away, to any person, any firearms which are of such size or nature as may be concealed upon the person, without securing a license therefor. And no person, having secured such license, shall sell, loan, or give away, any such weapon to any person who has not secured a permit from the Chief of Police to purchase such weapon.

9-10-4. Purchasers of firearms; No person shall be permitted to purchase a firearm without having secured a permit from the Chief of Police. Such permit shall not be issued to a criminal, vagabond, minor under eighteen (18) years of age or an alien. * * *

9-10-8. Sale or gift; No person shall sell or give to any alien or to any minor under the age of eighteen (18) years any firearm of a size which may be concealed upon the person.

Molteno

NOTICES

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
Sec. 12-17. Unlawful use of weapons. (a) A person commits the offense of unlawful use of weapons, which shall be a violation of this Code, when he knowingly: ** ** **

(f) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(g) Sells, manufactures, purchases, possesses or carries any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen (18) inches in length, or any bomb, bombshell, grenade, bottle or other container containing an explosive substance, such as but not limited to black powder bombs and Molotov cocktails; * * * *

Sec. 27-48. Unlawful sale of firearms. A person commits the offense of unlawful sale of firearms when he knowingly:

(a) Sells or gives any firearm of a size which may be concealed upon the person to any person under eighteen (18) years of age; or

(b) Sells or gives any firearm to a person under twenty-one (21) years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent; or

(c) Sells or gives any firearm to any narcotic addict; or

(d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this state or any other jurisdiction; or

(e) Sells or gives any firearm to any person who has been a patient in a mental hospital within the past five (5) years; or

(f) Sells or gives any firearm to any person who is mentally retarded; or

(g) Delivers any firearm, incidental to a sale, without withholding delivery of such firearm for at least seventy-two (72) hours after application for its purchase has been made. However, this subsection shall not apply to:

(1) The sale of a firearm to a law enforcement officer or a person who desires to purchase a firearm for use in promoting the public interest incident to his employment as a bank guard, armed truck guard, or other similar employment; or

(2) A mail order sale of a firearm to a nonresident of the state under which the firearm is mailed to a point outside the boundaries of the state; or

(3) The sale of a firearm to a nonresident of the state while at a showing or display recognized by the state department of public safety; or

(4) The sale of a firearm when another firearm is traded-in for the firearm purchased, in whole or in part; or

(5) The sale of a firearm to a dealer licensed under the Federal Firearms Act of the United States.

Montgomery

Sec. 12-18. Unlawful sale of firearms. A person commits the offense of unlawful sale of firearms, which shall be a violation of this Code, when he knowingly:

(a) Sells or gives any firearm of a size which may be concealed upon the person to any person under eighteen (18) years of age; or

(b) Sells or gives any firearm to a person under twenty-one (21) years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent; or

(c) Sells or gives any firearm to any narcotic addict; or

(d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of Illinois or any other jurisdiction; or

(e) Sells or gives any firearm to any person who has been a patient in a mental hospital within the past five (5) years; or

(f) Sells or gives any firearms to any person who is mentally retarded; or

(g) Delivers any firearm of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least seventy-two (72) hours after application for its purchase has been made. However, this subsection shall not apply to:

(1) The sale of a firearm to a law enforcement officer or a person who desires to purchase a firearm for use in promoting the public interest incident to his employment as a bank guard, armed truck guard, or other similar employment; or

(2) A mail order sale of a firearm to a nonresident of the state under which the firearm is mailed to a point outside the boundaries of the state; or

(3) The sale of a firearm to a nonresident of Illinois while at a firearm showing or display recognized by the Illinois Department of Public Safety; or

(4) The sale of a firearm when another firearm is traded-in for the firearm purchased, in whole or in part.

Sec. 12-19. Unlawful possession of firearms and firearm ammunition. A person commits the offense of unlawful possession of firearms or firearm ammunition, which shall be a violation of this Code, when:

(a) He is under eighteen (18) years of age and has in his possession any firearm of a size which may be concealed upon the person; or

(b) He is under twenty-one (21) years of age, has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent and has any firearms or firearm ammunition in his possession; or

(c) He has been convicted of a felony under the laws of Illinois or any other jurisdiction within five (5) years from release from the penitentiary or within five (5) years of conviction if penitentiary sentence has not been imposed, and has any firearms or firearm ammunition in his possession; or

(d) He is a narcotic addict and has any firearms or firearm ammunition in his possession; or

(e) He has been a patient in a mental hospital within the past five (5) years and has any firearms or firearm ammunition in his possession; or

(f) He is mentally retarded and has any firearms or firearm ammunition in his possession.

Morton Grove

132.100 Selling deadly weapons; sales to minors. (B) No person shall sell, give, loan, hire, barter, furnish, or offer to sell, give, loan, hire, barter or furnish to any minor within the village any gun, pistol, revolver, fowling-piece, or other firearm, or any toy gun, toy pistol, toy fowling-piece, or other toy firearm in which any explosive substance can be used * * * *.

New Boston

5-2-2-12: Sale of firearms or weapons to minors prohibited: (A) It shall be unlawful for any person to sell to any minor person any firearm, * * *.

Niles

22-44. Affidavit to purchase firearms. (a) It shall be unlawful for any person dealing in firearms to sell, barter, loan, or give away to any person within the village any pistol, revolver, or other firearm of like character which can be concealed upon the person, unless such person so purchasing or receiving such firearm shall have filed with the dealer an affidavit * * *. 
Section 1. License. It shall be unlawful for any person, firm or corporation to engage in the business of selling, or to sell, loan or give away to any person, within the Village, any pistol, revolver, Derringer, * * * or any toy firearms or other toy in the nature of a firearm in which any explosive substance can be used, or other weapon of like character, without securing a license so to do as hereinafter provided, and no person, firm or corporation having secured such a license, shall sell or give away such weapon to any person within this Village who has not secured a permit from either the Chief of Police or the Village Clerk to purchase such weapon in the manner hereinafter provided.

Section 5. Permit. It shall be unlawful for any person to purchase any pistol, revolver, Derringer, * * * or weapon of like character, without first securing from the Village Clerk a permit so to do. * * * * *

Northbrook

17.25 Unlawful Use of Weapons. A person commits the offense of unlawful use of weapons when he knowingly:
(a) Sells, manufactures, purchases, possesses or carries any *** shotgun with a barrel less than 18 inches in length * * * * *

(f) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(g) Sells, manufactures, purchases, possesses or carries any weapon from which more than 8 shots or bullets may be discharged by a single function of the firing device.

17.26 Exemptions * * * * * (c) Paragraph 17.25 (g) shall not apply to or affect any of the following:
(1) Peace officers.
(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(2) Any minor under the age of eighteen (18) years;
(3) A narcotic addict.

22-45. Selling, furnishing firearms to minors. It shall be unlawful for any person to sell, give, loan or furnish to any minor under the age of eighteen (18) years any gun, pistol, rifle, revolver or other firearm within the corporate limits of the village.

Oak Park

45.1—Definition of "Firearms". "Firearms" for the purposes of this chapter are pistols, revolvers, guns and small arms of a size and character that may be concealed on or about the person.

45.2—Sale or Rental of Firearms. It shall be unlawful to sell, loan, rent or give away any firearms or firearm ammunition to any of the following:
(a) A person under twenty-one (21) years of age, except that this provision shall not prohibit the use of a firearm by a person under twenty-one (21) years of age in a supervised target shooting program;
(b) A narcotics addict;
(c) A person convicted of a felony within five (5) years of release from a penitentiary or within five (5) years of conviction if penitentiary sentence has not been imposed;
(d) Any person who has been a patient in a mental hospital within the past five (5) years;
(e) A person who is mentally retarded.

45.3—Application and Permit to Purchase or Rent. No person except police officers, deputy sheriffs, and jail guards as defined in Section 24-2 of the Criminal Code, shall be allowed to purchase or rent a firearm without a permit for said transaction having been issued by the village of this Village. For the purpose of this ordinance, a police officer is defined as: 'Any person appointed by a governmental agency on a part-time basis as a law enforcement official who is vested by law within the said governmental jurisdiction with the powers possessed by policemen in Cities and Villages including the power to make arrests on view of or under warrants for violations of State Statutes and City and County Ordinances'. A separate permit shall be required for each firearms transaction. * * * * *

(b) No firearm shall be delivered to the purchaser or renter until a valid permit therefor has been issued to the seller by the Village of Oak Park, said permit bearing the endorsement thereon of both the Chief of Police and the Village Manager of Oak Park.

45.4—License to Deal in Firearms—Required. It shall be unlawful for any person to engage in the business of selling or renting, or to sell, rent or give away, to any person, any firearm as defined in Section 45.1 of this Code, without securing a license for said dealings.

Oregon

8-6-3: Firearms: No person shall sell, loan, exchange, deliver or give away to any minor any gun, pistol, bowie knife or other firearm within the corporate limits of the City.

Peoria

41-4. License to sell, etc.—Required. It shall be unlawful for any person to engage in the business of selling, or to sell or give away, any pistol, revolver, * * * derringer, * * * or other deadly weapon, which can be concealed on the person, without securing a license so to do.

41-8. Required Certificate and Thumb Print. It shall be unlawful for any person to sell, barter, or give away to any person within the City, any deadly weapon mentioned in Section 41-4 of this Code, except to licensed dealers, without first obtaining from the person receiving such deadly weapon a signed statement [contact local authorities for required contents] * * * * * and which shall contain a thumb print from the person receiving such weapon. Such thumb print shall be the right-hand thumb print unless circumstances prevent, in which case it shall be the left-hand thumb print. All such information required by this section shall be entered upon forms provided by the Superintendent of Police for that purpose.

Sec. 41-11. Restriction on sale. It shall be unlawful for any person to sell, barter or give away to any person within the City, any deadly weapon mentioned in Section 41-4 of this Code, to any person known to him to be under twenty-one (21) years of age or of unsound mind or under indictment or a drug addict or a fugitive from justice or who has been convicted of a crime of violence.

Peoria Heights

Section 1. License required. It shall be unlawful for any person to engage in the business of selling any pistol, revolver, * * * derringer, * * * or other deadly weapon which can be concealed on the person, without securing a license to do so from the Village Clerk.

Section 5. Restrictions on sale or gift. It shall be unlawful for any person to sell, barter, or give away to any person within the Village any deadly weapon mentioned in Section 1 hereof, to any person known to him to be under twenty-one (21) years of age or of unsound mind or under indictment or a drug addict or a fugitive from justice or who has been convicted of a crime of violence.
be under twenty-one (21) years of age, of unsound mind, or under indictment, or a drug addict, or a fugitive from justice, or who has been convicted of a crime of violence.

**Pinckneyville**

Sec. 39. Minors not to have certain weapons. No person, not being the father, guardian or employer of a minor, shall, by himself, agent, servant, or employee, directly or indirectly, sell, give, loan, hire or barter to any such minor, within the city, any pistol, revolver, derringer, * * *.

**Posen**

Chapter 8, Title VIII Posen Village Code

8-8-1: Definitions. For purposes of this Ordinance—A. “Deadly Weapons” means pistols, derringers, revolvers or other handguns of such size or nature that they may be concealed on or about the person, short-barreled shotguns and short-barreled rifles. Deadly weapons do not include any antique firearm. Deadly weapons do not include any firearm which is not designed to or may not readily be converted to expel a projectile by the action of an explosive.

B. “Short-Barreled Shotguns” means shotguns having one or more barrels less than eighteen inches in length.

C. “Short-Barreled Rifles” means a rifle having one or more barrels less than sixteen inches in length.

D. “Antique Firearms” means: (1) any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; and (2) any replica of any firearm described in subsection 8-8-1 - D - (1), if such replica (a) is not designed or redesigned for using rimfire or conventional center-fire fixed ammunition, or (b) uses rimfire or conventional center-fire fixed ammunition which is not longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

E. “Dealer” means any person, firm or corporation—

(1) engaged in the business of selling firearms at wholesale or retail,

(2) engaged in the business of repairing firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms, or

(3) any person who is a pawnbroker.

F. “Licensed Dealer” means any dealer who is validly licensed as a dealer under the provisions of Chapter 44 of Title 18 of the United States Code.

G. “Licensed Collector” means any person who acquires, holds, or disposes of firearms or ammunition as curios or relics and who is validly licensed as a collector by the Secretary of the Treasury of the United States under the provisions of Chapter 44 of Title 18 of the United States Code.

H. “Sale or Other Transfer” means any sale, gift, exchange, loan, rental or other transfer of a deadly weapon, but does not include any of the following:

(1) acquisition of a deadly weapon as the executor, administrator or other legal representative of a decedent’s estate, or

(2) transfer of a deadly weapon by bequest or intestate succession, or

(3) acquisition or transfer of a deadly weapon by a trustee in bankruptcy in the administration of a bankrupt’s estate, or

(4) return of a deadly weapon to a person, firm or corporation from whom it was received, or

(5) transfer of a deadly weapon where it is required by or in accordance with a judgment or decree of any court of lawful jurisdiction, or

(6) transfer of a deadly weapon to any Federal, State or Local government, or any department, agency, bureau, institution or commission thereof, of

(7) transfer of a deadly weapon to a private museum, society institution or other private organization which customarily acquires and holds firearms as curios or relics or for scientific or research purposes, or

(8) loan or rental of a deadly weapon solely for the purpose of target shooting upon a lawful pistol range or other lawful target range.

8-8-2: Unlawful sale or other transfer of deadly weapons. It shall be unlawful for any person, firm, or corporation to make any sale or other transfer of a deadly weapon in the Village of Posen, Illinois, to any person, firm or corporation other than the following:

A. Persons who are required or authorized to possess and use a deadly weapon incident to their membership, employment or association with any of the regular armed forces, military services or reserve organizations of the United States.

B. Persons who are required or authorized to possess and use a deadly weapon incident to their membership, employment or association with the organized militia of any State.

C. Persons who are required or authorized to possess and use a deadly weapon incident to their membership, employment or association with the organized militia of any State.

D. Licensed detectives and employees of licensed detective agencies as defined in Illinois Revised Statutes, Chapter 38, Section 201-1, as now or hereafter amended.

E. Special agents employed by a railroad or public utility to perform police functions.

F. Watchmen, bank guards, armed truck guards or other similar private security personnel, in accordance with the provisions of Section “8-8-11” of this Ordinance.

G. A licensed collector of deadly weapons.

H. A licensed dealer in deadly weapons.

8-8-3: Dealer license required. No person, firm or corporation shall engage in the business of a dealer in deadly weapons in the Village of Posen, Illinois, without securing a license therefor.

8-8-4: Application for dealer’s license. An application for the license required by Section 8-8-3 shall be made in writing to the Village of Posen Clerk on such suitable forms provided or approved by him [contact local authorities for required contents] * * * * *

8-8-5: Dealer’s license fee. The license fee shall be $25.00 per year or such other sum as may be established by ordinance. The license shall expire on April 30th following the date of issuance. The fee for a license issued for less than one year shall be prorated.

8-8-6: Denial or issuance of license. It shall be the duty of the Village Clerk to refuse the license required by Section 8-8-3 to any person, firm or corporation which fails, refuses or is unable to comply with all of the requirements; ** * * otherwise, * * * it shall be the duty of the Village Clerk to issue such license.

**Rantoul**

18.53 Illegal to Sell Firearms and Other Devices to Persons Under Twenty-One. No person shall within the corporate limits of the Village, sell, loan or furnish to any person under the age of twenty-one any gun, pistol, bowie piece, * * * * or other firearm * * *.

**Red Bud**

261. Selling Weapons to Minors or Intoxicated Person. Section 58. Whoever shall, within the limits of this City, by himself or agent, sell, give, loan, hire or barter, or offer so to do, to any minor, or intoxicated person any pistol, revolver, derringer, * * * shall be deemed guilty of a misdemeanor.

**Riverdale**

911. In addition to all other applicable requirements in this Code, the intrastate transportation of small arms ammunition, small arms ammunition primers, smokeless propellants and black powder propellants shall be in
loans to any person under the age of 18 years of age any firearm or other deadly weapon, without the consent of the parent or guardian of such minor.

**Rolling Meadows**

13-36. Same—Handling, possession by minors. (a) Prohibited. It shall be unlawful for any parent or guardian of any child under the age of eighteen (18), to permit, suffer or allow any such child to handle or have in his possession within the city any cannon, gun, pistol

**St. Charles**

28.039 Unlawful Use of Weapons. It shall be unlawful to, and a person commits the offense of unlawful use of weapons when he knowingly:

- Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm;
- Sells, manufactures, purchases, possesses or carries any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen (18) inches in length, or any bomb, bombshell, grenade, bottle or other container containing an explosive substance, such as but not limited to black powder bombs and Molotov cocktails;
- Furnishing bullets, pellets, arrows, etc., to minors. It shall be unlawful for any person to sell, give or deliver any ammunition, ball, bullet, to any person under the age of eighteen (18) years and it shall be unlawful for any person under the age of eighteen (18) years to obtain any ammunition, ball, bullet, by purchase, sale or gift, or in any other manner.

**Rockwood**

18-1. Unlawful use of weapons. a. A person commits the offense of unlawful use of weapons when he knowingly: (6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or (7) Sells, manufactures, purchases, possesses or carries any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen (18) inches in length, or any bomb, bombshell, grenade, bottle or other container containing an explosive substance, such as but not limited to black powder bombs and Molotov cocktails.

18-2. No person, firm or corporation in the Village of Rockwood, shall sell, give or lend to any person under the age of 18 years of age any firearm or other deadly weapon, without the consent of the parent or guardian of such minor.

**Schaumburg**

Ordinance 835

Section five: Permit. It shall be unlawful for any person dealing in firearms to sell, barter, loan or give away to any person within the Village, any pistol, revolver or any other firearm of like character which can be concealed upon the person, unless such person so purchasing or receiving such firearm shall have secured a written permit for the purchase of such firearm, from the Chief of Police, (a) shall be unlawful for any person to sell, loan or furnish to any minor any gun, pistol, rifle, revolver or other firearm within the corporate limits of the Village.

**South Beloit**

18. Unlawful use of weapons. No person shall commit the offense of unlawful use of weapons. A person commits the offense of unlawful use of weapons when he knowingly:

- Sells, manufactures, purchases, possesses or carries any firearm from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen (18) inches in length, or any bomb, bombshell, grenade, bottle or other container containing an explosive substance, such as but not limited to black powder bomb and Molotov cocktails;
- Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm;
- Sells, manufactures, purchases, possesses or carries any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen (18) inches in length, or any bomb, bombshell, grenade, bottle or other container containing an explosive substance, such as but not limited to black powder bomb and Molotov cocktails;

**Springfield**

31.45. Minors not to handle or possess firearms, etc. It shall be unlawful for any parent or guardian of any child under the age of eighteen, to permit, suffer or allow any such child to handle or have in his possession within the city, any cannon, gun, pistol

**Steger**

Sec. 130.701 Unlawful use of weapons. (A) A person commits the offense of unlawful use of weapons when he knowingly:

- Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or
- Sells, manufactures, purchases, possesses or carries any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eigh-
A person commits the offense of unlawful sale of firearms when he knowingly:

1. Sells or gives any firearm of a size which may be concealed upon the person to any person under eighteen years of age; or
2. Sells or gives any firearm to a person under twenty-one years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent; or
3. Sells or gives any firearm to any narcotic addict; or
4. Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction within five years from release from the penitentiary or within five years of conviction if penitentiary sentence has not been imposed; or
5. Sells or gives any firearm to any person who has been a patient in a mental hospital within the past five years; or
6. Sells or gives any firearms to any person who is mentally retarded; or
7. Delivers any firearm of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least seventy-two hours after application for its purchase has been made, or delivers any rifle, shotgun or long gun, incidental to a sale,without withholding delivery of such rifle, shotgun or other long gun for at least twenty-four hours after application for its purchase has been made. However, this paragraph shall not apply to:
   a. the sale of a firearm to a law enforcement officer or a person who desires to purchase a firearm for use in promoting the public interest incident to his employment; or
   b. a mail order sale of a firearm to a non-resident of Illinois under which the firearm is mailed to a point outside the boundaries of Illinois; or
   c. the sale of a firearm to a non-resident of Illinois while at a firearm showing or display recognized by the Illinois Department of Law Enforcement; or
   d. the sale of a firearm to a dealer licensed under the Federal Firearms Act of the United States.

While holding any license under the Federal "Gun Control Act of 1968," as amended, as a dealer, importer, manufacturer, or pawnbroker; manufactures, sells or delivers to any unlicensed person a handgun having a barrel, slide, frame or receiver which is a die casting of zinc alloy or any other non-homogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit. For purposes of this paragraph "firearm" is defined as in "An Act relating to the acquisition, possession and transfer of 

firearms and firearm ammunition, to provide a penalty for the violation thereof and to make an appropriation in connection therewith," approved August 3, 1957, as amended; 2) "handgun" is defined as a firearm designed to be held and fired by the use of a single hand, and includes a combination of parts from which a firearm can be assembled. (C) Paragraph (B) of this section shall not include firearms sold within six months after enactment of this amendatory ordinance nor shall any firearm legally owned or possessed by any citizen or purchased by any citizen within six months after the enactment of this amendatory ordinance be subject to confiscation or seizure under the provisions of this amendatory ordinance. Nothing in this amendatory ordinance shall be construed to prohibit the gift or trade of any firearm if that firearm was legally held or acquired within six months after the enactment of this amendatory ordinance.

Sec. 130.702 Unlawful sale of firearms. (A) A person commits the offense of unlawful sale of firearms when he knowingly:

1. Sells or gives any firearm of a size which may be concealed upon the person to any person under eighteen years of age; or
2. Sells or gives any firearm to a person under twenty-one years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent; or
3. Sells or gives any firearm to any narcotic addict; or
4. Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction within five years from release from the penitentiary or within five years of conviction if penitentiary sentence has not been imposed; or
5. Sells or gives any firearm to any person who has been a patient in a mental hospital within the past five years; or
6. Sells or gives any firearms to any person who is mentally retarded; or
7. Delivers any firearm of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least seventy-two hours after application for its purchase has been made, or delivers any rifle, shotgun or long gun, incidental to a sale, without withholding delivery of such rifle, shotgun or other long gun for at least twenty-four hours after application for its purchase has been made. However, this paragraph shall not apply to:
   a. the sale of a firearm to a law enforcement officer or a person who desires to purchase a firearm for use in promoting the public interest incident to his employment; or
   b. a mail order sale of a firearm to a non-resident of Illinois under which the firearm is mailed to a point outside the boundaries of Illinois; or
   c. the sale of a firearm to a non-resident of Illinois while at a firearm showing or display recognized by the Illinois Department of Law Enforcement; or
   d. the sale of a firearm to a dealer licensed under the Federal Firearms Act of the United States.

(B) While holding any license under the Federal "Gun Control Act of 1968," as amended, as a dealer, importer, manufacturer, or pawnbroker; manufactures, sells or delivers to any unlicensed person a handgun having a barrel, slide, frame or receiver which is a die casting of zinc alloy or any other non-homogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit. For purposes of this paragraph "firearm" is defined as in "An Act relating to the acquisition, possession and transfer of 

such size or nature as may be readily concealed on or about the person, without securing a license therefor.

Section 3. Unlawful Sale. It shall be unlawful for any seller of firearms to sell, lease, loan or give away any firearm to any person residing in the State of Illinois unless such person shall have been issued a Firearms Owners Identification Card as provided in the "Criminal Code of 1961" as amended, or to sell firearms in violation of the provisions of the "Criminal Code of 1961" as amended, or in violation of the provisions of any Federal Act regulating the sale of Firearms.

Section 4. Permit Required. It shall be unlawful for a seller of firearms to sell, lease, loan or give away any firearm to any resident of the Village of Stickney who has not secured a permit from the Chief of Police to purchase such firearm as hereinafter provided.

Streamwood
19.1001. Definition of firearm. Firearm for the purpose of this article is a pistol, revolver, gun and small arms of a size and character that may be concealed upon or about the person.

19.1005. Permit to purchase firearms. No person shall be permitted to purchase a firearm without having secured a permit from the chief of police. Such permit shall not be issued to a criminal, vagabond, minor under eighteen years of age or an alien.

19.1006. License and permit to deal in firearms. It shall be unlawful for any person to engage in the business of selling or to sell, or give away, to any person within the village, any firearms which are of such size or nature as may be concealed upon the person, without securing a license therefor. No person, having secured such license, shall sell, loan or give away, any such weapon to any person who has not secured a permit from the chief of police to purchase such weapon.

Sugar Grove
15. Unlawful use of weapons: A person commits the offense of unlawful use of weapons when he knowingly:

1. Sells, manufactures, purchases, possesses or carries any shotgun with a barrel less than 18 inches in length, * * * or
2. * * *
6. Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.

Stickney
Section 1. Definition. "Firearms" for the purposes of this Ordinance, are Pistols, Revolvers, Derringers, Handguns or small arms. It shall be unlawful for any person, firm or corporation to engage in the business of selling, or to sell, lease, loan or give away to any resident of the Village of Stickney, any firearms which are of

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weapon, ** or any toy firearms or other toy in the nature of a firearm in which any bullet, pellet, or other object can be expelled by means of air pressure or any explosive substance without securing a license so to do, and no person having secured such license shall sell or give away any such weapon to any person within the Village who has not secured a permit from the Chief of Police to purchase such weapon in the manner hereinafter provided.

Swansea

27.28 Unlawful possession of firearms and firearm ammunition. (a) A person commits the offense of unlawful possession of firearms or firearm ammunition when: (1) He is under eighteen (18) years of age and has in his possession any firearm of a size which may be concealed upon the person.

(b) He is under twenty-one (21) years of age, has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent and has any firearms or firearm ammunition in his possession; or

(c) He has been convicted of a felony under the laws of this or any other jurisdiction within five (5) years from release from the penitentiary or within five (5) years of conviction if penitentiary sentence has not been imposed, and has any firearms of firearm ammunition in his possession; or

(d) He is a narcotic addict and has any firearms or firearm ammunition in his possession; or

(e) He has been a patient in a mental hospital within the past five (5) years and has any firearms or firearm ammunition in his possession; or

(f) He is mentally retarded and has any firearms or firearm ammunition in his possession.

Tuscola

Sec. 18-51. (Weapons)—Selling or furnishing to minors. Whoever, not being the father, guardian or employer of a minor by himself or agent, shall sell, give, loan, hire, barter or furnish, to any minor within the corporate limits of the city, any pistol, revolver, derringer, ** or other deadly weapon of like character, capable of being secreted upon the person, shall be subject to the penalties set out in section 1.6 of this Code.

Urbana

21.56. Weapons—infants. Any person who, not being the father, guardian or employer of a minor, by himself or agent, shall sell, give, loan, hire or barter to any minor

NOTICES

Venice

9-5-4: Weapons: No pawnbroker shall receive as a pledge or purchase any revolver, pistol, ** or sawed-off shotgun; and no pawnbroker shall display in his window or shop any such weapons for sale.

Washington

16-26. Same—Selling, etc., weapons to prohibited. No person shall sell, give, loan, hire, barter or furnish, to any minor within the city, any gun, pistol, revolver, fowling-piece or toy firearm, in which any explosive substance can be used, **.

Washington Park

Unlawful possession of firearms and firearm ammunition: A person commits the offense of unlawful possession of firearms or firearm ammunition when: (a) He is under 18 years of age and has in his possession any firearm of a size which may be concealed upon the person; (b) He is under 21 years of age, has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent and has any firearms or firearm ammunition in his possession; or (c) He has been convicted of a felony under the laws of this or any other jurisdiction within five (5) years from release from the penitentiary or within five (5) years of conviction if penitentiary sentence has not been imposed, and has any firearms of firearm ammunition in his possession; or (d) He is a narcotic addict and has any firearms or firearm ammunition in his possession; or (e) He has been a patient in a mental hospital within the past five (5) years and has any firearms or firearm ammunition in his possession; or (f) He is mentally retarded and has any firearms or firearm ammunition in his possession.

Wauconda

2103.3. Unlawful use of weapons. A person commits the offense of unlawful use of weapons when he knowingly: (1) Sells, manufactures, purchases, possesses or carries any ** shotgun with barrel less than 18 inches in length **.

(b) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(7) Sells, manufactures, purchases, possesses or carries any weapon from which more than 8 shots or bullets may be discharged by a single function of the firing device.

2103.5. Unlawful sale of firearms. A person commits the offense of unlawful sale of firearms when he knowingly: (a) Sells or gives any firearms of a size which may be concealed upon the person to any person under 18 years of age; or

(b) Sells or gives any firearm to any narcotic addict; or

(c) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction within 5 years from release from the penitentiary or within 5 years of conviction if penitentiary sentence has not been imposed.

Western Springs

63.3 Fixed ammunition—license. Any person or corporation desiring a license for the sole purpose of keeping, selling, or giving away loaded ball cartridges or shot shells for use in rifles, pistols, or shotguns shall be entitled to a license upon application made as pro-
vided in chapter 27 of this code, provided that such licensee shall not have on hand at any one time more than 25,000 rounds of such ammunition.

**Westmont**

Sec. 17-21. Persons under twenty-one years of age prohibited from purchasing firearms or ammunition. No persons under the age of twenty-one (21) years shall purchase any firearms or ammunition of any type.

**Wheaton**

17-83. Enumeration of dangerous, deadly weapons. The term "dangerous or deadly weapon" as used herein shall include pistols, revolvers, rifles or other firearms, * * * and any other deadly weapons which, except for this article, may be lawfully possessed by any person.

17-84. Selling, furnishing to minors; exceptions. It shall be unlawful for any person to sell, give, or loan to any minor under the age of eighteen (18) years any deadly or dangerous weapon. * * *

17-93. License—Required. It shall be unlawful for any person to engage in the business of selling or otherwise dealing in dangerous or deadly weapons (hereafter called a dealer) in the city without securing a license therefor.

**Wilmette**

5-10.1 License required; * * * It is unlawful for any person to engage in the business of making, selling, or repairing firearms of any type, size or description without first having obtained a license therefor. * * *

5-10.2 Permit to purchase. It shall be unlawful for any person dealing in firearms to sell, barter, loan or give away to any person within the Village of Wilmette firearms of any type, size or description, unless such person so purchasing or receiving such firearm shall have secured a written permit for the purchase of such firearm, from the Chief of Police. * * *

**Worth**

Sec. 40.2 Definition of "firearms." "Firearms" for the purposes of this chapter are pistols, revolvers, guns and small arms of a size and character that may be concealed upon or about the person.

Sec. 40.5 Permit to purchase firearms. No person shall be permitted to purchase a firearm without having secured a permit from the Chief of Police. [Contact local authorities for required contents] * * * * *

Sec. 40.6 License and permit to deal in firearms—required. It shall be unlawful for any person to engage in the business of selling or to sell, or give away, to any person within the Village, any firearms which are of such size or nature as may be concealed upon the person, without securing a license therefor. No person, having secured such license, shall sell, loan or give away, any such weapon to any person who has not secured a permit from the Chief of Police to purchase such weapon.

Sec. 40.10 Sale, etc., of firearms to infants or aliens. No person shall sell or give to any alien or to any minor under the age of eighteen years any firearm of a size which may be concealed upon the person.

**Zion**

28-1. Unlawful use or carrying of weapons—Defined. (a) A person commits the offense of unlawful use of weapons when he knowingly: * * *

(6) Possesses any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm; or (7) Sells, manufactures, purchases, possesses or carries any weapon from which more than eight (8) shots or bullets may be discharged by a single function of the firing device, any shotgun with a barrel less than eighteen (18) inches in length, or any bomb, bombshell, grenade, bottle or other container containing an explosive substance, such as but not limited to black powder bombs and Molotov cocktails; * * *

28-2. Same—Exceptions. * * * * * * (c) Subsection 28-1(a)(7) shall not apply to or affect any of the following: (1) Peace officers. (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under (1) through (3) of this subsection to possess such, provided the machine guns are broken down in a nonfunctioning state or not immediately accessible. * * *

28-14. To be licensed. It shall be unlawful for any person to engage in the business of selling, or to sell or give away, any pistol, revolver, * * * deringer, * * * or other deadly weapon which can be concealed on the person, without securing a license to do so.

28-20. Restrictions on sale or gift. It shall be unlawful for any person to sell, barter or give away to any person within the city any deadly weapon mentioned in this article except to licensed dealers and to persons who have secured a permit for the purchase of such articles from the chief of police. * * *

28-21. Permit required to purchase; * * * It shall be unlawful for any person to purchase any deadly weapon mentioned in this article which can be concealed on the person without first securing from the chief of police a permit so to do. * * *

28-34. License required. It shall be unlawful for any person to engage in the business of repairing any pistol, revolver, deringer, or other firearm which can be concealed on the person without securing a license to do so.

28-38. License, compliance required; exception. It shall be unlawful for any person to engage in the business of selling, or to sell or give away any * * * toy firearms other toy in the nature of a firearm in which any explosive substance can be used without securing a license so to do, and no person having secured such license shall sell, or give away any such weapon to any person within the city who has not secured a permit from the chief of police to purchase such weapon * * *; provided that it shall not be necessary for any person licensed to sell deadly weapons to take out an additional license for the sale of the articles mentioned herein.

28-51. Purchasers' permits required; * * * It shall be unlawful for any person to purchase * * * any toy firearm or other toy in the nature of a firearm in which any explosive substance is used to expel a projectile without first securing from the chief of police a permit so to do. * * *
Sale or gift of weapons to. Whoever sells, barter, gives, or delivers any pistol, * * * or any other dangerous or deadly weapon, to any person at the time in a state of intoxication, knowing him or her to be in a state of intoxication, or to any person who is in the habit of becoming intoxicated, and knowing him or her to be a person who is in the habit of becoming intoxicated, shall upon conviction be fined in any sum not exceeding one thousand dollars [$1,000] or imprisoned in the county jail not less than thirty [30] days nor more than five [5] years, or both, and, on conviction, shall be fined not less than fifty dollars [$50.00] nor more than fifty dollars [$50.00].

10-4712 (35-23-3-1) Machine guns and bombs—Ownership, possession, or control. Whoever shall be the owner of, or have in his possession, or under his control, in an automobile, or in any other way, a machine gun or bomb loaded with explosives, poisonous or dangerous gases, shall be deemed guilty of a felony, and upon conviction thereof, shall be imprisoned for a term of not less than one [1] year nor more than five [5] years.

10-4713 (35-23-3-2) Machine guns and bombs—Operation and discharge. Whoever shall discharge, fire off, or operate any loaded machine gun, or whoever shall drop from an airplane, automobile, or from any building or structure, or who shall throw, hurl, or drop from ground or street, or keep in his possession and under his control any bomb filled with deadly or dangerous explosives, or dangerous or poisonous gases, shall be deemed guilty of a felony and upon conviction shall be imprisoned for a term of not less than two [2] years nor more than ten [10] years.

10-4714 (35-23-3-3) Machine guns and bombs—Exceptions from application of chapter. The provisions of this chapter [§§10-4712—10-4714] shall not be construed to apply to any of the following named persons and acts, nor to apply under any of the following described circumstances, to wit: (a) To members of the military or naval forces of the United States, National Guard of Indiana, or Indiana State Guard, when on duty or practicing; (b) To machine guns or bombs kept for display as relics and which are rendered harmless and not useable; (c) To any of the police, sheriffs or other officers of this state or the United States of America charged with the duty of law enforcement while acting within the scope of their employment and in connection with and in the furtherance of their duties; (d) To persons lawfully engaged in the display, testing or use of fireworks; or (e) To persons, firms, agencies of the state government; or corporations and the employees, servants, or agents of such persons, firms, agencies, or corporations authorized or permitted by law to engage in and engaged in the business of manufacturing, assembling, conducting research on or testing machine guns, bombs, airplanes, tanks, armored vehicles or ordnance equipment or supplies while or when acting within the scope of and in furtherance of such business; and (f) To persons, firms or corporations possessing, or having applied to possess machine guns under applicable United States Statutes, providing, that such machine guns shall also be transferred as are handguns, as provided in IC 1971, 35-23-4-1-7 [§10-4751g].

10-4740a (35-23-10-1) Interstate firearms sales. Any resident of this state who is eighteen [18] years of age or over and not otherwise prohibited by IC 1971, 35-23-4-4 [§10-4739], IC 1971, 35-1-79-3 [§10-4702], or IC 1971, 35-23-5-1 [§10-4701], or any applicable law of another state or the United States from obtaining, possessing, or using a firearm, may purchase or obtain a rifle, shotgun or ammunition for either a rifle or shotgun in Ohio, Kentucky, Michigan or Illinois. Any resident of those states who is eighteen [18] years of age or over and not otherwise prohibited by IC 1971, 35-23-4-4 [§10-4739], IC 1971, 35-1-79-3 [§10-4702], or IC 1971, 35-23-5-1 [§10-4701] or the laws of his domicile or of the United States from obtaining, possessing, or using a firearm in this state or his home state, may purchase or obtain a rifle, shotgun, or ammunition for either a rifle or shotgun in this state. Any such transaction shall be for the purposes and under the conditions prescribed by the “Gun Control Act of 1968,” 82 Stat. 1213, 18 U.S.C. 922(B)(3).

10-4751a (35-23-4-1-1) Firearms—Definitions. As used in this chapter [§§10-4751a—10-4751r]:
(a) The term "firearm" means any weapon which is capable of being fired from one hand regardless of barrel length, or any other firearm with a barrel less than sixteen [16] inches in length, or an overall length of less than twenty-six [26] inches; (b) The term "handgun" means any firearm designed or adapted so as to be fired from one hand regardless of barrel length, or any other firearm with a barrel less than sixteen [16] inches in length, or an overall length of less than twenty-six [26] inches;
actions between dealers and individual persons.

(6) Except as otherwise provided in this section, this section does not apply to sales at wholesale. No transferor shall deliver a handgun to a transferee until at least seven [7] calendar days shall have elapsed from the time of the application for the transfer and, when delivered, the handgun shall be securely wrapped and unloaded.

(1) The seven [7] day waiting period shall not apply to marshals and sheriffs and their deputies and policemen and other law enforcement officers. Any marshal, sheriff, deputy sheriff, policeman or other law enforcement officer who takes advantage of this exception to purchase a handgun for someone other than himself shall be guilty of a misdemeanor.

(2) The seven [7] day waiting period shall also be waived for any person to whom a qualified or unlimited handgun-carrying license has been issued, upon exhibition of the license to the transferee. The transferee shall note on the application to purchase form the serial number of the license, the expiration date, the issuing authority, and the notation "waiting period waived," together with the date on which the handgun or handguns are released to the applicant. Any person using or seeking to use a false, counterfeit, spurious or altered handgun-carrying license to obtain a handgun contrary to the provisions of this chapter shall be subject to the penalties provided in section 18 [§10-4751r] of this chapter.

(b) At the time of applying for the transfer of a handgun, the transferee shall complete and sign an application in triplicate in the presence of the transferor [contact State authorities for required contents] * * *. This application, in triplicate, shall be deposited with the transferor who shall, within eight [8] hours of the time of execution of the application, sign and attach his address and forward by first class mail or deliver in person one [1] copy of the application to the chief of police of the municipality "or the sheriff of the county of which the purchaser is a resident; one [1] copy duly signed by the transferee shall at the same time be forwarded by him with his address to the superintendent; and he, the transferee, shall retain one [1] copy for six [6] years. If the superintendent shall by administrative rule require, the application forms forwarded to the superintendent may be accompanied by a full or partial set of legible and classifiable fingerprints of the transferee, taken by the transferor or by an agent of the transferor. Repeated instances of the transferee intentionally forwarding illegible fingerprints shall, in the case of a dealer, constitute grounds for the suspension or revocation of the dealer's license. Upon receipt of the handgun transfer application forms, the chief of police or sheriff, and the superintendent shall search the records of their respective departments concerning the transferee, and they shall forward immediately in both verbal and written form to the transferee any information constituting grounds for nondelivery of the handgun or handguns. In the case of the occasional transfer of a handgun between individuals, both the transferee and the transferee shall complete the application and fingerprint forms at any sheriff's office, police station, state police post, or licensed dealer, with the required fingerprints to be taken by a qualified person and the forms being forwarded to the appropriate chief of police or sheriff and to the superintendent, by the person taking the fingerprints. No charge shall be made for this service by any police agency; however, a dealer may charge a fee not to exceed two dollars [$2.00] for his services in assisting in the processing of the transfer, which fee is to be assessed of the transferee. It is the intent of this chapter that all sale forms shall be completed by the transferee in the presence of the transferee and that delivery of the handgun or handguns not take place until the seven [7] day waiting period has elapsed or has been waived as indicated above. Any notice from the chief of police or sheriff or from the superintendent indicating that the information on the transferee's application is untrue or incomplete or that the transferee has been convicted of a violation of this chapter or any crime of violence shall be grounds for nondelivery of the handgun or handguns, and in such case, delivery shall not occur without written approval of the superintendent.

(c) Delivery of a handgun by the transferee or his agent to the transferee prior to the expiration of the seven [7] day waiting period, except when the waiting period has been waived under this section, or delivery to any transferee without the superintendent's written approval, upon receiving notice of grounds for nondelivery of the handgun or handguns, and in such case, delivery shall not occur without written approval of the superintendent.

(d) No additional record of any lawful transfer of any firearm shall be made or maintained by any local or state official or agency; and, all forms utilized in executing lawful firearm transfers, with the sole exception of those remaining with the transferee, shall be forwarded within six [6] months to the transferee indicated on the forms. Said forms shall then be retained by the transferee as proof of ownership of the firearm or firearms listed thereon.

10-4751h (35-23-4.1-8) Retail dealer—License required. A retail dealer shall not sell, trade, or otherwise transfer or expose for sale, trade, or transfer, or have in his possession with intent to sell, trade or transfer, any handgun without being licensed under section 9 [§10-4751j] of this chapter.

10-4751i (35-23-4.1-9) License as retail handgun dealer—Application * * * Conditions. A person desiring a license as a retail handgun dealer shall apply to the sheriff of the county in which he resides, or if he is a resident of another state and has a regular place of business in this state, then to the sheriff of the county in which he has a regular place of business. * * * No retail dealer's license shall be issued to any person who has been convicted of a crime of violence in this state or any state or country, or who has been convicted of a felony violation of this chapter [§§10-4751a—10-4751r]. A retail dealer's license shall permit the licensee to sell handguns at retail within this state subject to the following conditions in addition to those specified elsewhere in this chapter for breach of any of which the license may be suspended or revoked in accordance with applicable law and in addition the licensee may be subject to punishment as provided in this chapter:

(a) The business shall be carried on only in the site designated in the license and a separate license shall be required for each separate retail outlet. In the event a licensed dealer moves his place of business, he shall promptly notify the superintendent, who shall at once issue an amended license certificate valid for the balance of the license period. This section shall not apply to sales at wholesale.

(b) The license, certified by the issuing authority, shall be displayed on the business premises in a prominent place where it can be seen easily by prospective customers.

(c) No handgun shall be sold in violation of any provisions of this chapter, nor shall any handgun be sold under any circumstances unless the purchaser is personally known to the seller or presents clear evidence of his identity.

10-4751j (35-23-4.1-10) Loan secured by handgun prohibited. No person shall make any loan secured by a mortgage, deposit, or pledge of a handgun.

10-4751m (35-23-4.1-13) Firearms exempted. This chapter [10-4751a—10-4751r] does not apply to any firearm not designed to use fixed cartridges or fixed ammunition, or any firearm made on or before 1898.

Gary

Ordinance 4641

Section 10-2201. All handguns located in the City of Gary shall be registered in accordance with the provisions of this Chapter.

Section 10-2204. At the time of sale the seller shall complete a registration form, designed or approved by the City Controller, [Contact local authorities for required contents] * * *

Section 10-2205. At such time of sale the seller shall witness to the best of his knowledge that the information submitted on the registration form by the purchaser is true and correct and that the transaction is not in violation of law.
Section 10-2214. For the purposes of this Chapter the term "handgun" means any weapon, by whatever name known, which is less than twelve (12) inches long capable of being used with one hand and which is designed to expel a projectile or projectiles by the action of an explosive and a handgun muffler or handgun silencer, or any part or parts of such weapon.

Section 10-2216. A person may not possess any handgun if such person is ineligible to register such handgun with the licensing authority pursuant to the provisions of this Chapter.

Hammond

27-201. Explosives—Permit. 1. No person or corporation shall keep, sell or offer for sale, or give away, anywhere within the City any gunpowder, gun cotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or other high explosives of similar nature, in any quantity, whether in bulk or made up or kept in packages or cartridges, or kept, sell or offer for sale, or give away, anywhere within the City, any loaded paper or metallic shot shells or cartridges designed or intended to be used for shot guns, pistols, rifles or other firearms, or percussion caps or primers.

Indianapolis

Code of Ordinances

Sec. 20-98. Firearms for minors. No person or corporation shall sell, loan or furnish to any minor under the age of eighteen (18) years any gun, pistol or other firearm, or any toy gun, toy pistol or other toy firearm, in which any explosive substance is or can be used, within the city; however, minors over fifteen (15) years of age may be permitted, with the consent of their parents or guardians, to use firearms on the premises of a duly licensed shooting gallery, gun club or rifle club, or to shoot game birds in accordance with other provisions of this Code or state law.

Sec. 20-191. Unlawful disposition of dangerous weapons. No person shall sell, give, barter, exchange, lend or otherwise dispose of, or place in the possession of any known or suspected habitual user of narcotics or any known or suspected criminal or a person with criminal purpose, any type of machine gun, sawed-off shotgun, pistol or revolver, or ammunition therefor. [The] provisions of this section shall not apply to any military forces, peace officers or other persons so excepted by law for the possession, use or disposal of any such things.

Marion

Sec. 1. Be it ordained by the Common Council of the City of Marion, that it shall be and is hereby declared to be unlawful for any person to sell or give away within this city, to any minor, any rifle or gun for shooting powder and ball, or other gun, rifle or device for shooting and propelling missiles.

New Whiteland

8. Selling weapons to narcotic users, etc. No person shall sell, give, barter, exchange, lend or otherwise dispose of, or place in the possession of any person, or suspected, habitual user of narcotics, or any known, or suspected, criminal or person with criminal purpose, any type of machine-gun or sawed-off shotgun, or pistol, or revolver, or ammunition therefor, which may be carried or concealed on or about the person and which are commonly used and fit to be used unlawfully to inflict harm on or to any person; the provisions of this section shall not apply to any military forces, peace officers, or other persons so excepted by law for the possession, use, or disposal of any such things.

Iowa

State Law

Iowa Code Ann.

695.18 Sale of dangerous weapons prohibited. It shall be unlawful to sell, to keep for sale, or offer for sale, or give away, a silencer, and no pistol or revolver shall be sold to any person under the age of eighteen years.

695.19 Dealer's permit to sell. It shall be unlawful for any person, firm, association, or corporation to engage in the business of selling, keeping for sale, exchange, or to give away to any person within the state, any revolver, pistol, or pocket billy, or other weapons or a like character which can be concealed on the person, without first securing a permit from the proper officials having authority to issue such permit.

695.26 Selling firearms to minors. No person shall knowingly sell, present, or give any pistol or revolver to any minor. Any violation of this section shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, or by imprisonment in the county jail not less than ten nor more than thirty days. Nothing herein contained shall prohibit the sale of ammunition to minors who have been licensed to hunt by the state of Iowa and to those minors who by reason of hunting on their own premises are not required by law to have a hunting license.

695.29 Purchase or sale of firearms in contiguous states. A resident of Iowa not otherwise precluded by applicable law, may purchase firearms, rifles, shotguns, ammunition, reloading components, or firearms accessories in states contiguous to Iowa. This authorization is enacted in conformance with Gun Control Act of 1968, 18 U.S.C. section eleven hundred twenty-two (922) (b) (3) (A). In the event that presently enacted federal restrictions on the purchase of firearms, rifles, shotguns, ammunition, reloading components, or firearms accessories are repealed by the United States Congress or set aside by courts of competent jurisdiction, this section shall in no way be interpreted to prohibit or restrict the purchase of firearms, shotguns, rifles, ammunition, reloading components, or firearms accessories by residents of Iowa otherwise competent to purchase the same in contiguous or other states.

A dealer licensed in Iowa may sell or deliver a rifle or shotgun, and a collector licensed in Iowa may sell or deliver a rifle or shotgun if it is a curio or relic, to a resident of an adjacent state, if the purchaser's state of residence permits such sale or delivery by law, so long as compliance with the legal conditions of Iowa and the adjacent state, and the purchaser and licensee have, prior to the sale or delivery for sale of the rifle or shotgun, complied with all the requirements of the Federal Gun Control Act of 1968.

696.1 Possession. No person, firm, partnership, or corporation, except law enforcement officers, shall knowingly have in his or its possession or under his or its control any machine gun of any nature or kind.

696.2 Aiding possession. No person, firm, partnership, or corporation shall do any act with the intent to enable any other person, firm, partnership, or corporation to obtain possession of such gun.

696.4 Exceptions. Sections 696.1 to 696.3, inclusive, shall not apply to:

1. Peace officers as herein provided.

2. Persons who are members of the national guards.

3. Persons in the service of the government of the United States.

4. Banks.

696.5 Interpretative clause. Section 696.4 shall not be construed to exempt any person therein specified when the possession charged had no connection with the official duties or service of said person.

696.6 Relics. It shall be a defense that the machine gun or machine which the accused is charged with possessing was a gun which was
in general use prior to November 11, 1918, and was, prior to the commencement of the prosecution, rendered permanently unfit for use, and was possessed solely as a relic.

696.7 Additional exception. This chapter shall not apply to any person or persons, firm, or corporation engaged or interested in the improvement, the invention, or manufacture of firearms.

697.10 Definitions. As used in this Chapter, unless the context otherwise indicates:

1. "Explosive device" means any material, container containing a chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion, that contains any oxidizing and combustible materials or other ingredients, in such proportions, quantities or packing that an ignition by fire, by friction, by concussion or by detonation of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects.

2. "Incendiary device" means any inflammable material or container containing an inflammable liquid or material whose ignition, by fire, friction, concussion, detonation, or other method is intended to produce destructive effects primarily through combustion rather than explosion.

3. "Molotov cocktail" means a breakable container containing an explosive or inflammable liquid or other substance, having a wick or similar device capable of being ignited, and may be described as either an explosive or incendiary device. A "molotov cocktail" is not intended to mean a device commercially manufactured primarily for the purpose of illumination or other such uses.

697.11 Unlawful materials—exceptions. It shall be unlawful for any person to receive, possess, sell, purchase, or manufacture a bomb, bombshell, grenade, or incendiary or explosive device including but not limited to black powder bombs and molotov cocktails. The provisions of this section shall not apply to any duly constituted police or military authorities or peace officers in the discharge of their duties.

Des Moines

26-11. Report to chief of police. Every secondhand dealer, or other, merchant, shopkeeper or dealer who shall purchase or receive from any person any guns, pistols, or parts thereof, shall within twenty-four hours after purchasing or receiving such articles report the same in writing to the chief of police.

No person purchasing or receiving any such article shall melt up, destroy or dispose of the same without making such report or within fifteen days after such report is made, except upon written permit from the chief of police.

Cedar Rapids

63.16 Prohibition against bombs. No person shall sell, manufacture, produce, distribute, purchase, carry, possess or use any bomb, bombshell, grenade, bottle or other container containing an explosive, flammable, noxious gas, or chemical substance, such as but not limited to black powder bombs and molotov cocktails. The provisions of this section shall not apply to any duly constituted police or military authorities or peace officers in the discharge of their duties.

Sac City

(c) Sales to intoxicated persons and minors. Purchase from, or sell, loan, or furnish any weapon in which any explosive substance can be used to, any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of 18 years.

Kansas

State Law

21-4201. Unlawful use of weapons. (1) Unlawful use of weapons is knowingly:

(a) Selling, manufacturing, purchasing, possessing or carrying any *** shotgun with a barrel less than eighteen (18) inches in length ***

(f) Possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(g) Selling, manufacturing, purchasing, possessing or carrying any firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger.

(2) Exemptions. (a) Subsections (1) (a), (b), (c), (d) and (g) of this section shall not apply to or affect any of the following:

(i) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(ii) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime; (iii) Members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; (iv) Manufacture of, transportation to, or sale of weapons to person authorized under (i) through (iii) of this subsection to possess such weapons.

(3) It shall be a defense that the defendant is within an exemption.

(4) Violation of subsections (1) (a) through (1) (f) of this section is a class B misdemeanor; violation of subsection (1) (g) of this section is a class E felony.

21-4203. Unlawful disposal of firearms. (1) Unlawful disposal of firearms is knowingly:

(a) Selling, giving or otherwise transferring any firearm with a barrel less than twelve (12)
inches long to any person under eighteen (18) years of age; or

(b) Selling, giving or otherwise transferring any firearms to any habitual drunkard or narcotic addict; or

(c) Selling, giving or otherwise transferring any firearm with a barrel less than twelve (12) inches long to any person who has been convicted of a felony under the laws of this or any other jurisdiction if such sale, gift or transfer is made to such convicted person within five (5) years after his release from the penitentiary or within five (5) years after his conviction if the defendant has not been imprisoned in the penitentiary.

(2) Unlawful disposal of firearms is a class A misdemeanor.

21-4204. Unlawful possession of a firearm. (1) Unlawful possession of a firearm is: (a) Possession of any firearm by an habitual drunkard or narcotics addict; or (b) Possession of a firearm with a barrel less than twelve (12) inches long by a person who, within five (5) years preceding such violation has been convicted of a felony under the laws of Kansas or any other jurisdiction or has been released from imprisonment for a felony.

(2) Violation of subsection (1) (a) of this section is a class B misdemeanor; violation of subsection (1) (b) is a class D felony.

48-1903. Purchase or receipt of rifle or shotgun in contiguous state by resident of Kansas; restrictions. It is hereby declared to be lawful for a resident of this state to purchase or receive delivery of a rifle or shotgun in a state contiguous to this state, subject to the following restrictions and requirements:

(a) The sale must fully comply with the legal conditions of sale in both such states; and

(b) Prior to the sale or delivery for sale of the rifle or shotgun, the purchaser and the licensee must have complied with all of the requirements of section 922 (c) of the federal gun control act of 1968, applicable to interstate transactions other than at the licensee's business premises.

Atchison

21-124. Unlawful use of weapons. (1) Prohibited uses. Unlawful use of weapons is knowingly:

(a) Selling, manufacturing, purchasing, possessing or carrying any * * * shotgun with a barrel less than eighteen (18) inches in length, * * *

Sec. 21-129. Unlawful disposal of firearms. (1) Unlawful disposal of firearms is knowingly:

(a) Selling, giving or otherwise transferring any firearm with a barrel less than twelve (12) inches long to any person under eighteen (18) years of age; or

(b) Selling, giving or otherwise transferring any firearm with a barrel less than twelve (12) inches long to any person who has been convicted of a felony under the laws of this or any other jurisdiction if such sale, gift or transfer is made to such convicted person within five (5) years after his release from the penitentiary or within five (5) years after his conviction if the defendant has not been imprisoned in the penitentiary.

(c) Selling, giving or otherwise transferring any firearm with a barrel less than twelve (12) inches long to any person who has been convicted of a felony under the laws of this or any other jurisdiction if such sale, gift or transfer is made to such convicted person within five (5) years after his release from the penitentiary or within five (5) years after his conviction if the defendant has not been imprisoned in the penitentiary.

Bonner Springs

17-113. Unlawful disposal of firearms. (1) Unlawful disposal of firearms is knowingly:

(a) Selling, giving or otherwise associating to have in their possession or under their control or supervision; or

(c) Selling, giving or otherwise transferring any firearm to any habitual drunkard or narcotic addict; or

(d) Selling, giving or otherwise transferring any firearm with a barrel less than twelve (12) inches long to any person who has been convicted of a felony under the laws of this or any other jurisdiction if such sale, gift or transfer is made to such convicted person within five (5) years after his release from the penitentiary or within five (5) years after his conviction if the defendant has not been imprisoned in the penitentiary.

Concordia

Ordinance 68

Section 1. It shall be unlawful at any time for any person, partnership, company, corporation or association to have in their possession or under their control or supervision; or to make, manufacture, offer for sale, and sell, or distribute, whether the same be with or without consideration, any type of gasoline or other inflammable explosive or incendiary

Cherryvale

12-310 Firearms in possession of minors. Every minor who shall have in his possession any pistol, revolver, or toy pistol by which cartridges may be exploded * * * or other dangerous weapons, shall be guilty of a misdemeanor.

12-311 Firearms, furnishing to minors. Every person who shall trade, give, loan or otherwise furnish any pistol, revolver, * * * or other dangerous weapons to any minor, or any person of unsound mind, shall be guilty of a misdemeanor.

Countryside

Ordinance 68

Section 1. It shall be unlawful at any time for any person, partnership, company, corporation or association to have in their possession or under their control or supervision; or to make, manufacture, offer for sale, and sell, or distribute, whether the same be with or without consideration, any type of gasoline or other inflammable explosive or incendiary
NOTICES

De Soto

63. Unlawful Use of Weapons. Unlawful use of weapons is:
(a) selling, manufacturing, purchasing, possessing, or carrying any * * * shotgun with a barrel less than eighteen inches in length.
(b) Possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any pistol, revolver, rifle, or shot gun.

Dodge City

20-118. Unlawful use of weapons. (1) Prohibited uses. Unlawful use of weapons is knowingly:
(a) Selling, manufacturing, purchasing, possessing, or carrying any * * * shotgun with a barrel less than eighteen (18) inches in length,
(b) Possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.

20-121. Unlawful disposal of firearms. (1) Unlawful disposal of firearms is knowingly:
(a) Selling, giving or otherwise transferring any firearm with a barrel less than twelve (12) inches long to any person under eighteen (18) years of age; or
(b) Selling, giving or otherwise transferring any firearm to any habitual drunkard or narcotic addict; or
(3) Selling, giving or otherwise transferring any firearm with a barrel less than twelve inches long to any person who has been convicted of a felony under the laws of this or any other jurisdiction if such sale, gift or transfer is made to such convicted person within five years after his release from the penitentiary or within five years after his conviction if the offender has not been imprisoned in the penitentiary.
(b) Unlawful disposal of firearms is a Class A misdemeanor.

Independence

17-212. Furnishing weapons to minors. Any person who shall sell, trade, give, loan or otherwise furnish any pistol, revolver or toy pistol by which cartridge may be exploded * * * to any minor, or to any person of notoriously unsound mind shall, upon conviction thereof, be fined in any sum not exceeding One Hundred Dollars ($100), or be imprisoned not to exceed thirty (30) days, or be both so fined and imprisoned.

17-213. Possession of weapons. Any person who shall have in his possession any pistol, revolver, or toy pistol by which cartridge may be exploded * * * shall, upon conviction thereof, be fined in any sum not exceeding One Hundred Dollars ($100), or be imprisoned not to exceed thirty (30) days, or be both so fined and imprisoned.

Junction City

18-3a101—Registration. Section 1. *** no pistol, revolver or other firearm with a barrel less than 10 inches in length shall be sold in the City of Junction City, Kansas, unless the purchaser thereof shall have first obtained a registration certificate to be issued by the Chief of Police of the City.
18-3a104—Waiting period. Section 4. No firearm as herein described shall be delivered into the possession of the purchaser thereof until a period of 48 hours shall have transpired from the time of issuance of such certificate of registration and said certificate shall have been presented to the seller.

18-3a105—Exclusions. Section 5. The provisions of this Ordinance shall not apply to any duly authorized police officer, marshal, sheriff, constable, or other law enforcement officer designated by the federal, state, county or municipal governments, who purchase weapons to be used in the performance of their duties.

Kansas City

39-4. Permit to purchase or receive pistol or revolver—Required; exceptions. It shall be unlawful for any person to sell, loan for a consideration or give, or purchase, borrow for a consideration or accept as a gift, any pistol, revolver, or gun of any kind, with a barrel less than nine (9) inches long, unless the purchaser, borrower or person accepting the same has then and there a permit, dated less than ten (10) days prior to such sale, loan or gift, issued by the chief of police, authorizing such person to purchase or accept a pistol or revolver. Such permit must be retained by the vendor and returned to the chief of police with a complete description of the gun sold within three (3) days of the sale.

This section shall not apply to sales of collector's items made and consummated at hobbyist's conventions.

Leavenworth

14-1001. Unlawful use of weapons. Rules and regulations relating to use of weapons and subsequent exemptions shall be as follows: a.
**NOTICES**

**Mission**

283-3. Permit to purchase or receive pistol or revolver—Required. Exceptions: It shall be unlawful for any person to sell, loan for a consideration or give, or purchase, borrow for a consideration or accept as a gift, any pistol, revolver, or gun of any kind, with a barrel less than nine (9) inches long, unless the purchaser, borrower or person accepting the same has then and there a permit, dated less than ten (10) days prior to such sale, loan or gift, issued by the Chief of Police, authorizing such person to purchase or accept a pistol or revolver. Such permit must be retained by the vendor and returned to the Chief of Police with a complete description of the gun sold within three (3) days of the sale.

This section shall not apply to sales of collector's items made and consumed at hobbyists' conventions, nor to firearms that do not use a fixed metallic cartridge.

283-5. Permit to purchase or receive pistol or revolver—Issuance. After investigation and approval by the Chief of Police, he shall issue a permit (4) to any responsible person 21 years of age or older filing the proper application, except dope addicts, felons, alcoholics, emotionally disturbed persons, or persons having been convicted of a crime involving violence or the use of firearms.

283-6. Small firearms to be stamped with trademark, name of maker, model and serial number. No dealer in firearms, either at wholesale or retail, shall have in his possession for the purpose of sale or sell any pistol, revolver or other firearm of a size which may be concealed upon the person, unless such firearm has plainly and permanently stamped upon the metallic portion thereof the trademark, the name of the maker, the model and factory serial number thereof, which number shall not be the same as that of any other such weapon or the same model made by the same maker. No person within the city shall lease, buy, or in anywise procure the possession of any pistol, revolver or other firearm of a size which may be concealed upon the person, unless such firearm is stamped as required by this section.

**Lenora**

Sec. 3. It shall be unlawful for any person to make, sell, or furnish any pistol, shotgun or weapons of any description to any minor within the corporate limits of the City of Lenora, Kansas, and any minor found in possession of any of the above described weapons, shall be punished according to the penalty prescribed for any violation of this ordinance.

**Manhattan**

10-1201. Dealer receives written commitment from buyer. No person, partnership or corporation, regularly engaged in the sale of pistols, revolvers or other firearms with a barrel less than ten inches, may deliver possession of such firearms, until the expiration of forty-eight hours from the date the sale of said firearm is consummated. For the purpose of this article, a sale of firearms shall be deemed consummated when the dealer shall have received a written commitment from the buyer legally binding the latter to purchase said firearm.

10-1202. Any dealer subject to the provisions of Section 1 hereof shall forthwith upon the consummation of the sale of such firearms as defined herein, report such sale to the Chief of Police of Manhattan, Kansas, within twenty-four (24) hours after the consummation of the sale of said firearm, describing therein the firearms sold. [Contact local authorities for required content]

10-1203. Any dealer who shall violate or fail to comply with the provisions of this ordinance, or any person who as a buyer of such firearms shall give false information to said dealer or otherwise violate any of the provisions of this ordinance, shall upon conviction be fined One Hundred Dollars ($100.00) or imprisoned in the City Jail for not more than thirty (30) days, or both such fine and imprisonment.
triges may be exploded, *** or other dangerous weapon to any minor person or person of unsound mind.

Newton

17-1001. Unlawful use of weapons. (a) Unlawful use of weapons is knowingly: (1) Selling, manufacturing, purchasing, possession or carrying any shotgun with a barrel less than eighteen (18) inches in length ***. 

(6) Possession of any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.

(7) Selling, manufacturing, purchasing, possessing or carrying any firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger.

17-1003. Unlawful disposal of firearms. Unlawful disposal of firearms is knowingly: (a) Selling, giving or otherwise transferring any firearm with a barrel less than twelve (12) inches long to any person under eighteen (18) years of age; or (b) Selling, giving or otherwise transferring any firearm to any habitual drunkard or narcotic addict; or (c) Selling, giving or otherwise transferring any firearm with a barrel less than twelve (12) inches long to any person who has been convicted of a felony under the laws of this or any other jurisdiction if such sale, gift or transfer is made to such convicted person within five (5) years after his release from the penitentiary or within five (5) years after his conviction if the offender has not been imprisoned in the penitentiary.

Nickerson

9-164. Weapons—Sale to minors or persons of unsound mind. Any person who shall sell, trade, give, loan or otherwise furnish any pistol or revolver, by which cartridges may be exploded, *** to any minor or to any person of notoriously unsound mind shall, upon conviction, be guilty of a misdemeanor.

Olathe

239-65 Unlawful Use of Weapons. Unlawful use of weapons is: (a) selling, manufacturing, purchasing, possessing or carrying any *** shotgun with a barrel less than eighteen inches in length *** or (f) possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any pistol, revolver, rifle or shotgun.

Sub-sections (a) *** of this section shall not apply to or affect any of the following: (a) Law enforcement officers, or any person summoned by any such officers or summoned by any other lawfully authorized public officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer; (b) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime; (c) Members of the armed services or reserve forces of the United States or the Kansas National Guard while in the performance of their official duty; (d) Manufacturer of, transportation to, or sale of weapons to persons authorized under this exemption to possess such weapons.

Osawatomie

12-1001. Unlawful use of weapons. Rules and regulations relating to the use of weapons and subsequent exemptions shall be as follows: a. Unlawful Use of Weapons is knowingly: 1. Selling, manufacturing, purchasing, possession or carrying any *** shotgun with a barrel less than eighteen inches (18) in length ***. 

6. Possession of any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; 7. Selling, manufacturing, purchasing, possessing or carrying any firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger.

Prairie Village

10-04.620 Unlawful use of weapons. A. Unlawful use of weapons is:

1. Selling, manufacturing, purchasing, possessing, or carrying any *** shotgun with a barrel less than eighteen inches in length, ***

6. Possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any pistol, revolver, rifle, or shotgun.

Roeland Park

Ordinance 279

Section 3. Permit to purchase or receive pistol or revolver—Required: exceptions. It shall be unlawful for any person to sell, loan for a consideration or give, or purchase, borrow for a consideration or accept as a gift, any pistol, revolver, or gun of any kind, with a barrel less than nine (9) inches long, unless the purchaser, borrower or person accepting the same has then and there a permit, dated less than ten (10) days prior to such sale, loan or gift, issued by the chief of police, authorizing such person to purchase or accept a pistol or revolver. Such permit must be retained by the vendor and returned to the chief of police with a complete description of the gun sold within three (3) days of the sale.

This section shall not apply to sales of collector's items made and consummated at hobbyists' conventions, nor to firearms that do not use a fixed metallic cartridge.

Section 6. Small firearms to be stamped with trade mark, name of maker, model and serial number. No dealer in firearms, either at wholesale or retail, shall have in his possession for the purpose of sale or sell any pistol, revolver or other firearm of a size which may be concealed upon the person, unless such firearm has plainly and permanently stamped, upon the metallic portion thereof, the trade mark, the name of the maker, the model and factory serial number thereof, which number shall not be the same as that of any other such weapon of the same model made by the same

Pittsburg

15-605. Furnishing weapons to minors or persons of unsound mind. Any person who shall sell, trade, give, loan or otherwise furnish any pistol, revolver or toy pistol by which cartridges or caps may be exploded, *** to any minor or to any person of notoriously unsound mind shall, upon conviction thereof, be fined in any sum not less than $5.00 nor more than $100.00.
No person within the city shall lease, buy or in any wise procure the possession of any pistol, revolver or other firearm of a size which may be concealed upon the person, unless such firearm is stamped as required by this section.

Nothing in this section shall be considered or construed as opposing or making it unlawful for a dealer in or manufacturer of pistols, revolvers or other firearms of a size which may be concealed upon the person, located in this city, to ship into other states or foreign countries any such articles, whether stamped as required by this section or not so stamped.

Section 7. Record of sales and purchases of small firearms. No wholesale or retail dealer in firearms shall have in his possession for the purpose of sale or shall sell any firearm of a size which may be concealed upon the person, unless he keeps a full and complete record of the information stamped thereon in accord with section six (6), the name and address of the person from whom purchased and to whom sold, and the date of such purchase or sale. Such record shall be open to inspection at all times during normal business hours to any police officer or other peace officer of this state.

Topeka

12-240. Furnishing weapons to minors or persons of unsound mind. It shall be unlawful for any person to sell, give, loan or otherwise furnish any pistol or revolver by which cartridge may be exploded, or other dangerous weapons to any minor, or to any person of notorious unsound mind.

Valley Center

9.78.010 Unlawful use defined. Unlawful use of weapons is knowingly: A. Selling, manufacturing, purchasing, possessing or carrying any shotgun with a barrel less than eighteen inches in length.
B. Possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.

Wellington

18-611. Molotov Cocktail. It shall be unlawful for any person to transport, use or have in his possession or control a container of incendiary or explosive material, liquid, solid or mixture, equipped with a fuse, wick or any other detonating device of a kind commonly known as a "Molotov Cocktail".

Wichita

5.88.040 Sawed off rifles and shotguns; (a) It is unlawful for any person, other than a sheriff or other peace officer or any military unit of the state or of the United States, or any common carrier for hire, to transport or have in his possession or under his control, any firearm known as a shotgun or rifle with a barrel less than eighteen inches in length, or any silencer; provided, that banks, trust companies or other institutions or corporations subject to unusual hazard from robbery or holdup who have secured permits from the sheriff of the county in which they are located for one or more of their employees to have such firearms, may possess such firearms; provided, further, that museums, American Legion posts and other similar patriotic organizations may possess such firearms when not used as a weapon and when possessed as a curiosity, ornament or keepsake.

Kentucky

State Law

237.020 Right of Kentucky residents to buy firearms in contiguous states; reciprocity as to residents of contiguous states. (1) Residents of the Commonwealth of Kentucky shall have the right to purchase rifles, shotguns, and any other firearms which they are permitted to purchase under federal law from properly licensed dealers, manufacturers, importers, or collectors located in states contiguous to the Commonwealth of Kentucky.

(2) Residents of states contiguous to the Commonwealth of Kentucky may purchase rifles, shotguns, and any other firearms which they are permitted to purchase under federal law from properly licensed dealers, manufacturers, importers, or collectors located in the Commonwealth of Kentucky.

(3) All such sales shall conform to the requirements of federal law, the Kentucky Revised Statutes, applicable local ordinances, and the law of the purchaser's state.

237.030 Definitions for KRS 237.040 and 237.050. (1) "Deceptive device" means any explosive, incendiary, or poisonous gas bomb, grenade, mine, rocket, missile, or similar device and includes the unassembled components from which such a device can be made.

(2) "Booby trap device" includes any device, or substance designed to surreptitiously or covertly take life, endanger life or destroy damage property and shall not include firearms.

237.040 Criminal possession of destructive device or booby trap device. A person is guilty of criminal possession of a destructive device or a booby trap device when he possesses, manufactures, or transports such substance or device with:

(1) Intent to use that device to commit an offense against the laws of this state, a political subdivision thereof, or of the United States;

(2) Knowledge that some other person intends to use that device to commit an offense against the laws of this state, a political subdivision thereof, or of the United States.
(a) Been granted a full pardon by the governor or by the President of the United States; or

(b) Been granted relief by the United States secretary of the treasury pursuant to the Federal Gun Control Act of 1968, as amended.

(2) Possession of a handgun by a convicted felon is a Class D felony.

(3) The provisions of this section shall apply only to persons convicted after January 1, 1975.

527.050 Possession of defaced firearm. (1) A person is guilty of possession of a defaced firearm when he knowingly possesses a defaced firearm unless he makes a report to the police or other appropriate government agency of such possession prior to arrest or authorization of a warrant by a court.

(2) Possession of a defaced firearm is a Class A misdemeanor.

Cold Spring

Ordinance 99

Section 1 That it shall be unlawful in the City of Cold Spring, Campbell County, Kentucky, for any person, firm or corporation to sell, give away or otherwise supply to any person, any pistol, revolver, derringer or other weapon of like character, which is capable of being concealed on or about the person, without first requiring such person as a condition precedent to receiving said weapon, to produce to such supplier a written permit to purchase or otherwise receive such weapon issued by the City of Cold Spring, and signed by the City Marshal of the City of Cold Spring, Campbell County, Kentucky ** *

Covington

Sec. 14-115. Sale of dangerous weapons to minors and intoxicated persons. (a) No person shall knowingly sell, offer for sale, loan or furnish any rifle, firearm or other dangerous or deadly weapon to:

(1) Any minor under the age of eighteen (18) years;

(2) Any person under the influence of any alcoholic beverage, narcotic drug, stimulant or depressant;

(3) Any person in a condition of agitation and excitability; or

(4) To any person that the seller, lender or donor has reasonable cause to believe is not of sound mind.

Danville

1. No person, firm or corporation whether a licensed or unlicensed dealer or one who sells in a casual sale, shall sell any pistol, revolver, Derringer ** * or other weapon of like character which can be concealed on or about the person except to one to whom a permit for the purchase of a weapon has been issued ** *. Only one such weapon shall be sold for each permit so issued.

Lexington-Fayette Urban County Government

Sec. 13-57. Same—License and permits for concealed deadly weapons—Required. It shall be unlawful for any person in the business of selling, or to sell, give away or otherwise dispose of to any person within the city any pistol, revolver, derringer, * * * or other weapon of like character, pursuant to the authority of a weapon permit issued by the City of Lexington, as hereinafter provided. The sale, donation, supplying or transfer of any pistol, revolver, derringer, or other weapon of like character, pursuant to the authority of a weapon permit issued by the City of Erlanger, as hereinbefore set forth, shall be accomplished within ten (10) days from the date of the issuance of such weapon permit and such weapon permit shall be void after the expiration of ten (10) days from the date of its issuance.

Erlanger

Ordinance 1010

Section 1. That it shall be unlawful in the City of Erlanger, Kentucky, for any person, firm or corporation to sell, give away or otherwise supply to any person, any pistol, revolver, derringer or other weapon of like character, which is capable of being concealed on or about the person, without first requiring such person as a condition precedent to receiving said weapon, to produce to such supplier a written permit to purchase or otherwise receive such weapon issued by the City of Erlanger signed by the Chief of Police of the City of Erlanger as hereinafter provided.

Section 2. It shall be unlawful for any person in the City of Erlanger to purchase or otherwise receive any pistol, revolver, derringer or other weapon of like character, which can be concealed on the person, without first securing from the City of Erlanger a weapon permit signed by its Chief of Police ** **.

The sale, donation, supplying or transfer of any pistol, revolver, derringer, or other weapon of like character, pursuant to the authority of a weapon permit issued by the City of Erlanger, as hereinafter provided, shall be accomplished within ten (10) days from the date of the issuance of such weapon permit and such weapon permit shall be void after the expiration of ten (10) days from the date of its issuance.

Sec. 14-40. Same—Supplying small arms ammunition to. No person shall sell, give, or otherwise supply to any child under the age of eighteen years any small arms ammunition, and no person shall purchase for the use of or place such small arms ammunition in the possession of any such child in the city. ** **

Louisville

747.01 Definitions.

Fire Bomb: A breakable container containing a flammable substance or liquid and having a wick or similar device and capable of being ignited. No device commercially manufactured primarily for the purpose of illumination shall be deemed to be a fire bomb.

Dispose of: To give, lend, offer for sale, sell, transfer, hurl, throw, drop, or caused to be hurled, thrown or dropped, or to abandon at any location.

Explosive: Any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon the application of heat, flame, shock or electricity including but not limited to dynamite, nitroglycerin, trinitrotoluene, ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps, detonators and detonating cords, but not including any fireworks or ammunition for firearms or any black or smokeless propellant powder or primers or any other component of ammunition for firearms.

Licensee: A dealer or manufacturer of explosives licensed under this ordinance.

Permittee: Any user of explosives for lawful purposes who has obtained a user permit under the provisions of this ordinance.

747.02 Possession or ownership of firebombs. (a) It shall be unlawful to own, make, possess or dispose of a fire bomb, tear gas bomb, stink or acid bomb.

(b) It shall be unlawful to possess any recognizable component part of a firebomb with intent to use such component, material or substance to set fire to or burn any building, structure or property.

(c) This section shall not prohibit the authorized use or possession of any device, substance or material described herein by a member of the Armed Forces of the United States or any Reserve component thereof or of the National Guard of the Commonwealth of Kentucky or by a duly authorized Fireman, Policeman, or Peace Officer acting pursuant to official duty, nor shall the use or possession of such device, substance or material for the sole purpose of scientific research or education or for lawful burning be prohibited.

711.01 Definitions When used in this Ordinance, where not otherwise distinctly ex-
pressed or manifestly incompatible with the intent thereof, terms shall have the meanings ascribed in this section. Words in the plural form shall include the singular, and vice versa, and words importing the masculine gender shall include the feminine.

Antique firearm. (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 paragraph (a) or newer in design or manufacture in any state and punishable by a term of imprisonment of two (2) years or less.
Frame or receiver. That part of a concealable firearm which provides housing for the hammer, bolt or breechblock, and firing mechanism, and which is usually threaded at its forward portion to receive the barrel.

Fugitive from justice. Any person who has fled from any state to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding.

Indictment. Includes an indictment or information in any Court under which a crime punishable by imprisonment for a term exceeding one (1) year may be prosecuted.

Pawnbroker. Any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any concealable firearm as security for the payment or repayment of money.

Person. Any individual, corporation, company, association, firm, partnership, society, or joint stock company.

Sale or transfer of concealable firearms. No sale, transfer or delivery of a concealable firearm shall be made within the City of Louisville to any of the following:
(a) A person under twenty-one (21) years of age;
(b) A person under indictment for, or who has been convicted in any Court of a felony;
(c) A person who has been convicted of a misdemeanor involving the handling, carrying, furnishing or misuse of a firearm within five (5) years;
(d) A person who is a fugitive from justice;
(e) A person who has been adjudicated as a mental defective or incompetent or who has been committed to any mental institution.
(f) A person who has a conviction record of three or more misdemeanors involving the employment of physical violence against another person within three (3) years last past before the proposed sale, transfer or delivery.

Licensing of dealer. Any person who engages in the business of a dealer as defined in this Ordinance in the City of Louisville shall secure a license from the City to conduct such business.

Sale by dealer. Every dealer who makes a sale, transfer or delivery of a concealable firearm to any person other than another licensed dealer or licensed collector shall first require the purchaser to execute in full an affidavit on a form provided by the Louisville Division of Police.

The aforesaid affidavit shall be signed and sworn to by the prospective purchaser before a person authorized to administer oaths.

Completion of sale and report to the Louisville Division of Police. After the prospective purchaser or transferee of a concealable firearm has executed the affidavit hereinafore provided for, the dealer shall allow a period of not less than 24 hours to expire before the completion of any sale or transfer of the concealable firearm to the purchaser or transferee.

Upon the completion of the sale or transfer, the dealer shall execute a certificate on a form provided by the Louisville Division of Police.

The purchaser or transferee shall sign the aforesaid certificate acknowledging receipt of the concealable firearm described therein. The dealer shall also sign the aforesaid certificate.

The dealer and purchaser or transferee shall swear to the accuracy of the information contained therein before a person authorized to administer oaths.

Report of sale by seller other than dealer. Every person who is not a licensed dealer or collector who makes a sale, loan, gift or any other transfer or delivery of a concealable firearm to anyone who is not a licensed dealer or collector shall within twenty-four (24) hours after such sale, loan, gift, transfer or delivery mail or deliver to the Louisville Division of Police a certificate on a form provided by the Louisville Division of Police.
NOTICES

Sec. 117.09 Collectors license. Any person qualifying as a collector as defined in this Ordinance may make application to the Louisville Division of Police for issuance of a “Collectors License” and shall pay for said license the sum of Ten dollars ($10.00); said license shall be renewable annually for an additional fee of Five dollars.

Sec. 117.11 Licensed collector may make immediate transactions. Any duly licensed collector hereunder may buy, sell or otherwise receive or transfer any firearms qualifying as curios and reliefs as defined herein without the necessity of reporting such transactions and without the elapse of any waiting period.

Sec. 117.13 Exclusions. 1. Despite any language to the contrary contained herein, it shall be unlawful for the following persons to acquire, transfer, or purchase concealable firearms from a dealer or broker without the necessity of the affidavit and waiting period required by this Ordinance:
   (a) Any governmental agency which is authorized to own or acquire firearms;
   (b) Licensed dealers, manufacturers, wholesalers in all transactions between similarly licensed persons, in their usual course of business;
   (c) Licensed pawnbrokers accepting a firearm as security or pledge for loan, unless or until the pawnbroker makes a sale or transfer or the firearm pledged to a person other than the owner, at which time the affidavit required by this Ordinance and the waiting period shall be complied with, and the report of such sale or transfer shall be made as provided herein.

2. Despite any language to the contrary contained herein, it shall be lawful for the following persons to transport, possess and lawfully use concealable firearms for lawful purposes:
   (a) Non residents of Louisville who are regularly enrolled members of any state or federal organization, service or agency who’s members are legally authorized to purchase, receive and transport concealable firearms;
   (b) Non residents of Louisville regularly enrolled as members of clubs organized for firearms collecting or organized target shooting while such members are going to or from collectors gun shows, competitions and other organized convocations of such clubs;
   (c) Non residents while lawfully engaged in hunting, fishing, or camping or going to or returning from hunting, fishing or camping;
   (d) Non residents engaged in the business of manufacturing, repairing or dealing in firearms, or the agent or representatives of such person while engaged in the lawful course of such business.

Sec. 117.08 Sale to minors. No person shall sell a revolver, pistol or like or similar instrument to any minor at any time. (Ord. 1094, Sec. 8)

Sec. 117.09 Wholesalers excepted. Nothing contained in this chapter shall apply to sales at wholesale to a licensed “dealer.”

Paris

Sec. 11-19. Various deadly weapons—Permits to buy and sell; required reports. (a) It shall be unlawful for any person to engage in the business of selling, or to sell; give away or otherwise dispose of to any person within the city any pistol, revolver, derringer, * * * or other weapon of like character which can be concealed on or about the person, without securing a license so to do as hereinafter provided, and no person having secured such license shall sell, give away or otherwise dispose of any such weapon to any person within the city who has not secured a permit from the chief of police to purchase the weapon. * * * * *

(d) It shall be unlawful for any person in the city to purchase any pistol, revolver, derringer, * * * or other weapon of like character, which can be concealed on the person, without first securing from the chief of police a permit so to do.

Park Hills

Ordinance 3

Section 1. Licensing of Dealer: Every person, firm or corporation hereinafter called “Dealer,” engaged in the business of buying or selling pistols, revolvers and like or similar instruments, * * * shall secure a license from the City of Park Hills. * * *

Section 4. Purchaser’s Qualifications: No “Dealer” shall make any sale of, or deliver any pistol, revolver, or like or similar instrument to any person without first requiring such person to execute an affidavit in triplicate copy, either typewritten or in plain legible English handwriting and which shall contain the following information: The purchaser’s name, age, address, description, place of employment, citizenship and statement of criminal record. If the prospective purchaser is an alien or if his record indicates he has been involved in any felony or any misdemeanor involving the use of firearms, then the “dealer” shall not make any sale of or deliver any pistol, revolver, or like or similar instrument to such person. The “dealer” shall be further charged with the responsibility of refusing to make a sale to any person who appears visibly agitated or under stress, and who cannot give a reasonable or proper explanation of such behavior. The “dealer” shall complete any sale to a prospective purchaser only if it appears that such person has good cause to fear an injury to his person or property, or that such pistol, revolver or like or similar instrument is to be used for a lawful purpose.

Sec. 117.05 Report of sale. When the “dealer” ascertains that the prospective purchaser is properly qualified and has executed the affidavit, as above provided, he may complete the sale and deliver the pistol, revolver or like or similar instrument to the said purchaser. * * *

Sec. 117.07 Sale to unlicensed “dealers.” No person shall sell a revolver, pistol or like or similar instrument to any unlicensed “dealer” at any time.
cause to fear an injury to his person or property that such pistol, revolver, or like or similar instrument is to be used for a lawful purpose.

Section 7. Sale to Unlicensed "Dealers": It shall be unlawful for any person, firm or corporation to sell a revolver, pistol or like or similar instrument to any unlicensed "Dealer", at any time.

Section 8. Sale to Minors. It shall be unlawful for any person, firm or corporation to sell a revolver, pistol or like or similar instrument to any minor at any time.

Louisiana
State Law

Title 40

§1751. Definitions. For purposes of this Part, "machine gun" includes all firearms of any calibre, commonly known as machine rifles, machine guns, and sub-machine guns, capable of automatically discharging more than eight cartridges successively without reloading, in which the ammunition is fed to the gun from or by means of clips, disks, belts, or some other separable mechanical device. "Manufacturer" includes all persons manufacturing machine guns; "Merchant" includes all persons dealing with machine guns as merchandise.

§1752. Handling of machine guns unlawful; exceptions. No person shall sell, keep or offer for sale, loan or give away, purchase, possess, carry, or transport any machine gun within this state, except that:
(1) All duly appointed peace officers may purchase, possess, carry, and transport machine guns.
(2) This Part does not apply to the Army, Navy, or Marine Corps of the United States, the National Guard, and organizations authorized by law to purchase or receive machine guns from the United States or from this state. The members of such Corps, National Guard, and organizations may possess, carry, and transport machine guns while on duty.
(3) Persons possessing war relics may purchase and possess machine guns which are relics of any war in which the United States was involved, may exhibit and carry the machine guns in the parades of any military organization, and may sell, offer to sell, loan, or give the machine guns to other persons possessing war relics.
(4) Guards or messengers employed by common carriers, banks, and trust companies, and pay-roll guards or messengers may possess and carry machine guns while actually employed in and about the shipment, transportation, or delivery, or in the guarding of any money, treasure, bullion, bonds, or other thing of value. Their employers may purchase or receive machine guns and keep them in their possession when the guns are not being used by their guards or messengers.

(5) Manufacturers and merchants may sell, keep or offer for sale, loan or give away, purchase, possess, and transport machine guns in the same manner as other merchandise except as otherwise provided in this Part. Common carriers may possess and transport unloaded machine guns as other merchandise.

§1753. Transfers of possessions permitted in certain cases; method. No manufacturer or merchant shall permit any machine gun to pass from his possession to the possession of any person other than:
(1) A manufacturer or a merchant.
(2) A common carrier for shipment to a manufacturer or merchant.
(3) A duly authorized agent of the government of the United States or of this state, acting in his official capacity.
(4) A person authorized to purchase a machine gun under the provisions of paragraphs (1) and (4) of R.S. 40:1752.

Manufacturers or merchants shall not deliver a machine gun to any of the persons authorized to purchase it under the provisions of paragraphs (1) and (4) of R.S. 40:1752 unless the person presents a written permit to purchase and possess a machine gun, signed by the sheriff of the parish in which the manufacturer or merchant has his place of business or delivers the machine gun. The manufacturer or merchant shall retain the written permit and keep it on file in his place of business. Each sheriff shall keep a record of all permits issued by him.

§1781. Definitions. For the purpose of this Part, the following terms have the meanings ascribed to them in this Section:
(1) "Dealer" means any person not a manufacturer or importer engaged in this state in the business of selling any firearm. The term includes wholesalers, pawnbrokers, and other persons dealing in used firearms.
(2) "Department" means the Department of Public Safety.
(3) "Firearm" means a shotgun having a barrel of less than twenty inches in length; a rifle having a barrel of less than sixteen inches in length; any weapon made from either a rifle or a shotgun if said weapon has been modified to have an overall length of less than twenty-six inches; any other firearm, pistol, revolver or shotgun from which the serial number or mark of identification has been obliterated, from which a shot is discharged by an explosive, if that weapon is capable of being concealed on the person; or a machine gun or gas grenade; and includes a muffler or silencer for any firearm, whether or not the firearm is included within this definition. Pistols and revolvers and those rifles and shotguns which have not previously been defined in this Paragraph as firearms from which serial numbers or marks of identification have not been obliterated are specifically exempted from this definition.
(4) "Importer" means any person who imports or brings into the state any firearm.
(5) "Machine gun" means any weapon, including a submachine gun, which shoots or is designed to shoot automatically more than one shot without manual reloading, by a single function of the trigger.
(6) "Manufacturer" means any person who is engaged in this state in the manufacture, assembling, alteration, or repair of any firearm.
(7) "Muffler" or "silencer" includes any device for silencing or diminishing the report of any portable weapon such as a rifle, carbine, pistol, revolver, machine gun, submachine gun, shotgun, fowling piece, or other device from which a shot, bullet, or projectile may be discharged by an explosive and is not limited to mufflers and silencers for firearms as defined in this Section.
(8) "Transfer" includes the sale, assignment, pledge, lease, loan, gift, or other disposition of any firearm.

§1782. Exemptions from Part. This Part does not apply to the following persons and things:
(1) Sheriffs or equivalent municipal officers in municipalities of over ten thousand, when they are acting in their official capacity.
(2) The arms, accoutrements, and equipment of the military and naval forces of the United States or of other officers of the United States authorized by law to possess weapons of any kind.
(3) The arms, accoutrements, and equipment of the militia.
(4) Any firearm which is unserviceable and which is transferred as a curiosity or ornament.

§1783. Registration with department of public safety. Every person possessing any firearm shall register with the department the number or other mark identifying the firearm, together with his name, address, and place of business or employment, the place where the firearm is usually kept, and, if the person is other than a natural person, the name and home address of the executive officer thereof having control of the firearm and the name and home address of the person having actual possession thereof.
§1784. Application to possess or transfer. No person shall continue to possess or shall transfer any firearm without the prior approval of the department. Interested persons shall file written application in duplicate on application forms issued in blank for those purposes by the department. In the case of transfers of any firearm, applications shall be filed by both the proposed vendor and the proposed vendee.

The applications shall set forth, in the original and duplicate, the manufacturer's number or other mark identifying the firearm. Both the original and duplicate shall be forwarded to the department. If approved, the original shall be returned to the applicant.

§1785. Possession or dealing in unregistered or illegally transferred weapons. No person shall receive, possess, carry, conceal, buy, sell, or transport any firearm which has not been registered or transferred in accordance with this Part.

§1787. Importation, manufacture, or dealing in violation of the Uniform Controlled Dangerous Substances Law, which is a felony or any crime defined as an attempt to commit one of the above enumerated offenses under the laws of this state, or who has been convicted under the laws of any other state or of the United States or of any foreign government or country of a crime which, if committed in this state, would be one of the above enumerated crimes, to possess a firearm or carry a concealed weapon.

§1788. Identification with number or other mark; obliteration or alteration of number or mark. A. Each manufacturer, importer, and dealer in firearms shall register with the department his name or style, principal place of business and other places of business in this state. No person required to register under the provisions of this Section shall import, manufacture, or deal in any firearm without having registered as required by this Section.

B. No one shall obliterate, remove, change, or alter this number or mark. Whenever, in a trial for a violation of this Sub-section, the defendant is shown to have or to have had possession of any firearm upon which the number or mark was obliterated, removed, changed, or altered, that possession is sufficient evidence to authorize conviction unless the defendant explains it to the satisfaction of the court.

§1803. Purchase of rifle or shotgun or ammunition prohibited. It shall be unlawful for any person residing in this state, including any corporation or other business entity maintaining a place of business in this state, to purchase or otherwise obtain a rifle or shotgun or ammunition in any state which is contiguous to this state and to receive or transport such rifle or shotgun or ammunition into this state and to permit any person residing in a contiguous state to purchase shotguns, rifles or ammunition in this state and to receive or transport such rifles, shotguns or ammunition in this state.

Title 14

91. Unlawful sales to minors. Unlawful sales to minors is the selling, or otherwise delivering for value by anyone over the age of seventeen of any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of eighteen. Lack of knowledge of the minor's age shall not be a defense.

95.1 Possession of firearm or carrying concealed weapon by a person convicted of certain felonies.

A. It is unlawful for any person who has been convicted of first or second degree murder, manslaughter, aggravated battery, aggravated or simple rape, aggravated kidnapping, aggravated arson, aggravated or simple burglary, armed or simple robbery, or any violation of the Uniform Controlled Dangerous Substances Law, which is a felony or any crime defined as an attempt to commit one of the above enumerated offenses under the laws of this state, or who has been convicted under the laws of any other state or of the United States or of any foreign government, or country of a crime which, if committed in this state, would be one of the above enumerated crimes, to possess a firearm or carry a concealed weapon.

B. (1) The provisions of the Section prohibiting the possession of firearms and carrying concealed weapons by persons who have been convicted of certain felonies shall not apply to any person who has not been convicted of any felony for a period of ten years from the date of completion of sentence, probation, parole, or suspension of sentence. (2) Upon completion of sentence, probation, parole, or suspension of sentence the convicted felon shall have the right to apply to the sheriff of the parish in which he resides, or in the case of Orleans Parish the superintendent of police, for a permit to possess firearms. The felon shall be entitled to possess the firearm upon the issuing of the permit.

Unlawful sales to minors and purchases by minors. Unlawful sales to minors is the selling, or otherwise delivering for value by anyone over the age of twenty-one. Lack of the knowledge of the minor's age shall not be a defense.

Article 58. Unlawful sales to minors and purchases by minors. Unlawful sales to minors is the selling, or otherwise delivering for value by anyone over the age of seventeen of any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of twenty-one.

Article 59. Illegal carrying of weapons: Illegal carrying of weapons is: (2) The ownership, possession, custody or use of any firearm or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien.

Article 59. Illegal carrying of weapons: (2) The ownership, possession, custody or use of any firearm, or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien.

(b) Whoever commits illegal carrying of weapons shall be guilty of a misdemeanor.

Article 59. Unlawful sales to minors and purchases by minors. Unlawful sales to minors is the selling, or otherwise delivering for value by anyone over the age of seventeen any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of twenty-one. Lack of the knowledge of the minor’s age shall not be a defense.

Article 60. Illegal carrying of weapons. Illegal carrying of weapons is: (2) The ownership, possession, custody or use of any firearm or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien.

59. Unlawful sales to minors and purchases by minors. Unlawful sales to minors is the selling, or otherwise delivering for value by anyone over the age of seventeen of any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of twenty-one. Lack of the knowledge of the minor's age shall not be a defense.

Coushatta

Criminal Code

Article 8. Unlawful sales to minors and purchases by minors. Unlawful sales to minors is the selling, or otherwise delivering for value by anyone over the age of seventeen any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of twenty-one.

Article 59. Illegal carrying of weapons: Illegal carrying of weapons is: (2) The ownership, possession, custody or use of any firearm, or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien.

Crowley

§8-44. Weapons—Illegal carrying. (2) The ownership, possession, custody or use of any firearm, or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien.

(b) Whoever commits illegal carrying of weapons shall be guilty of a misdemeanor.

DeRidder

Article 59. Unlawful sales to minors and purchases by minors. Unlawful sales to minors is the selling, or otherwise delivering for value by anyone over the age of seventeen any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of twenty-one. Lack of the knowledge of the minor’s age shall not be a defense.

7-68. Unlawful sales to minors and purchases by minors. Unlawful sales to minors is the selling, or otherwise delivering for value by anyone over the age of seventeen (17) of any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of twenty-one (21). Lack of the knowledge of the minor’s age shall not be a defense.
East Baton Rouge Parish

94. Illegal use of weapons or dangerous instrumentalities. (2) The ownership, possession, custody or use of any firearm, or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien.

Houma

9-31. Illegal carrying. (a) Defined. Illegal carrying of weapons is: (2) The ownership, possession, custody or use of any firearm, or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien.

Jefferson Parish

Sec. 12-17.2. [Firearms]—Unlawful to sell to minor without consent of parents. It shall be unlawful for any person to sell any weapon to any person under eighteen (18) years of age without first having received the written consent of said person's parents.

Sec. 12-18. Same—Application for permit to purchase. Any person purchasing or acquiring ownership of any firearm shall file a written application, in triplicate form, issued in blank for that purpose, with the permit department of the sheriff's office for this parish.

Jennings

20-49. Illegal carrying of weapons. (a) Illegal carrying of weapons is: * * * * * (2) The ownership, possession, custody or use of any firearm or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien; * * * * *

Kenner

10-93. Wholesale dealers in pistols, rifles or cartridges. Every wholesale dealer in pistols, pistol cartridges, blank pistols, blank cartridges, and all rifles except .22 and .25 calibers, and rifle cartridges, except .22 and .25 calibers, shall pay an annual license on the said business. * * *

No dealer shall be deemed a wholesale dealer unless he sells to dealers for resale.

10-94. Retail dealers in pistols, rifles or cartridges. (b) No person shall sell, at wholesale or retail, pistols, or pistol cartridges, blank pistols or blank pistol cartridges, or any rifles, except rifles of .22 and .25 calibers or any rifle cartridges, except rifle cartridges of .22 and .25 calibers, without first obtaining the license required by this ordinance or in Section 32 of this ordinance, or without first obtaining the license which may be imposed by any municipal or parochial authority for the sale of pistols or pistol cartridges, blank pistols or blank pistol cartridges, rifles or rifle cartridges.

Lafayette City

B. No person shall sell at wholesale or retail, pistols or pistol cartridges, blank pistols or blank pistol cartridges, or any rifles, except rifles of .22 and .25 calibers or any rifle cartridges, except rifle cartridges of .22 and .25 calibers, without first obtaining the license required in this section or in Section 32 of this ordinance, or without first obtaining the license which may be imposed by any municipal or parochial authority for the sale of pistols or pistol cartridges, blank pistols or blank pistol cartridges, rifles or rifle cartridges.

Lafayette Parish

B. No person shall sell at wholesale or retail, pistols or pistol cartridges, blank pistols or blank pistol cartridges, or any rifles, except rifles of .22 and .25 calibers or any rifle cartridges, except rifle cartridges of .22 and .25 calibers, without first obtaining the license required by this article authorizing the sale of pistols, or pistol cartridges, blank pistols or blank pistol cartridges, rifles or rifle cartridges.

Kentwood

Article 46. Illegal carrying of weapons. Illegal carrying of weapons is: * * * * * (2) The ownership, possession, custody or use of any firearm or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien; * * * * *

Morgan City

Sec. 10-11. * * * sale of firearms to minors. It shall be unlawful for any person to sell, offer, or expose for sale within the corporate limits of the city, * * * to sell firearms to minors.

New Orleans

Section 67-2.1. Illegal possession or ownership of firearms or other dangerous instruments by convicted felons. It shall be unlawful for any convicted felon to possess or own any firearm or other instrument, customarily used or intended for use as a dangerous weapon. Whoever commits the offense of illegally possessing or owning firearms or other dangerous instruments, customarily used or intended for use as a dangerous weapon, shall be fined not more than one hundred dollars ($100.00) and be imprisoned for a period of ninety (90) days without benefit of probation, parole, reduction or suspension of sentence; said sentence to run consecutively with any and all other sentences imposed for any and all other violations of this Code.

Section 67-7. Unlawful to sell, etc., certain weapons to persons under eighteen. It shall be unlawful for any person to sell, lease or give through himself or any other person any pistol, * * * toy pistol for which cartridges are used or other dangerous weapon which may be carried concealed to any person under the age of eighteen years.

Section 67-10. Sale of pistols, etc., forbidden except upon compliance with article. It shall be unlawful for any person in the city to sell, give away, lend, exchange or otherwise dispose of or transfer in the city or for any person to purchase, borrow, accept as a gift, exchange or otherwise receive any pistol, revolver, automatic pistol or firearm whatsoever capable of being concealed on the person, except as authorized by this article.

Section 67-11. Application to purchase articles referred to in preceding section. Prior to the actual delivery or transfer of any of the articles mentioned in the preceding section, the person desiring to obtain any such article shall file a written application, in duplicate, with the Superintendent of Police of the city. * * * *

Section 67-14. How transfer made. The transfer under applications to purchase articles under this article shall be made only between the hours of 9:00 A. M. and 5:00 P. M. on the following day stated therefor in the approved application and such transfer shall
be openly and publicly made and only to the person signing the application.

Section 67. Unlawful to obtain for or transfer to another, etc. It shall be unlawful for any person to obtain the transfer of any article, for the account of, or to sell, give away, lend, exchange or otherwise dispose of any such article to another person and it shall be unlawful for any person to employ or procure anyone to apply for or obtain the transfer of any such article or to aid and abet in such violation of this article.

Oakdale
Sec. 8-67. Unlawful sales to minors. (a) Unlawful sales to minors is the selling, or otherwise delivering for value, by anyone over the age of seventeen (17) of * * * any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of twenty-one (21). Lack of the knowledge of the minor’s age shall not be a defense.

Plaquemine
Sec. 11-69. Unlawful sales to minors and purchases by minors. Unlawful sales to minors is the selling, or otherwise delivering for value by anyone over the age of seventeen (17) of * * * any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of twenty-one (21) and shall be unlawful. Lack of the knowledge of the minor’s age shall not be a defense.

Vernon Parish
Sec. 11-70. Illegal carrying of weapons. Illegal carrying of weapons is: * * * * * (a) The owner, possession, custody or use of any firearm or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien: * * * * *.

Oakdale
Sec. 8-67. Unlawful sales to minors. (a) Unlawful sales to minors is the selling, or otherwise delivering for value, by anyone over the age of seventeen (17) of * * * any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of twenty-one (21). Lack of the knowledge of the minor’s age shall not be a defense.

Plaquemine
Sec. 11-69. Unlawful sales to minors and purchases by minors. Unlawful sales to minors is the selling, or otherwise delivering for value, by anyone over the age of seventeen (17) of * * * any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of twenty-one (21). Lack of the knowledge of the minor’s age shall not be a defense.

Vernon Parish
Ordinance 4 of 1974
Section I. It shall be unlawful for any business, firm or corporation, to sell, lease or give, individually or by agent, any pistol, * * * toy pistol for which cartridges are used, or other dangerous weapon which may be carried concealed, to any person under the age of eighteen.

Section II. It shall be unlawful for any business, firm or corporation, in Vernon Parish to sell, give away, lend, exchange or otherwise dispose of or transfer in Vernon Parish or for any business, firm or corporation to purchase, borrow, accept as a gift, exchange or otherwise receive any pistol, revolver, automatic pistol or firearm whatsoever capable of being concealed upon the person, except as authorized by this article.

Section III. Prior to the actual delivery or transfer of any of the articles mentioned in the preceding section, the business, firm or corporation desiring to obtain any such article shall file a written application, in duplicate, with the Sheriff of Vernon Parish. The Sheriff of Vernon Parish may also require the fingerprints of the applicant as part of such application.

Section VI. The transfer under applications to purchase articles under this article shall be made only between the hours of 9:00 A.M. and 5:00 P.M. on the following day stated therefor in the approved application and such transfer shall be openly and publicly made and only to the person signing the application.

Section VIII. The word "business" in the foregoing article, will apply to any person or individual who is conducting a business of selling or distributing guns or other weapons, provided, however, that this will not apply to a private transaction as between two individuals, neither of whom is engaged in the business or enterprise of selling guns or other weapons.

Vinton
Article 59. Unlawful sales to minors and purchases by minors. Unlawful sales to minors is the selling, or otherwise delivering for value by anyone over the age of seventeen * * * any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of eighteen. Lack of the knowledge of the minor’s age shall not be a defense.

Article 60. Illegal carrying of weapons. Illegal carrying of weapons is: * * * * * (2) The ownership, possession, custody or use of any firearm or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien: * * * * *.

Maine
State Law

Title 2
§2458. Silencers; * * * * *No person shall sell, offer for sale, use or have in his possession any gun, pistol or other firearms, fitted or contrived with any device for deadening the sound of explosion. * * * * *

Title 15
§391. Definitions. The following words and phrases when used in this chapter are defined as follows: "Pistol," "revolver" and "firearm" mean a weapon capable of being concealed upon the person and shall include all firearms having a barrel of less than 12 inches in length.

§393. Possession forbidden. It shall be unlawful for any person who has been convicted of a felony under the laws of the United States or of the State of Maine, or of any other state, to have in his possession any pistol, revolver or any other firearm capable of being concealed upon the person until the ex-
NOTICES

Machine guns manufactured, acquired, transferred or possessed in accordance with the National Firearms Act, as amended, shall be exempt from this chapter.

§2. Definitions. As used in this code, unless a different meaning is plainly required, the following words and variants thereof have the following meanings.**** *

12-A. "Firearm" means any weapon, whether loaded or unloaded, which will expel a projectile by the action of an explosive and includes any such weapon commonly referred to as a pistol, revolver, rifle, gun, machine gun or shotgun. Any weapon which can be readily made into a firearm by the insertion of a firing pin, or other similar thing in the actual possession of the actor or an accomplice, is a firearm.

Title 25

§2041. Purchase by Maine residents in another state. Residents of the State may purchase rifles and shotguns in a state contiguous to the State of Maine, provided that such residents conform to the applicable provisions of the Gun Control Act of 1968, and regulations thereunder, as administered by the United States Secretary of the Treasury, and provided further that such residents conform to the law applicable to such purchase in the State of Maine and in the contiguous state in which the purchase is made.

Bangor

Ch. VII; Art. 5

1.4 Sale of Cartridge to Children under Sixteen. No person shall sell to any child under the age of sixteen years, without the written consent of a parent or guardian of such child, any cartridge of fixed ammunition or blank cartridge, or any gun, pistol or other mechanical contrivance arranged for the explosion of such cartridge.

Biddeford

Sec. 24-17. Defined. For the purpose of this article a "hand gun" shall mean a firearm having a barrel length of less than fifteen (15) inches and designed and intended to be fired with one (1) hand, using fixed ammunition.

Sec. 24-18. Conveyances to conform to article. No person in the city shall sell, give or deliver to any person any hand gun except in accordance with the provisions of this article.

Sec. 24-19. Purchaser to sign certificate; Any person desiring to sell, give or deliver a hand gun shall require the person seeking to purchase or obtain such hand gun to sign a certificate [contact local authorities for required contents]**

Sec. 24-20. Penalty for signing certificate containing false information. Any person who signs a certificate required in section 24-19 containing false information for the purpose of complying with the provisions of this article shall be guilty of a violation of this article and subject to a fine of not more than one hundred dollars ($100.00).

Sec. 24-21. Police chief to examine purchaser's record, report results. Any person desiring to sell, give or deliver a hand gun shall deliver the certificate required in section 24-19 to the chief of police at police headquarters; and the chief shall have seventy-two (72) hours after receipt of the certificate to make an examination of the records contained in the police department and in state police headquarters at Augusta, Maine ** *

Sec. 24-22. When selling, giving, delivering hand gun a violation. Any person selling, giving or delivering a hand gun to any person before the expiration of the seventy-two (72) hour examination period required by section 24-21 or when notified within such period by the chief of police that a person signing the certificate required by section 24-19 has been convicted of, or is under complaint or indictment for, assault, assault and battery or a felony; is a user of or addicted to marijuana or any depressant, stimulant or narcotic drug; or has been judged by a court as a mental defective or has been committed to, or voluntarily has been a patient at, a mental institution, shall be guilty of a violation of this article and subject to a fine of not more than one hundred dollars ($100.00).

Cape Elizabeth

1. No person, firm, or corporation in the Town of Cape Elizabeth shall sell and deliver to any person, or shall give or lend to any person except members of the household or upon the grounds of and for use at an established target range, any hand gun as hereinafter defined, except in accordance with the provisions of the following sections.

2. A hand gun shall mean a firearm having a barrel length of less than fifteen inches and designed and intended to be fired with one hand, using fixed ammunition.

3. Such person, firm, or corporation shall require the person seeking to purchase or obtain such hand gun to sign a certificate [contact local authorities for required contents]**

4. Such person, firm, or corporation shall deliver such certificate to the Chief of Police of the Town of Cape Elizabeth, or his duly authorized representative, at Police Headquarters, and said Chief of Police or his duly authorized representative shall have seven calendar days after delivery of said certificate to make an examination of the records contained in the police department of the Town of Cape Elizabeth, in the police department of any other municipality listed as an address on such certificate, and in State Police Headquarters at Augusta, Maine **

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
5. Any person, firm, or corporation selling and delivering, giving or lending a hand gun to any person without complying with the provisions of this Ordinance, or before the expiration of said seven calendar days or when notified within said period by the Chief of Police or his duly authorized representative [that the person is not eligible to receive a hand gun] ** shall be guilty of a violation of this ordinance and subject to a fine of not more than $100.00 **.

6. Any person who signs a certificate containing false information for the purpose of complying with the provisions of this Ordinance, or who accepts a hand gun without complying with the provisions of this Ordinance, shall be guilty of a violation of this ordinance and subject to a fine of not more than $100.00 **.

Falmouth

1. Definition. No person, firm, or corporation in the Town of Falmouth shall sell, give, or in any manner transfer title to any person any hand gun as hereinafter defined, except in accordance with the provisions of the following sections.

2. Hand Gun. A hand gun shall mean a firearm having a barrel length of less than fifteen inches and designed and intended to be fired with one hand, using fixed ammunition.

3. Certificate. Such person, firm, or corporation shall require the person seeking to purchase or obtain such hand gun to sign a certificate [contact local authorities for required contents]**.

4. Waiting period. Such person, firm, or corporation shall deliver such certificate to the Chief of Police of the Town of Falmouth, or his duly authorized representative, at Police Headquarters, and said Chief of Police or his duly authorized representative shall have 72 hours after receipt of said certificate to make an examination of the records contained in the Police Department of the Town of Falmouth and in the State Police Headquarters at Augusta, Maine **.

5. Penalty for selling. Any person, firm, or corporation selling, giving, or delivering a hand gun to any person prior to the expiration of said 72 hours or when notified within said period by the Chief of Police, or his duly authorized representative shall have 72 hours after receipt of said certificate to make an examination of the records contained in the police department of the Town of Falmouth and in accordance with the provisions of this Ordinance and subject to a fine of not more than $100.00.

Lewiston

Sec. 28-1. Sale of weapons to minors prohibited; placard required. (a) It shall be unlawful for any person in the city to sell or offer for sale any pistol, rifle, gun, or any other weapon of like kind to any child under the age of sixteen (16) years.

(b) In any establishment in the city wherein any pistol, rifle, gun, or any other weapon of like kind is offered for sale, there shall be conspicuously posted in such establishment by the person in charge of the operation of such establishment a placard or notice setting forth the provisions of this section.

Article II. Hand Guns

Sec. 28-29. Defined. For the purpose of this article, a hand gun shall mean a firearm having a barrel length of less than fifteen (15) inches and designed and intended to be fired with one (1) hand, using fixed ammunition, except antique hand guns as defined by federal gun law.

Sec. 28-32. Conveyance to conform to regulations. No person in the city shall sell, rent or exchange to any person any hand gun, except in accordance with the provisions of this article.

Sec. 28-34. Police to examine purchaser's record. The person proposing to sell, rent or exchange a hand gun shall deliver to the police department the application required by this article, upon which shall be endorsed the time of receipt by the officer receiving the application. Upon receipt of the application, the police department shall, as soon as possible, but within seventy-two (72) hours thereafter, make an examination of its records, the records of the state police and the records of such other law enforcement agencies ** to determine if the applicant is eligible to receive a hand gun.

Sec. 28-35. Disposition prohibited pending investigation, after notification of bad record; notification procedure. No person shall sell, rent, or exchange any hand gun to an applicant during the period of investigation required by this article or thereafter if notified during such period by the police department that the applicant is not eligible to receive a hand gun.

Sec. 28-4. Certain weapons not to be purchased, furnished to minors, etc. No person shall purchase from, sell, loan or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of eighteen (18) years.

Sec. 26-22. Person receiving hand gun to sign certificate; contents of certificate. A person selling, giving or delivering a hand gun to any person shall require the person seeking to purchase or obtain such firearm to sign a certificate [contact local authorities for required contents]**

Portland

Section 318.1 No person, firm, or corporation in the City of Portland shall sell, give, or deliver to any person any hand gun as hereinafter defined, except in accordance with the provisions of the following sections.

Section 318.2 A hand gun shall mean a firearm having a barrel length of less than fifteen inches and designed and intended to be fired with one hand, using fixed ammunition.

Section 318.3 Such person, firm, or corporation shall require the person seeking to purchase or obtain such hand gun to sign a certificate **.

Section 318.4 Such person, firm, or corporation shall deliver such certificate to the Chief of Police of the City of Portland, or his duly authorized representative, at Police Headquarters, and said Chief of Police or his duly authorized representative shall have 72 hours after receipt of said certificate to make an examination of the records contained in the Police Department of the City of Portland and in State Police Headquarters at Augusta, Maine **.

Presque Isle

20. Sale and use of firearms. A. No person shall sell to any child under the age of sixteen years, without the written consent of a parent or guardian of such child, any cartridge, or any gun, pistol or other mechanical contrivance arranged for the explosion of such cartridge.

South Portland

Sec. 26-4. Certain weapons not to be purchased, furnished to minors, etc. No person shall purchase from, sell, loan or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of eighteen (18) years.

Sec. 26-22. Person receiving hand gun to sign certificate; contents of certificate. A person selling, giving or delivering a hand gun to any person shall require the person seeking to purchase or obtain such firearm to sign a certificate [contact local authorities for required contents]**
by written endorsement to that effect on the certificate.

Sec. 26-25. When disposition a violation; penalty. Any person selling, giving or delivering a hand gun to any person before the expiration of the seven (7) days referred to in section 26-24, or failing to complete the certificate referred to in section 26-22 and deliver it to the chief of police, or when notified within said period by the chief, or his authorized representative, that a person signing the certificate [is not eligible to receive a hand gun] *** shall be guilty of a violation of this article and subject to a fine of not more than one hundred dollars ($100.00), in addition to any other penalties which this chapter may impose.

Westbrook

24-2. Toy guns, cannons, etc., not to be sold, ** railroad excepted. No person shall at any time sell or keep for sale *** any toy pistol, toy gun, toy cannon or cane that can be used to fire a blank cartridge or potash and sulphur pellet, any fire balloon or blank cartridge. This section shall not apply to the use of signal torpedoes by railroads in the operation of their trains, to paper cap pistols or paper caps.

24-14. Defined. A handgun shall mean a firearm having a barrel length of less than fifteen (15) inches and designed and intended to be fired with one hand; using fixed ammunition.

24-15. Disposition regulated. No person in the city shall sell, give or deliver to any person any handgun as hereinafore defined, except in accordance with the provisions of the following sections.

24-16. Purchaser, etc., to sign certificate; contents; ***. (a) A person selling, giving or delivering a handgun to any person shall require such person to sign a certificate [contact local authorities for required contents] ***

24-17. Police chief to run investigation on purchasers. One disposing of a handgun shall deliver the certificate required by the preceding section to the chief of police at police headquarters, and the chief shall have seven (7) days after receipt of such certificate to make an examination of the records contained in the police department and in the state police headquarters, in Augusta, Maine, or other departments, [to determine if the applicant is eligible to receive a hand gun] *** and to report such findings to the person filing such certificate.

24-18. Conveyance prior to investigation, when knowing purchaser's defects. Any person selling, giving or delivering a handgun to any person before the expiration of the seven (7) day period referred to in section 24-17 or when notified within such period by the chief of police that a person signing such certificate [is not eligible to receive a hand gun] *** shall be guilty of a violation ***

Maryland

State Law
The Ann. Code of Md.

27 §372. Definitions. “Machine gun” as used in this subtitle, means a weapon, of any description, by whatever name known, loaded or unloaded, from which more than one shot or bullet may be automatically discharged from a magazine, by a single function of the firing device.

“Crime of violence” applies to and includes any of the following crimes or an attempt to commit any of the same, namely, murder of any degree, manslaughter, kidnapping, rape, mayhem, assault to do great bodily harm, robbery, burglary, housebreaking, breaking and entering and larceny.

“Person” applies to and includes firm, partnership, association or corporation.

27 §374. Use of machine gun for aggressive purpose. Possession or use of a machine gun for offensive or aggressive purpose is hereby declared to be a crime punishable by imprisonment in the State penitentiary for a term of not more than ten years.

27 §375. What constitutes aggressive purpose. Possession or use of a machine gun shall be presumed to be for offensive or aggressive purpose:

(a) When the machine gun is on premises not owned or rented, for bona fide permanent residence or business occupancy, by the person in whose possession the machine gun may be found; or

(b) When in the possession of, or used by, an unnaturalized foreign-born person, or a person who has been convicted of a crime of violence in any court of record, state or federal, of the United States of America, its territories or insular possessions; or

(c) When the machine gun is of the kind described in §379 and has not been registered as in said section required; or

(d) When empty or loaded shells which have been used or are susceptible of being used in the machine gun are found in the immediate vicinity thereof.

27 §377. Exceptions. Nothing contained in this subtitle shall prohibit or interfere with:

(1) The manufacture for, and sale of, machine guns to the military forces or the peace officers of the United States, the several states or of any political subdivision thereof, or the transportation required for that purpose;

(2) The possession of a machine gun for scientific purpose; or the possession of a machine gun not usable as a weapon and possessed as a curiosity, ornament, or keepsake;

(3) The possession of a machine gun for a purpose manifestly not aggressive or offensive.

27 §406. Sale, etc., of deadly weapon or ammunition therefor to minor; exceptions. It shall be unlawful for any person, be he licensed dealer or not, to sell, barter or give away any firearms whatsoever, or other deadly weapons or any ammunition therefor, to any minor under the age of eighteen years, except with the express permission of a parent or guardian of such minor. Any person violating this section shall on conviction thereof pay a fine of not less than fifty nor more than two hundred dollars, together with the costs of prosecution; and upon failure to pay said fine and costs shall be committed to jail and confined therein until such fine and costs are paid, or for the period of sixty days, whichever shall first occur, provided, however, that the provisions of this section shall not apply to a member of any organized militia in Maryland, when said member is engaged in supervised training, marksmanship activities or any other performance of his official duty, and provided further that none of the restrictions or limitations contained herein shall apply to any adult or qualified supervisor or instructor of a recognized organization engaged in the instruction of marksmanship.

27 §441. Definitions. (a) As used in this subtitle—

(b) The term “person” includes an individual, partnership, association or corporation.

(c) The term “pistol or revolver” means any firearm with barrel less than twelve inches in length, including signal, starter, and blank pistols.

(d) The term “dealer” means any person engaged in the business of selling firearms at wholesale or retail, or any person engaged in the business of repairing such firearms.

(e) The term “crime of violence” means abduction; arson; burglary, including common-law and all statutory and storehouse forms of burglary offenses; escape; housebreaking; kidnapping; manslaughter, excepting involuntary manslaughter; mayhem; murder; rape; robbery; and sodomy; or an attempt to commit any of the aforesaid offenses; or assault with intent to commit any other offense punishable by imprisonment for more than one year.

(f) The term “fugitive from justice” means any person who has fled a sheriff or
other peace officer within this State, or who has fled from any state, territory or the District of Columbia, or possession of the United States, to avoid prosecution for a crime of violence or to avoid giving testimony in any criminal proceeding.

27 §442. Sale or transfer of pistols and revolvers. (a) Right to regulate sales preempted by State. All restrictions imposed by the laws, ordinances or regulations of all subordinate jurisdictions within the State of Maryland on sales of pistols or revolvers are superseded by this section, and the State of Maryland hereby preempts the rights of such jurisdictions to regulate the sale of pistols and revolvers.

(b) Application to purchase or transfer. No dealer shall sell or transfer any pistol or revolver until after seven days shall have elapsed from the time an application to purchase or transfer shall have been executed by the prospective purchaser or transferee, in triplicate, and forwarded by the prospective seller or transferor to the Superintendent of the Maryland State Police.

(c) Same—Disposition of copies. The dealer shall promptly after receiving an application to purchase or transfer, completed in accordance with subsection (e) below, forward one copy of the same, by certified mail, to the Superintendent of the Maryland State Police. The copy forwarded to the said Superintendent shall contain the name, address, and signature of the prospective seller or transferee. The prospective seller or transferee shall retain one copy of the application for a period of not less than three years. The prospective purchaser or transferee shall be entitled to the remaining copy of the application.

(d) Same—Statement of penalties for supplying false information required. The application to purchase or transfer shall bear the following legend: "Any false information supplied or statement made in this application is a crime which may be punished by imprisonment for a period of not more than two years, or a fine of not more than $1,000, or both."

(e) Same—Information required. The application to purchase or transfer shall contain the following information:

(1) Applicant's name, address, occupation, place and date of birth, height, weight, race, eye and hair color and signature. In the event the applicant is a corporation, the application shall be completed and executed by a corporate officer who is a resident of the jurisdiction in which the application is made.

(2) A statement by the applicant that he or she:

(i) Has never been convicted of a crime of violence, in this State or elsewhere, or of any of the provisions of this subtitle.

(ii) Is not a fugitive from justice.

(iii) Is not an habitual drunkard.

(iv) Is not an addict or an habitual user of narcotics, barbiturates or amphetamines.

(v) Has never spent more than thirty consecutive days in any medical institution for treatment of a mental disorder or disorders, unless there is attached to the application a physician's certificate, issued within thirty days prior to the date of application, certifying that the applicant is capable of possessing a pistol or revolver without undue danger to himself or herself, or to others.

(vi) Is at least eighteen years of age.

(vii) Has or has not submitted a prior application and, if so, when and where.

(3) The date and hour the application was delivered in completed form to the prospective seller or transferee by the prospective purchaser or transferee.

(g) Sale prohibited to disapproved applicant; exceptions. No dealer shall sell or transfer a pistol or revolver to an applicant whose application has been timely disapproved, unless such disapproval has been subsequently withdrawn by the Superintendent of the Maryland State Police and/or his duly authorized agent or agents or overruled by the action of the courts pursuant to subsection (h) below.

(h) Hearing; judicial review. Any prospective purchaser or transferee aggrieved by the action of the State Police may request a hearing within thirty days from the date when written notice was forwarded to such aggrieved person by writing to the Superintendent of State Police, who shall grant the hearing within fifteen days of said request. Said hearing and subsequent proceedings of judicial review, if any, thereupon following shall be conducted in accordance with the provisions of the Administrative Procedure Act.

(i) Notification of completed transaction; permanent record of sales and transfers. Any dealer who sells or transfers a pistol or revolver in compliance with this subtitle shall forward a copy of the written notification of such completed transaction, within seven days from the date of delivery of the said pistol or revolver, to the Superintendent of the Maryland State Police, whose duty it shall be to maintain a permanent record of all such completed sales and transfers of pistols and revolvers in the State. The notifications shall contain an identifying description of the pistol or revolver sold or transferred including its caliber, make, model, manufacturer's serial number, if any, and any other special or peculiar characteristics or marking by which the said pistol or revolver may be identified.

(j) Construction of section. Nothing in this section shall be construed to affect sales and/or transfers for bona fide resale in the ordinary course of business of a person duly licensed under §443 of this subtitle, or sales, transfer, and/or the use of pistols or revolvers by any person authorized or required to sell, transfer, and/or use such pistols or revolvers as part of his or her duties as a member of any official police force or other law enforcement agency, the armed forces of the United States, including all official reserve organizations, or the Maryland National Guard.

27 §443. Pistol and revolver dealer's license. (a) Required. No person shall engage in the business of selling pistols or revolvers unless he lawfully possesses and conspicuously displays at his place of business, in addition to any other license required by law, a pistol and revolver dealer's license issued by the Superintendent of the Maryland State Police or his duly authorized agent or agents. Such license shall identify the licensee and the location of his place of business. One such license shall be required for each place of business where pistols or revolvers are sold.

(b) Sale or transfer to criminal, fugitive, etc. It shall be unlawful for any dealer or person to sell or transfer a pistol or revolver to a person whom he knows or has reasonable cause to believe has been convicted of a crime of violence, or of any of the provisions of this subtitle, or is a fugitive from justice, or is an habitual drunkard, or is addicted to or an habitual user of narcotics, barbiturates or amphetamines, or is of unsound mind, or to any person visibly under the influence of alcohol or drugs, or to any person under eighteen years of age.

(c) Possession by criminal, fugitive, etc. It shall be unlawful for any person who has been convicted of a crime of violence, or of any of the provisions of this subtitle or who is a fugitive from justice or a habitual drunkard, or addicted to or an habitual user of narcotics, barbiturates or amphetamines, to possess a pistol or revolver.

27 §446. Sale, transfer, etc., of stolen pistol. It shall be unlawful for any person to possess, sell, transfer or otherwise dispose of any stolen pistol or revolver, knowing or having reasonable cause to believe same to have been stolen.

27 §447. Antique or unserviceable firearms excepted. The provisions of this subtitle shall not be construed to include any antique or unserviceable firearms sold or transferred and/or held as curios or museum pieces.

27 §481A. Purchase from licensed dealer in adjoining state. It shall be lawful for any Maryland resident to purchase a rifle or shotgun from a federally licensed gun dealer in an
adjoining state provided the purchaser is eligible to purchase a rifle or shotgun under the laws of such state.

Annapolis

Sec. 7-8. Same—Register of persons purchasing firearms or ammunition. Each person engaged in the selling or exchanging of any firearms, except shotguns and air and cat rifles, or ammunition, shall keep a register of the name and address of the person purchasing any firearms, cartridges or other ammunition, noting the make, caliber and date of purchase. Such register shall at all times be open to the inspection of the police.

Sec. 7-9. Same—Sellers of firearms or ammunition to register with city clerk. Each person engaged in the selling or exchanging of any kind of firearms or ammunition within the city shall register his name and place of business with the city clerk.

Sec. 7-10. Same—Selling, giving, etc., firearms or ammunition to minor under eighteen. It shall be unlawful for any person, be he a licensed dealer or not, to sell, barter or give away any firearms whatsoever or other deadly weapons or any ammunition therefor to any minor under the age of eighteen years, except with the express and written permission of a parent or guardian of such minor.

The provisions of this section shall not apply to a member of any organized militia in the state, when such member is engaged in supervised training, marksmanship activities or any other performance of his official duty, and none of the restrictions or limitations contained herein shall apply to any adult or qualified supervisor or instructor of a recognized organization engaged in the instruction of marksmanship.

Baltimore City

81. Definitions. (1) The term “person” includes an individual, partnership, association or corporation.

(2) The term “pistol or revolver” as used in this subtitle means any firearm with barrel less than twelve inches in length.

(3) The term “dealer” means any person engaged in the business of selling firearms at wholesale or retail, or any person engaged in the business of repairing such firearms.

(4) The term “crime of violence” means murder, manslaughter, rape, mayhem, kidnapping, burglary, housebreaking; assault with intent to kill, commit rape, or rob; assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year.

(5) The term “fugitive from justice” means any person who has fled from a sheriff or other peace officer within this State, or who has fled from any State, Territory, or the District of Columbia, or possession of the United States, to avoid prosecution for a crime of violence or to avoid giving testimony in any criminal proceeding.

85. Convicts not to possess. No person who has been convicted in this State or elsewhere for a crime of violence, shall own a pistol or have one in his possession or under his control.

88. Delivery to minors and others. No person shall deliver a pistol to any person under the age of twenty-one (21), except members of the Maryland State Guard and members of the Maryland Minute Men, or to one who he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind, or to any person visibly under the influence of liquor or of drugs. It shall be unlawful for any person to make any loan, secured by a mortgage, deposit or pledge, of a pistol or revolver.

89. Order required for transfer. No seller, transferee or donor shall deliver a pistol to the purchaser, transferee or donee thereof except upon a written order, dated not more than sixty days prior thereto, and signed by the Police Commissioner of Baltimore City, or his agent. Such application shall be executed in triplicate. Said Police Commissioner, or his agent, shall immediately make an investigation of the applicant and if such investigation does not disclose that such applicant is ineligible to receive a pistol said Police Commissioner or his agent, at the expiration of five days after such application is filed, shall sign an order in triplicate which order shall be attached to said application, authorizing the applicant to purchase, transfer or give away a pistol.

90. False information. No person shall, in purchasing or otherwise securing delivery of a pistol, or in registering the same, give false information or offer false evidence of his identity.

Baltimore County

18-7. Purchase, sale, etc., in connection with minors. (a) It shall be unlawful for any person under the age of twenty-one years to purchase, trade or acquire in any other manner, to use or possess, or to attempt to use or possess, any gun, pistol, rifle, shotgun or any other type of firearm, without having first complied with the provisions of this section. Before so acquiring, using or possessing, or attempting to acquire, use or possess, any such firearm, the possessor or user, or prospective possessor or user, shall first file with the police department a statement of possession or use, which statement shall be retained by the police department. (Contact county authorities for required contents)

(b) It shall be unlawful for any person to sell, give or in any manner transfer to any other person under the age of twenty-one years, any firearm unless the statements of acquisition, use or possession, or prospective acquisition, use or possession have been filed with the police department, as required herein.

(c) The provisions of this section shall not be construed to include any antique or unserviceable firearms sold or transferred or held as curios or museum pieces.

Capitol Heights

22. It shall be unlawful for any person, firm, or corporation, be he licensed dealer or not, to sell, barter, or give away any firearms, or ammunition whatsoever, or other deadly weapons, to any minor under the age of sixteen years.

Cumberland

19-11

Firearms-Pistols, Revolvers, etc.—Permit Required:

“(a) No person shall sell, give or lend to any person within the City a revolver, pistol, or other small firearm, unless such person has a permit from the Chief of Police authorizing the possession of such revolver, pistol or other small firearm.

“(b) This section shall apply to all persons within the City, whether such persons are engaged in the business of buying and selling revolvers, pistols or other small firearms or not.”

19-12

“No person shall have possession of a revolver, pistol or other small firearm without such permit.”

District Heights

6. It shall be unlawful for any child or children under the age of eighteen (18) years, to have in his possession whether for use or not, any shot-gun, rifle, pistol, firearm, or any other fire-arm or missile propelling device, except and unless said child or children shall be engaging in “target practice.”

Montgomery County

Sec. 57-1. Definitions. The following words and phrases shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section:

Crime of violence. Murder, voluntary manslaughter, rape, mayhem, kidnapping, robbery, burglary, housebreaking, arson, assault with intent to murder, ravish or rob, assault with a deadly weapon or assault with intent to
commit any offense punishable by imprison­ment for more than one year.

Fixed ammunition. Any ammunition com­posed of a projectile or projectiles, a casing and a primer, all of which shall be contained as one unit.

Fugitive from justice. Any person for whom criminal proceedings have been instituted, warrant issued or indictment presented to the grand jury, who has fled from a sheriff or other peace officer within this state, or who has fled from any state, territory, Dis­trict of Columbia or possession of the United States, to avoid prosecution for crime of vio­lence or to avoid giving testimony in any criminal proceeding involving a felony or treason.

Gun. Any firearm, rifle, shotgun, revolver, pistol, *** or any similar mechanism by whatever name known which is designed to expel a projectile through a gun barrel by the action of any explosive ***.

Pistol or revolver. Any gun with a barrel less than sixteen inches in length that uses fixed ammunition.

Sell or purchase. Such terms and the var­i­ous derivatives of such words shall be con­strued to include letting on hire, giving, lend­ing, borrowing or otherwise transferring.

Subversive organization. Any “subversive organization” or “foreign subversive organi­zation” as defined by article 85A, section 1, Annotated Code of Maryland, 1957.

Superintendent of police. The superin­dent of police for the county or his duly au­thorized agents. * * * *

Sec. 57-6. Transfer of rifles or shotguns to minors. It shall be unlawful for any person to give, sell, rent, lend or otherwise transfer any rifle or shotgun designed to use explosive ammunition or any projectile therefor within the county to a minor under the age of eighteen years; provided, that nothing contained within this section shall be construed to apply where the relationship of parent and child, guardian and ward or adult instructor and pup­il exists between such person and the minor, or in connection with a regularly conducted or supervised program of marksmanship training or participation.

Sec. 57-7. Unlawful ownership or possession of firearms. It shall be unlawful for any per­son *** to have a rifle or shotgun in his possession, custody, or control within the county, if:

(a) He is an unlawful user of or addicted to marijuana or any depressant or stimulant drug (as defined in section 201 (v) of the Federal Food, Drug, and Cosmetic Act) or narcotic drug (as defined in section 4731 (a) of the In­ternal Revenue Code of 1954), or is under treatment for such addiction; or
(b) He has been convicted in any court of a crime of violence, or of trafficking in narcot­ics or of a criminal violation of any of the provisions of article 27, sections 441 to 448, subtitle “Pistols”, Annotated Code of Mary­land, 1957 or any Federal firearms control laws; or.
(c) He is a fugitive from justice; or
(d) He has been confined to any hospital or institution for treatment of a mental disorder or for mental illness unless a licensed physi­cian has by affidavit stated that he is familiar with the person’s history of mental illness and that in his opinion the person is no longer suffering from a disability in such a manner which should prevent his possessing a rifle or a shotgun; or
(e) He is a member of a subversive organi­zation or of any Communist organization (as that term is defined in the Internal Security Act of 1950, as amended); or
(f) He has been confined to any hospital or institution for treatment of alcoholism unless a licensed physician has by affidavit stated that he is familiar with the person’s history of alcoholism and that, in his opinion, the person is no longer suffering from a disability in such a manner which should prevent his possessing a rifle or shotgun.

Sec. 57-9. Exemptions from provisions of chapter. Nothing in this chapter shall apply to the purchase, ownership or possession of bona fide antique guns which are incapable of use as a gun. Further, nothing in this chapter shall be deemed to prohibit the owner or ten­ant of any land from carrying or discharging a firearm on his land for the purpose of killing predatory animals which prey upon, damage or destroy his property, livestock or crops.

Oakland

Section 1: Be it enacted and ordained by the Mayor and Town Council of Oakland, Maryland, that it shall be unlawful for any person, firms, or corporation, whether li­censed dealers or not, to sell, barter or give away any firearms whatsoever, or other deadly weapons, or any blank cartridge pis­tols or firearms, or any ammunition for the same, to any minor under the age of sixteen years, within the corporate limits of the Town of Oakland, Maryland.

Prince Georges County

12-3. *** (Firearms) —Sale, transfer, etc., to minors. It shall be unlawful for any per­son *** to give, sell, rent, lend or otherwise transfer any gun or weapon described in section 12-2, (any firearm, rifle, shotgun, revolver, pistol or any similar mechanism by whatever name known, which is designed to expel a projectile through a gun barrel by the action of any explosive) designed to use explosive ammunition or any projectile therefor, within the county to a minor under the age of seventeen years, except where the relationship of parent and child, guardian and ward or adult instructor and pupil exists between such per­son and the minor.

This section shall not apply to any pistols or revolvers regulated by sections 441 to 448, article 27, Annotated Code of Maryland, 1957.

Takoma Park

Sec. 8-51. Definitions; weapons. *** (a) As used in this Division:

(1) Dangerous weapons shall mean any pis­tol, excluding those defined in Subsection (a)(2), sawed off shotgun, machine gun, ***.

(2) Pistol or revolver means any firearm with a barrel less than twelve (12) inches in length, including signal, starter and blank pis­tols.

Sec. 8-52. Exceptions to Article. (a) This Division shall not apply to:

(1) An officer of this City or any surrounding county, municipality, or the State who is required or entitled to carry a weapon.

(2) Any conservator of the peace of any other state temporarily sojourning in this City, or

(3) Any special agent of a railway or repre­sentative of the United States Government whose duties include the carrying of a danger­ous weapon.

(b) This Division shall not apply to any pis­tol or revolver as defined in Section 8-51, Subsection (a)(2), or to any other weapon regulated under State law.

Sec. 8-53. Sales permit required. (a) No person shall engage in or conduct the business of selling, bartering, hiring, lending, or giving any dangerous weapon without having previ­ously obtained from the Clerk a special li­cense authorizing the conduct of this business by this person. The Clerk is authorized to grant a license, without fee therefor, upon the filing with him by the applicant a bond, with sureties to be approved by the Mayor and Council, conditioned in a penal sum as they shall fix, to the City, for the compliance by the applicant with all the provisions of this Section.

(b) Upon any breach of the condition, the bond shall be put in suit by the City, for its benefit, and the Mayor and Council may re­voke the license.

Sec. 8-57. Sales to minor prohibited. No person shall sell, barter, hire, lend, or give to any minor under the age of twenty-one (21) years any dangerous weapon.

Sec. 8-58. Sales of weapons to minors pro­hibited. (a) No person shall sell to any child or children under the age of eighteen (18) years, firearms, ammunition, gunpowder, gun caps, or other explosives in any quantity or quantities.

(b) Toy pistol caps as legalized under Maryland State Law shall not be construed to be prohibited under this Section.

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Massachusetts
State Law

Chapter 140

§121. Definitions; Application for License or Identification Card; Exceptions. In sections one hundred and twenty-two to one hundred and thirty-one F, inclusive, "firearm" shall mean a pistol, revolver or other weapon of any description loaded or unloaded, from which a shot or bullet can be discharged and of which the length of barrel is less than sixteen inches or eighteen inches in the case of a shotgun, and the term "length of barrel" shall mean that portion of a firearm, rifle, shotgun or machine gun through which a shot or bullet is driven, guided or stabilized, and shall include the chamber. A "machine gun" is a weapon of any description, by whatever name known, loaded or unloaded, from which a number of shots or bullets may be rapidly or automatically discharged by one continuous activation of the trigger, and includes a submachine gun. The term "ammunition" shall mean cartridges or cartridge cases, primers (igniter), bullets or propellant powder designed for use in any firearm, rifle or shotgun. The term "ammunition" shall also mean that portion of a firearm, rifle, shotgun or machine gun with matchlock, flintlock, percussion cap, or similar type of ignition system manufactured in or before eighteen hundred and ninety-eight; flintlock, percussion cap, or similar type of ignition system manufactured in or before eighteen hundred and ninety-eight; or (ii) uses rimfire or conventional centerfire fixed ammunition, or (iii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which existed between such person and the minor. 

§122. Licenses; * * * * *

§123. Conditions of Licenses Granted under §122. A license granted under section one hundred and twenty-two shall be expressed to be and shall be subject to the following conditions: * * * * *

§124. Application of §122, §123, and §124. * * *

Upper Marlboro

Sec. 12-3. Same—sale, transfer, etc., to minors. It shall be unlawful for any person to give, sell, rent, lend or otherwise transfer any gun or weapon described in section 12-2, designed to use explosive ammunition or any projectile therefor, within the county to a minor under the age of seventeen years, except where the relationship of parent and child, guardian and ward or adult instructor and pupil exists between such person and the minor. This section shall not apply to any pistols or revolvers regulated by sections 441 to 448, article 27, Annotated Code of Maryland, 1957.

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licensure to carry firearms under the provisions of section one hundred and thirty-one; nor shall any rifle or shotgun be sold, rented or leased to a person who has not a valid firearm identification card as provided for in section one hundred and twenty-nine B, or has a license to carry firearms as provided in section one hundred and thirty-one; and that no machine gun shall be sold, rented or leased to any person who has not a license to possess the same issued under section one hundred and thirty-one.

§128. Penalty for Violation of License or Selling, etc., without License. Any licensee under a license described in section one hundred and twenty-three, and any employee or agent of such licensee, who violates any provision of said section required to be expressed in the second, fourth, sixth, seventh, eighth or ninth condition of said license, and except as provided in section one hundred and twenty-eight A, any person who, without being licensed as hereinafter provided, sells, rents or leases, or exposes for sale, rental or lease, or has in his possession with intent to sell, rent or lease, a firearm, rifle, shotgun or machine gun, or is engaged in business as a gunsmith, shall for the first offense be punished by a fine of not less than five hundred nor more than one thousand dollars, and for any subsequent offense by imprisonment in the state prison for not more than ten years. Evidence that a person sold or attempted to sell a machine gun without being licensed under section one hundred and twenty-three, shall, in a prosecution under this section, constitute prima facie evidence that such person is engaged in the business of selling machine guns.

§128A. Sales, etc., by Certain Unlicensed Residents Who Sell, etc., not More than Four Firearms, etc., within Calendar Year, etc. The provisions of section one hundred and twenty-eight shall not apply to any resident of the commonwealth who, without being licensed, as provided in section one hundred and twenty-two, sells, exposes for sale, or has in his possession with intent to sell not more than four firearms including rifles and shotguns, in any one calendar year; provided, however, the seller has a firearm identification card or a license to carry firearms, is an exempt person under the conditions of clauses (n), (o), (r) and (s) of the fourth paragraph of section one hundred and twenty-nine C, or is permitted to transfer ownership under the conditions of section one hundred and twenty-nine D and the purchaser has, in the case of sale or transfer of a firearm, a permit to purchase issued under the provisions of section one hundred and thirty-one A, and a firearm identification card issued under section one hundred and twenty-nine B, or has such permit to purchase and is an exempt person under the provisions of section one hundred and twenty-nine C, or has been issued a license to carry firearms under the provisions of section one hundred and thirty of this chapter, or in the case of sale or transfer of a rifle or shotgun, the purchaser has a firearm identification card or a license to carry firearms or is an exempt person as hereinafter stated; and provided, further, that such resident reports within seven days, in writing to the commissioner of public safety on forms furnished by said commissioner, the names and addresses of the seller and the purchaser of any such firearm, rifle or shotgun, together with a complete description of the firearm, rifle or shotgun, including the caliber, make and serial number and the purchaser’s license to carry firearms number, permit to purchase number and firearm identification card number, permit to purchase number and identifying number of such documentation as is used to establish exempt person status in the case of a firearm or the purchaser’s license to carry number or firearm identification card number or said document identity number, in the case of a rifle or shotgun.

§129B. Firearm Identification Card; Disqualification of Applicants; ***. Any person residing or having a place of business within the jurisdiction of the licensing authority may submit to the licensing authority application for a firearm identification card, which such person shall be entitled to, unless the applicant has within the last five years been convicted of a felony in any state or federal jurisdiction, or within that period has been released from confinement where such person was serving a sentence for a felony conviction, or (b) has been confined to any hospital or institution for mental illness, except where the applicant shall submit with the application an affidavit of a registered physician that he is familiar with the applicant’s history of mental illness and that in his opinion the applicant is not disabled by such illness in a manner which should prevent his possessing a firearm, rifle or shotgun, or (c) has within the last five years been convicted of a violation of any state or federal narcotic or harmful drug law, or within that period has been released from confinement for such a conviction; or is or has been under treatment for or confinement for drug addiction or habitual drunkenness, except when he is deemed to be cured of such condition by a licensed physician, he may make application for said card after the expiration of five years from the date of such confinement or treatment and upon presentation of an affidavit issued by said physician to the effect that the physician knows the applicant’s history of treatment and that in his opinion the applicant is deemed cured, or (d) is at the time of the application under the age of fifteen, or (e) is at the time of the application fifteen years of age or over but under the age of eighteen, except when the applicant submits with his application a certificate of his parent or guardian granting the applicant permission to apply for a card, or (f) is an alien. ***

§129C. Same Subject; Restrictions on Possession, Transfer, etc., of Firearms, etc.; Reports; Persons and Uses Exempted from Provisions of Section; Purchases by Certain Exempt Persons. No person, other than a licensed dealer or one who has been issued a license to carry a pistol or revolver or an exempt person described, shall own or possess any firearm, rifle, shotgun or ammunition unless he has been issued a firearm identification card by the licensing authority pursuant to the provisions of section one hundred and twenty-nine B.

No person shall sell, give away, loan or otherwise transfer a rifle or shotgun or ammunition other than (a) by operation of law, or (b) to an exempt person as hereinafter described, or (c) to a licensed dealer, or (d) to a person who displays his firearm identification card, or license to carry a pistol or revolver.

The provisions of this section shall not apply to the following exempted persons and uses: ***

(b) Federally licensed firearms manufacturers or wholesale dealers, or persons employed by them or by licensed dealers, or on their behalf, when possession of firearms, rifles or shotguns is necessary for manufacture, display, storage, transport, installation, inspection or testing; ***

(d) The regular and ordinary transport of firearms, rifles or shotguns as merchandise by any common carrier; ***

(f) Possession of rifles and shotguns and ammunition therefor by nonresident hunters with valid nonresident hunting licenses during hunting season;

(g) Possession of rifles and shotguns and ammunition therefor by nonresidents while on a firing or shooting range; ***

(l) The possession or utilization of any rifle or shotgun during the course of any television, movie, stage or similar theatrical production, or by a professional photographer or writer for examination purposes in the pursuit of his profession, providing such possession or utilization is under the immediate supervision of a holder of a firearm identification card or a license to carry firearms; ***

(o) Persons in the military or other service of any state or of the United States, and police officers and other peace officers of any jurisdiction, in the performance of their official duty or when duly authorized to possess them;

(p) Possession of rifles and shotguns and ammunition therefor by nonresidents bearing a current license, permit or identification card to possess any firearm, rifle or shotgun in the state in which they reside;

(q) Any nonresident from a contiguous state, provided he is eighteen years of age or over when acquiring a rifle or shotgun, or ammunition, provided it is removed from the commonwealth within fourteen days of such
acquisition, and provided that he is in compliance with his own state law and has the proper firearms license if required, and provided, further, that in the case of a rifle or shotgun, the seller notifies the chief of police where the purchaser resides of the transfer, description and serial number of the rifle or shotgun and the name, address and license number of the purchaser and seller;

(r) Possession by a veteran’s organization chartered by the Congress of the United States or included in clause (12) of section five of chapter forty and possession by the members of any such organizations when on official parade duty or ceremonial occasions; *****

Any person, exempted by clauses (o), (p) and (q), purchasing a rifle or shotgun or ammunition therefor shall submit to the seller such full and clear proof of identification, including shield number, serial number, military or governmental order or authorization, military or other official identification, other state firearms license, or proof of nonresidence, as may be applicable.

Nothing in this section shall permit the sale of rifles or shotguns or ammunition therefor to a minor under the age of eighteen in violation of section one hundred and thirty nor may any firearm be sold to a minor nor to any person who is not licensed to carry firearms under section one hundred and thirty-one A unless he presents a valid firearm identification card and a permit to purchase issued under section one hundred and thirty-one A, or presents such permit to purchase and is a properly documented exempt person as herebefore described.

Neither the provisions of section one hundred and twenty-two, or from such resident of the commonwealth except a minor of the commonwealth except a minor of the commonwealth eighteen years of age or older unless such minor displays a license to carry firearms or a firearm identification card issued to him, and the written consent of his parent or guardian to purchase a particular rifle or shotgun, except, however, that said written consent shall not be required for purchase of ammunition only. *****

§131E. Purchase by Licensed Resident; ****

Any resident of the commonwealth except a minor may purchase firearms, rifles and shotguns from any dealer licensed under section one hundred and twenty-two, or from such person as shall be qualified under section one hundred and twenty-eight A, or ammunition therefor from a licensee under section one hundred and twenty-one A, upon presentation of a valid license to carry firearms issued to him under the provisions of section one hundred and thirty-one A and thirty-one, or a permit to purchase issued to him under section one hundred and thirty-one A together with a firearm identification card issued to him under the provisions of section one hundred and twenty-one A, or said permit to purchase together with proof of exempt status under the provisions of section one hundred and twenty-one B, or said permit to purchase with proof of exempt status under the provisions of section one hundred and twenty-one C, in the case of a firearm, or in the case of a rifle or shotgun, said license to carry or said firearm identification card or said proof of exempt status, except that no rifle, shotgun or ammunition therefor shall be sold to any minor under eighteen years of age nor to any minor eighteen years of age or older unless such minor displays a license to carry firearms or a firearm identification card issued to him, a hunting or fishing license issued to him under the provisions of section one hundred and twenty-nine A, or a firearms identification card issued to him under the provisions of section one hundred and twenty-nine B, or said permit to purchase with proof of exempt status under the provisions of section one hundred and twenty-nine C, in the case of a firearm, or in the case of a rifle or shotgun, said license to carry or said firearm identification card or said proof of exempt status, except that no rifle, shotgun or ammunition therefor shall be sold to any minor under eighteen years of age nor to any minor eighteen years of age or older unless such minor displays a license to carry firearms or a firearm identification card issued to him, and the written consent of his parent or guardian to purchase a particular rifle or shotgun, except, however, that said written consent shall not be required for purchase of ammunition only. *****

§131H. Permit to Possess, etc, Firearms by Aliens. No alien shall own or have in his possession or under his control a firearm, rifle or shotgun, except as provided in this section. The commissioner of public safety may, after an investigation, issue a permit to an alien to own or have in his possession or under his control a firearm, rifle or shotgun, except as provided in this section. The commissioner of public safety may, after an investigation, issue a permit to an alien to own or have in his possession or under his control a firearm, rifle or shotgun, except as provided in this section.

Chapter 629

§10. Penalty for Unlawfully Carrying Dangerous Weapons, Possessing Machine Gun, etc. ****

(c) Whoever, except as provided by law, possesses a shotgun with a barrel less than eighteen inches in length, or possesses a machine gun, as defined in section one hundred and twenty-one B or causes to be delivered, offer for sale or sell within the commonwealth any newly manufactured firearm, rifle or shotgun received directly from a manufacturer, wholesaler or distributor not so inscribed on a visible metal area of said firearm, rifle, or shotgun, and the manufacturer of said firearm, rifle or shotgun shall keep records of said serial numbers and the dealer, distributor or person to whom the firearm, rifle or shotgun was sold or delivered. No licensed dealer shall order for delivery, cause to be delivered, offer for sale or sell within the commonwealth any newly manufactured firearm, rifle or shotgun not complying with this section.

No licensed manufacturer within the commonwealth shall produce for sale within the United States, its territories or possessions any firearm, rifle or shotgun not complying with paragraph one of this section. Whoever violates this section shall be punished by a fine of five hundred dollars. Each such violation shall constitute a separate offense.

Chapter 626

§102A. Possession of Infernal Machine; Notice of Seizure. Whoever, other than a police or other law enforcement officer acting in the discharge of his official duties, has in his possession or under control an infernal machine or a similar instrument, contrivance or device without a license or permit shall be punished by imprisonment in the state prison for not more than ten years or in jail for not more than two and one half years, or by a fine of not more than one thousand dollars, or by both such fine and imprisonment,
and the said machine, instrument, contrivance or device shall be forfeited to the commonwealth. The term "infernal machine," as used in this section, shall include any device for endangering life or doing unusual damage to property, or both, by fire or explosion, whether or not contrived to ignite or explode automatically and whether or not disguised so as to appear harmless. Notice of the seizure of any such machine, instrument, contrivance or device shall be sent forthwith to the commissioner of public safety and the article seized shall be subject to his order.

§102B. Possession, etc., of Molotov Cocktail or Similar Device; Exceptions; Penalties. Whoever makes, sells, uses or has in his possession or under his control a bottle or other breakable container containing a flammable liquid into which has been fixed or placed a wick or similar device, and which bottle or container when ignited and thrown will cause a fire or explosion, shall be punished by a fine of not more than one thousand dollars or imprisonment for not more than two and one half years, or both.

The provisions of this section shall not apply to flares, lanterns, fireworks or other such devices used for signal or illumination purposes, or for any other lawful purpose.

Whoever violates any provision of this section may be arrested without a warrant and held in custody in jail or otherwise until a complaint may be made as soon as practicable and in any case within twenty-four hours, Sundays and legal holidays excepted.

Chapter 148
§35. Possession of Bombs and Explosives; Penalty. No person shall have in his possession or under his control any bomb or other high explosive, as defined by the rules and regulations made under section nine, contrary to the provisions of this chapter or of any rule or regulation made thereunder. Whoever violates this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than two and one half years, or both, and any bomb or explosive found in his possession or under his control on such violation shall be forfeited to the commonwealth. Any officer qualified to serve criminal process may arrest without a warrant any person violating this section.

Boston
(120) Firearms, license to carry or possess. The fee for a license to carry firearms in the commonwealth or to possess therein a machine gun granted by the police commissioner under section 131 of chapter 140 of the General Laws shall be $5.00.

(121) Firearms, permit to purchase, rent or lease. The fee for a permit to purchase, rent or lease a firearm granted by the police commissioner under section 131A of chapter 140 of the General Laws shall be $5.00.

(122) Firearms, License to Sell, Rent or Lease. The fee for a license to sell, rent or lease firearms, rifles, shotguns or machine guns granted by the police commissioner under section 122 of chapter 140 of the General Laws shall be $35.00.

(154) Gunsmith's License. The fee for a license to be in business as a gunsmith granted by the police commissioner under section 122 of chapter 140 of the General Laws shall be, in the case of a person licensed to sell, rent or lease firearms, rifles, shotguns or machine guns, $15.00, and in the case of any other person, $50.00.

Fall River
Sec. 20-3. Ammunition and guns—Sale to minors. No person shall sell to any minor under the age of sixteen years, without the written consent of his parent or guardian any cartridge or fixed ammunition containing any fulminate, or any gun, pistol or other contrivance intended for the explosion of such cartridge, ammunition or fulminate.

Michigan
State Law

§4.127(1) Residents purchasing firearms in contiguous states. Section 1. Residents of this state may purchase rifles and shotguns in any contiguous state thereto if they conform to the federal gun control act of 1968 and the regulations issued thereunder, as administered by the secretary of the treasury and the laws of the state where the purchase is made.

§28.91 Terms defined. Section 1. As used in this act:

(a) "Pistol" means any firearm, loaded or unloaded, 30 inches or less in length, or any firearm, loaded or unloaded, which by its construction and appearance conceals it as a firearm.

(b) "Purchaser" means any person who receives a pistol from another by purchase, gift or loan.

(c) "Seller" means any person who sells, furnishes, loan or gives a pistol to another.

§28.92 Purchasing, carrying or transporting pistol; license; issuance; qualifications; signatures; execution; contents; disposition of copies; inapplicability of section; transfer of inherited pistols. Sec. 2. (1) No person shall purchase, carry or transport a pistol without first having obtained a license therefor as prescribed herein, except that any person who brings a pistol into this state and who is either on leave from active duty with the armed forces of the United States or who has been discharged from such active duty shall obtain a license for the pistol within 5 days after his arrival into this state. The commissioner or chief of police, or his duly authorized deputy, in incorporated cities or in incorporated villages having an organized department of police, and the sheriff, or his authorized deputy, in parts of the respective counties not included within incorporated cities or villages, may issue licenses to purchase, carry or transport pistols to applicants residing within the respective territories herein mentioned. No such license shall be granted to any person unless he is 18 years of age or over, a citizen of the United States and has resided in this state 6 months or more, and in no event shall such a license be issued to a person who has been convicted of a felony or confined therefor in this state or elsewhere during the 8-year period immediately preceding the date of such application or has been adjudged insane in this state or elsewhere unless he has been restored to sanity and so declared by court order.

(2) Applications for such licenses shall be signed by the applicant under oath upon forms provided by the director of the department of state police, hereinafter referred to as the director. The forging of any matter on an application is a felony. Licenses to purchase, carry or transport pistols shall be executed in triplicate upon forms provided by the director and shall be signed by the licensing authority. Three copies of such license shall be delivered to the applicant by the licensing authority. Upon sale of the pistol the seller shall fill out the license forms describing the pistol sold, together with the date of sale, and sign his name in ink indicating that such pistol was sold to the licensee. The licensee shall also sign his name in ink indicating the purchase of such pistol from the seller. The seller may retain a copy of the license as a record of the sale of the pistol. The licensee shall return 2 copies of the license to the licensing authority within 10 days following the purchase of the pistol. One copy of such license shall be retained by the licensing authority as a permanent official record for a period of 6 years and the other copy shall be forwarded by the licensing authority within 48 hours to the director. Such license shall be void unless used within 10 days after the date of its issue. This
section does not apply to the purchase of pistols from wholesalers by dealers regularly engaged in the business of selling pistols at retail, nor to the sale, barter or exchange of pistols kept solely as relics, curios, or antiques not made for modern ammunition or permanently deactivated. This section does not prevent the transfer of ownership of pistols which are inherited if the license to purchase is approved by the chief of police, sheriff, or their authorized deputies, and signed by the administrator or administratrix of the estate or by the next of kin having authority to dispose of such property.

§28.98 Inapplicability of certain sections. Sec. 12. Sections 2 and 9 do not apply to a duly authorized police or correctional agency of the United States or of the state or any subdivision thereof, nor to the army, air force, navy or marine corps of the United States, nor to organizations authorized by law to purchase or receive weapons from the United States or from this state, nor to the national guard, armed forces reserves or other duly authorized military organizations, or to members of the above agencies or organizations for weapons used for the purposes of or incidental to such agencies or organizations, nor to a person holding a license to carry a pistol concealed upon his person issued by another state, nor to the regular and ordinary transportation of pistols as merchandise by authorized agents of any person licensed to manufacture firearms.

§28.419 Definitions. Sec. 222. "Pistol" as used in this chapter means any firearm, loaded or unloaded, 30 inches or less in length, or any firearm, loaded or unloaded, which by its construction and appearance conceals it as a firearm. "Purchaser" means any person who receives a pistol from another by purchase, gift or loan. "Seller" means any person who sells, furnishes, loan or gives a pistol to another.


(2) Any person who sells a firearm more than 30 inches in length to a person under 18 years of age shall be guilty of a misdemeanor.

§28.421 Selling, etc., machine guns, silencers; * * * etc.; exceptions. Sec. 224. Any person who shall manufacture, sell, offer for sale or possess any machine gun or firearm which shoots or is designed to shoot automatically more than 1 shot without manual reloading, by a single function of the trigger, or any muffer, silencer or device for deadening or muffling the sound of a discharged firearm, or any bomb, or bomb shell, * * * or any gas ejecting device, weapon, cartridge, container or contrivance designed or equipped for or capable of ejecting any gas which will either tempo-

rarily or permanently disable, incapacitate, injure or harm any person with whom it comes in contact, shall be guilty of a felony, punishable by imprisonment in the state prison for not more than 5 years or by a fine of not more than $2,500.00.

The provisions of this section shall not apply to any person manufacturing firearms, explosives or munitions of war by virtue of any contracts with any department of the government of the United States, or with any foreign government, state, municipality or any subdivision thereof, or to any person duly licensed to manufacture, sell or possess any machine gun or gas ejecting device, weapon, cartridge, container or contrivance above mentioned.

§28.426 Pawnbrokers, second-hand dealers, junk dealers, accepting pistol, offering or displaying it for resale. Sec. 229. Any pawnbroker who shall accept a pistol in pawn, or any second-hand or junk dealer, as defined in Act No 350 of the Public Acts of 1917, who shall accept a pistol and offer or display the same for resale, shall be guilty of a misdemeanor.

§28.429(1) Purchaser of pistol without license, false statement in application. Sec. 232a. Any person who shall purchase a pistol without having obtained a license to purchase as provided in section 2 of Act No 372 of the Public Acts of 1927, as amended, shall be guilty of a misdemeanor.

Any person who shall intentionally make a false statement in any application for a license to purchase a pistol, under section 2 of Act No 372 of the Public Acts of 1927, as amended, shall be guilty of a misdemeanor.

§28.434 Possession or use of fire-arm by person under influence of liquor or drug. Sec. 237. Any person under the influence of intoxicating liquor or any exhilarating or stupefying drug who shall carry, have in possession or under control, or use in any manner or discharge any fire-arm within this state, shall be guilty of a misdemeanor.

Allen Park

Sec. 8-137 Firearms; possession, transportation; restrictions. * * * * (d) It shall be unlawful for any person under 18 years of age to purchase, carry or transport a firearm on any public street or in any public place. It shall be unlawful for any person to sell a firearm to any person under 18 years of age.

* * * *

Belding

12.11 Dangerous weapons. No person shall possess any machine gun, sawed-off shotgun, * * * or 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 firearm except as is otherwise permitted by law.

Bloomfield Hills

6.01 It shall be unlawful for any person under 18 years of age to purchase, carry or transport a firearm on any public street or in any public place.

7.01. It shall be unlawful for any person to sell a firearm to any person under 18 years of age.

Buchanan

11.4. Dangerous weapons. No person shall possess any machine gun, sawed off shotgun, * * * or 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 firearm except as is otherwise permitted by law.

Center Line

8-108. Dangerous weapons; possession prohibited, exceptions. (a) No person shall within the city possess any machine gun, sawed off shotgun, revolver, pistol, gun or 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 except as is otherwise permitted by law.

Dearborn Heights

9.215. Sale or Purchase. It shall be unlawful for any person under eighteen (18) years of age to purchase, carry or transport a firearm on any public street or in any public place. It shall be unlawful for any person to sell a firearm to any person under eighteen (18) years of age.

Detroit

66-1-1. "Firearm" defined. The word "firearm," as used in this article, shall be construed to include any shot gun, rifle or other device of a similar character, except pistols.

66-1-2. Permit required to purchase pistols. No person shall purchase a pistol without first having obtained a permit to do so from the commissioner of police. No person or agent thereof shall sell or deliver a pistol to any person unless such person has obtained a permit therefor from the commissioner of police, which permit shall be given to the person designated.
making such sale or delivery and must be kept by him.

66-4-1. "Firearm" defined. For the purposes of this article, the word "firearm," except as otherwise specifically defined in this Code, shall be construed to include any weapon from which a dangerous projectile may be propelled by using explosives, gas or air as a means of propulsion.

66-4-4. Minors carrying firearms; sales to minors. It shall be unlawful for any person under eighteen years of age to purchase, carry or transport a firearm on any public street or in any public place. It shall be unlawful for any person to sell a firearm to any person under eighteen years of age.

Ecorse

Unregistered Fire-Arms—Sale or Purchase of Fire Arms, 3-4.2 Any person who shall own or possess any pistol, weapon or device without the same being registered as required by Section 9 of Act 272 of the Public Acts of the State of Michigan for the year 1927, as amended; and also any person who shall purchase or sell a pistol, weapon or device without license as required by Act 272 of the Public Acts of the State of Michigan for the year 1927, as amended, shall be guilty of a misdemeanor and shall be punished as provided in Article I, Chapter I of this Code.

Gladstone

504.06 Possession of weapons. No child under the age of 18 years shall be allowed to have in his possession or control, or use, any * * * shotguns, rifles or other dangerous weapons within the City.

504.07 Sale to minors of weapons. No person shall sell, furnish, or give to or permit any child under the age of 18 years to have in his possession or use any * * * shotguns, rifles or other dangerous weapons within the City.

Grand Haven

8-209. Dangerous weapons, possession prohibited. No person shall possess any machine gun, sawed-off shotgun, * * * 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 firearm except as is otherwise permitted by law.

Grand Rapids

9.180. Firearms Dealer's License. It shall be unlawful to establish, maintain, operate or conduct a business or attempt to conduct a business of selling, trading or offering to sell or trade, any firearms or ammunition for firearms unless there shall have been issued a license to do so in compliance with Chapter 91 of this Code. **

Grosse Pointe Farms

24. Firearms, sale to minors. It shall be unlawful for any person under eighteen (18) years of age to purchase any firearm. **
loan, or furnish any weapon in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of 21 years.

Lake Orion

9. Sales to minors. It shall be unlawful for any person, firm or corporation to sell, offer to sale, give away or distribute any firearm,涂料 to any person in the Village of Lake Orion who is under the age of twenty-one years.

Lapeer

19.09. Firearms. (d) No person shall sell, loan or furnish to any minors any firearm, or any toy firearm in which any explosive substance can be used, or any dynamite, dynamite fuse, or caps, gunpowder, or any other explosive substance.

Lincoln Park

D. It shall be unlawful for any person under 18 years of age to purchase, carry or transport a firearm on any public street or in any public place. It shall be unlawful for any person to sell a firearm to any person under 18 years of age.

Madison Heights

396(7). the word "firearm", except as otherwise specifically defined in this ordinance, shall be construed to include any weapon from which a dangerous projectile may be propelled by using explosives, gas or air as a means of propulsion.

8-111 Dangerous weapons; possession prohibited, exceptions. (a) No person shall possess any machine gun, sawed off shotgun, ** 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, except as is otherwise permitted by law.

Marshall

20.02 Firearms. ** (b) No person shall sell, loan or furnish to any minors any firearm, or any toy firearm in which any explosive substance can be used, or any dynamite, dynamite fuse or caps, gunpowder, or any other explosive substance.

(c) Any person selling, loaning or keeping firearms within the City of Marshall shall comply with all the laws of the State of Michigan governing the use, sale, registration, storage, carrying, keeping and any other provisions concerning firearms.

(d) The word firearm includes any instrument whereby any projectile is shot or discharged by means of powder, compressed air, springs, or other means.

Milford Township

Section 32. Unlawful possession of firearms. It shall be unlawful for any person under the influence of intoxicating liquor or any exhilarating or stupefying drug to carry, have in possession or under control, or use in any manner or discharge any firearm within this state.

Mount Clemens

8-210. Dangerous weapons; possession prohibited, exceptions. (1) No person shall possess any machine gun, sawed off shotgun, ** 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, except as is otherwise permitted by law.

Oak Park

30.108. It shall be unlawful for any person under 18 years of age to purchase, carry or transport a firearm on any public street or in any public place. It shall be unlawful for any person to sell a firearm to any person under 18 years of age.

Orchard Lake

Section 3. Offenses Against Public Safety. No person in the City shall: **

(e) Sales to Intoxicated Persons and Minors. Purchase from, or sell, loan, or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a person under the age of eighteen (18) years.

(f) Records Required. Engage in the sale, rental, or exchange of any weapons referred to in sub-sections (a) and (d) above without keeping a record of each such weapon purchased, sold, rented, or exchanged.

(1) Time of Recordation. The record required herein shall be made at the time of the transaction, in a book kept for that purpose, contact local authorities for required contents **

Port Huron

9.117. Weapons prohibited. It shall be unlawful for the parent or guardian of any minor child under the age of 18 years to willfully permit such minor child under the age of 18 years to use or have in his or her possession any pistol, rifle, shotgun, ** except and unless such minor child under the age of 18 years shall be, at the time of his or her use or possession of any gun or weapon herein described, under the direct supervision or control of his or her parent or guardian or some other adult person.

Royal Oak Township

Ordinance 168

Sec. 4 Minors carrying firearms; sales to minors. It shall be unlawful for any person under eighteen (18) years of age to purchase, carry or transport a firearm on any public street or in any public place. It shall be unlawful for any person to sell a firearm to any person under eighteen (18) years of age.

Saginaw

897. Failure to complete and return license to purchase pistol. 807. It shall be unlawful for the purchaser of any pistol to be or remain in possession thereof if the completed license to purchase the same shall not have been returned to the licensing authority within ten (10) days of the purchase of the pistol, as required by law.

St. Clair Shores

20-17. Dangerous weapons; possession prohibited, exceptions. No person shall possess any machine gun, sawed off shotgun, ** 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, except as is otherwise permitted by law.

Southfield

9.129 Dangerous weapons; possession prohibited, exceptions (1) No person shall within the City possess any machine gun, sawed off shotgun, ** 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 firearm except as is otherwise permitted by law.

Sterling Heights

7. (1) No person shall possess any machine gun, sawed-off shotgun, * * * 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, except as is otherwise permitted by law.

Three Rivers

79-1. The City of Three Rivers ordains, That it shall not be lawful for any person directly or indirectly, himself or by his clerk, agent or employee, to sell, keep for sale, give away, furnish or use, within the limits of the City of Three Rivers, any ** blank cartridge, toy pistol * * * any cap or other device containing any explosive; Provided, however, that this provision shall not apply to the sale of gun powder or gun or revolver ammunition in the regular course of trade nor to the sale of dynamite that is to be used for a necessary purpose.

Trenton

9.71. Dangerous weapon. (1) No person shall possess any machine gun, sawed-off shotgun, * * * 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, except as is otherwise permitted by law.

Troy

9.79. Regulation, control of the possession and transportation of firearms within the city. (3) It shall be unlawful for any person under 18 years of age to purchase, carry or transport a firearm on any public street or in any public place. It shall be unlawful for any person to sell a firearm to any person under 18 years of age.

Warren

Sec. 8-210 Dangerous weapons. (1) No person shall possess any machine gun, sawed-off shotgun, * * * 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 firearm, except as is otherwise permitted by law.

Waterford Township

Oakland County

Section V. Possessing or use of weapons while under influence. No person while under the influence of intoxicating liquor or exhilarating or stupefying drugs shall carry, have in his possession or under his control, or in any manner use or discharge any weapon.

Section IX. Sales to minors. It shall be unlawful for any person, firm or corporation to sell, offer for sale, give away or distribute any firearm, * * * or other like weapon to any person in the Township of Waterford who is under the age of twenty-one years.

Minnesota

State Law


609.66 Dangerous weapons: Subdivision 1. Acts prohibited. Whoever does any of the following is guilty of a misdemeanor: ** ** **

(6) Sells or has in his possession any device designed to silence or muffle the discharge of a firearm; ** ** **

609.67 Machine guns: Subdivision 1. Definition. "Machine gun" means any firearm designed to discharge, or capable of discharging automatically more than once by a single function of the trigger.

Subd. 2. Acts prohibited. Except as otherwise provided herein, whoever owns, possesses, or operates a machine gun may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than $5,000, or both.

Subd. 3. Uses permitted. The following persons may own or possess a machine gun provided the provisions of subdivision 4 are complied with:

(1) Law enforcement officers for use in the course of their duties;

(2) Wardens of penal institutions and other personnel thereof authorized by them and persons in charge of other institutions for the retention of persons convicted or accused of crime, for use in the course of their duties; and

(3) Persons possessing machine guns as war relics, museum pieces, or as objects of curiosity, ornament, or keepsake, and not useable as a weapon.

Subd. 4. Report required. A person owning or possessing a machine gun as authorized by subdivision 3 shall, within ten days after acquiring such ownership or possession, file a written report with the bureau of criminal apprehension, showing his name and address; his official title and position, if any; a description of the machine gun sufficient to enable identification thereof; the purpose for which it is owned or possessed; and the manner in which rendered useless, if the right to possess the machine gun is claimed under clause (3) of subdivision 3 of this section; and such further information as the bureau may reasonably require.

Subd. 5. Exceptions. This section does not apply to members of the armed services of either the United States or the state of Minnesota for use in the course of their duties.

624.71 Gun control, application of federal law. Subd. 2. Notwithstanding any other law to the contrary, it shall be lawful for a resident of Minnesota to purchase firearms and ammunition in a contiguous state in any instance where such sale and delivery is lawful under the federal Gun Control Act of 1968 (Public Law 90-618).

624.712 Definitions. Subdivision 1. As used in sections 624.711 to 624.717, the terms defined in this section shall have the meanings given them.

Subd. 2. "Pistol" includes a weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (a) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (b) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor.

"Pistol" does not include a device firing or ejecting a shot measuring .18 of an inch, or less, in diameter and commonly known as a "BB gun," a scuba gun, a stud gun or nail gun used in the construction industry or children's pop guns or toys.

Subd. 3. "Antique firearm" means any firearm, including any pistol, with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured before 1899 and any replica of any firearm described herein if such replica is not designed or redesigned, made or remade, or intended to fire conventional rimfire or conventional cen-
terfire ammunition, or uses conventional rimfire or conventional centerfire ammunition which is not readily available in the ordinary channels of commercial trade.

Subd. 4. "Saturday night special pistol" means a pistol other than an antique firearm or a pistol for which the propelling force is carbon dioxide, air or other vapor, or children's pop guns or toys, having a frame, barrel, cylinder, slide or breechblock:

(a) of any material having a melting point (liquids) of less than 1,000 degrees Fahrenheit, or

(b) of any material having an ultimate tensile strength of less than 55,000 pounds per square inch, or

(c) of any powdered metal having a density of less than 7.5 grams per cubic centimeter.

Subd. 5. "Crime of violence" includes murder in the first degree, murder in the second degree, murder in the third degree, manslaughter in the first degree, manslaughter in the second degree, aiding suicide, aiding attempted suicide, aggravated assault, use of drugs to injure or to facilitate crime, simple robbery, aggravated robbery, kidnapping, false imprisonment, aggravated rape, rape, aggravated sodomy, felonious theft, aggravated arson, riot, burglary, reckless use of a gun or dangerous weapon, intentionally pointing a gun at or towards a human being, setting a spring gun, and unlawfully owning, possessing, or operating a machine gun, and an attempt to commit any of these offenses, as each of those offenses is defined in Minnesota Statutes, Chapter 609.

624.713 Certain persons not to have pistols. Subdivision 1. The following persons shall not be entitled to possess a pistol:

(a) A person under the age of 18 years except that a person under 18 may carry or possess a pistol (i) in the actual presence or under the direct supervision of his parent or guardian, or (ii) for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, (iii) for the purpose of instruction, competition or target practice on a firing range approved by the chief of police or county sheriff in whose jurisdiction the range is located and under direct supervision; or (iv) if the person has successfully completed a course designed to teach marksmanship and safety with a pistol and approved by the commissioner of natural resources:

(b) A person who has been convicted of a crime of violence unless ten years have elapsed since the person has been released from his civil rights and the sentence has expired, whichever occurs first, and during that time he has not been convicted of any other crime of violence. For purposes of this section, crime of violence includes crimes in other states or jurisdictions which would have been crimes of violence as herein defined if they had been committed in this state;

(c) A person who is or has ever been convicted in Minnesota or elsewhere as a "mentally ill," "mentally deficient" or "dangerous to the public" person as those terms are defined in Minnesota Statutes, Sections 253A.02, to a hospital, mental institution or sanitarium, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof that he is no longer suffering from this disability;

(d) A person who has been convicted in Minnesota or elsewhere for the unlawful use, possession or sale of a controlled substance other than conviction for possession of a small amount of marijuana, as defined in section 152.01, subdivision 16, or a person who is or has ever been hospitalized or committed for treatment for the habitual use of a controlled substance or marijuana, as defined in Minnesota Statutes, Sections 152.01 and 152.02, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that he has not abused a controlled substance or marijuana during the previous two years; or

(e) A person who has been confined or committed to a hospital, mental institution or sanitarium in Minnesota or elsewhere as an "inpatient person" as that term is defined in Minnesota Statutes, Section 253A.02, or for alcoholic problems, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that he has not abused alcohol during the previous two years. A person who issues a certificate pursuant to this subdivision in good faith shall not be liable for damages in an action arising out of the issuance.

Subd. 2. A person named in subdivision 1, clause (b) of this section who possesses a pistol is guilty of a felony. A person named in any other clause of subdivision 1 of this section who possesses a pistol is guilty of a gross misdemeanor.

624.715 Exemptions; antiques and ornaments. Sections 624.713 and 624.714 shall not apply to antique firearms which are carried or possessed as curiosities or for their historical significance or value.

624.716 Saturday night specials prohibited. Any federally licensed firearms dealer who sells a Saturday Night Special Pistol, or any person who manufactures or assembles a Saturday Night Special Pistol in whole or in part, shall be guilty of a gross misdemeanor.

624.717 Local regulation. Sections 624.711 to 624.716 shall be construed to supersedes municipal or county regulation of the carrying or possessing of pistols and the regulation of Saturday Night Special Pistols except more restrictive regulation in cities of the first class.

NOTICES

Alexandria

9.20. Dangerous weapons and articles. Subd. 1. Acts Prohibited. It is unlawful for any person to:

F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm; or

G. Furnish a minor under eighteen years of age with a firearm, ammunition, or explosive without the written consent of his parent or guardian or of the Police Department.

Subd. 2. Exception. Nothing in subdivision 1 of this Section shall prohibit the possession of the articles herein mentioned if the purpose of such possession is for public exhibition by museums or collectors of art.

Appleton

6.06. Weapons, sale to minors. No person shall sell, give, loan, or in any way furnish any firearm or ammunition to a minor under the age of eighteen years without the written consent of his parents or guardian, or a police officer of this village.

6.07. Minors not to use firearms. No minor under the age of fourteen years shall handle or have in his possession or under his control except while accompanied by his parent or guardian any firearm, of any kind for hunting or target practice, or any other purpose. No parent or guardian shall knowingly permit any minor to violate this section.

Apple Valley

128-IV. Hand gun purchases: The purchaser of a hand gun from a Federally licensed dealer in the Village of Apple Valley must wait for three (3) days before delivery of said hand gun. The Federally licensed dealer will inform the Village of Apple Valley Police Office of the purchaser's name and address so as to enable the determination of any of the following prohibiting conditions. The Police Department of the Village of Apple Valley will notify the above dealer of the results within the three (3) day limit for delivery of said gun or refund of any moneys deposited should the sale be prohibited. Prohibiting conditions:

A. Under the age of eighteen (18) years.

B. Has been convicted of a felony or any crime of violence under the laws of this state or any other jurisdiction.

C. Has been convicted of any offense involving the applicant's use of intoxicating beverages, hallucinatory chemicals, narcotics or any other drugs.
D. Has been hospitalized for attempted suicide or mental or emotional conditions involving the use of alcohol, hallucinatory chemicals or drugs.

**Arden Hills**

Section 1. Definitions. Deadly Weapons.
The term "deadly weapons" as used herein shall include the following: (1) All firearms; * * * *

Section 4. The selling, giving, loaning, or furnishing in any way of any deadly weapon to a minor under the age of 18 years without the written consent of his parents or guardian is hereby prohibited.

Section 5. No minor under the age of 14 years shall handle or have in his possession or under his control, except while accompanied by or under the immediate charge of his parent or guardian, any deadly weapon. * * * *

**Blaine**

89.01—Every person who shall sell, give, loan or in any wise furnish any firearm or ammunition to a minor under the age of 18 years without the written consent of his parents or guardian or of a police officer or magistrate shall be guilty of a misdemeanor.

101.01—The term "deadly weapons" as used herein shall include the following: (1) All Firearms; * * * *

101.02—(1) Whoever does any of the following is guilty of a misdemeanor: * * * *(6) Sells or has in his possession any device designed to silence or muffle the discharge of a firearm; * * * *

101.03—The selling, giving, loaning, or furnishing in any way of any deadly weapon to a minor under the age of 18 years without written consent of his parents or guardian, or of a police officer or magistrate is hereby prohibited.

**Bloomington**

203.01. Restriction. Every person who shall sell, give, loan or in any wise furnish any firearm or ammunition to a minor under the age of eighteen years without the written consent of his parents or guardian, or of a police officer or magistrate shall be guilty of a misdemeanor.

**Brooklyn Center**

19-402. Dangerous weapons. 1. "Dangerous weapon" means any firearm *** whether loaded or unloaded ***.

2. Section 609.66 of the Minnesota Criminal Code (West 1963) Laws of 1963, Chapter 753 is hereby adopted by reference and shall have the same force and effect as though set out at length herein.

**Brooklyn Park**

Section 950.00. Definition. Deadly Weapons. The term "deadly weapons" as used herein shall include the following: 1) All Firearms; * * * *

Section 950.15. Minors. The selling, giving, loaning, or furnishing in any way of any deadly weapon to a minor under the age of 18 years without the written consent of his parents or guardian, or of a police officer or magistrate is hereby prohibited.

Section 950.20. Under 14 Years. No minor under the age of 14 years shall handle or have in his possession or under his control, except while accompanied by or under the immediate charge of his parent or guardian, any deadly weapon.

**Buhl**

510.02. Deadly Weapons. It shall be unlawful in the Village of Buhl for any person, persons, firm or corporation to manufacture, or cause to be manufactured, sell, keep for sale, offer or dispose of any *** pistol, revolver, *** or to give or sell any pistol or fire-arm to a person under the age of eighteen years, without the written consent of a magistrate or the mayor of the said village or the chief of police or marshal of said village.

**Coon Rapids**

7-201 Definition. "Dangerous Weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm. The term "dangerous weapon" shall include but not be limited to the following: (1) All Firearms; * * * *

7-202 Prohibited Actions. (1) Whoever does any of the following is guilty of a misdemeanor: * * * *(f) Sells or has in his possession any device designed to silence or muffle the discharge of a firearm; * * * *

(2) Nothing in this Section prohibits the possession of the articles mentioned by museums or collectors of art or for other lawful purposes of public exhibition.

7-203 Selling Gun to Minor Without Parental Consent. The selling, giving, loaning, or furnishing in any way of any deadly weapon to a minor without written consent of his parents or guardian, or of a Police Officer or Magistrate is hereby prohibited.

**Cottage Grove**

Sec. 27-13. Furnishing to minors. No person, within the limits of the village, shall: (a) Without the parent’s or guardian’s consent, furnish a child under fourteen years of age, or as a parent or guardian, permit such child to handle or use, outside of the parent’s or guardian’s presence, a firearm or airgun of any kind, or any ammunition or explosive.

(b) Furnish a minor under eighteen years of age with a firearm, airgun, ammunition or explosive without the written consent of his parent, guardian, the police department or magistrate of this village.

Sec. 27-14. Silencers. No person, within the limits of the village, shall sell or have in his possession any device designed to silence or muffle the discharge of a firearm.

**Crystal**

935.01. Definitions. Subdivision 1. For purposes of this Section, the terms defined herein have the meanings given them.

Subd. 2. "Military type weapon" means any firearms such as bazookas, machine guns, mortars, grenades, molotov cocktails and similar weapons.

935.03. Military Type Weapons. It is unlawful for any person to own, keep, carry or have possession of military type weapons in the City. This Section does not apply to law enforcement personnel or military personnel while on active duty, or to military or fraternal organizations in their participation in public functions or celebrations.

**Deephaven**

8. Minors not to use fire arms. No minor under the age of 18 years shall handle or have in his possession or under his control, except while accompanied by or under the immediate charge of his parent, guardian or competent supervision, any fire arms, *** ammunition or other weapons of any kind for hunting or target practice or any other purpose.

27. Sale of firearms to minor. No person, firm or corporation shall sell, offer for sale, or give away, or in anywise furnish any firearms or ammunition to a minor under the age of 18 years, without the written consent of such minor’s parents or guardian or of a peace officer or magistrate.
NOTICES

F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm; or
G. Furnish a minor with a firearm, ammunition, or explosive without the written consent of his parent or guardian or of the Police Department.

Golden Valley

Section 525-00. Definitions. 1. General Terms. Terms used in this ordinance, unless expressly defined, shall have the meanings prescribed by the Statutes of the State of Minnesota for the same terms.
2. Specific Terms. The following terms shall have the following meanings.
(a) “Person” shall mean any natural individual, firm, partnership, trust, estate, club, association or corporation. As applied to partnerships or associations, the word includes the partners or members thereof, as applied to corporations it includes the officers, agents, or employees thereof who are responsible for the act referred to. The singular includes the plural, and the plural includes the singular.
(b) “Firearm” shall mean any weapon from which is propelled any missile, projectile or bullet through a barrel by means of explosives, carbon dioxide, air or other vapor, excluding (1) any device used exclusively for the firing of stud cartridges, explosive rivets, or similar industrial ammunition, (2) any antique firearm or (3) Saturday Night Special Pistol.
(c) “Hand Gun” shall mean any firearm designed to be fired from the hand, except Saturday Night Special Pistols.
(d) “Saturday Night Special Pistol” shall mean a gun designed to be fired from the hand, other than an antique firearm or a gun for which the propelling force is carbon dioxide, air or other vapor, or children’s pop gun or toys having a frame, barrel, cylinder, slide or breechblock:
(1) of any material having a melting point (liquids) of less than 1,000 degrees Fahrenheit, or
(2) of any material having an ultimate tensile strength of less than 55,000 pounds per square inch, or
(3) of any powdered metal having a density of less than 7.5 grams per cubic centimeter.
(e) “Antique Firearm” shall mean any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured before 1899 and any replica of any firearm described herein if such replica is not designed or redesigned, made or remade, or intended to fire conventional rimfire or conventional centerfire ammunition which is not readily available in the ordinary channels of commercial trade.

Sec. 606. Dangerous Weapons and Articles. Subd. 1. Acts Prohibited. It is unlawful for any person to:
F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm; or,
G. Without the parent’s or guardian’s consent, furnish a child under 14 years of age, or as a parent or guardian permit such child to handle or use, outside of the parent’s or guardian’s presence, a firearm or airgun of any kind, or any ammunition or explosive; or,
H. Furnish a minor under eighteen years of age with a firearm, ammunition, or explosive without the written consent of his parent or guardian or of the Police Department of the Village.

Ely

410:02. Deadly weapons. [No person] without the written consent of a magistrate, shall sell or give any pistol or firearm to a person under the age of eighteen years.

Eagan

9.02 Subdivision 3. — Persons prohibited. It shall be unlawful for any person within the Town of Eagan to own, possess, carry or have in his custody or control any firearms or ammunition unless such person:
A. Shall be at least 18 years of age or shall hold a firearms safety certificate recognized by the Minnesota Department of Conservation or be enrolled in a program to qualify for said certificate or if under 18 years of age is accompanied by his parent or guardian or by an adult who has written permission from the minor’s parent or guardian.
B. Shall not within the previous five years have been: 1. Convicted of a felony or drug addiction under the laws of this state or any other jurisdiction, or a violation of this Ordinance or any other law relating to weapons.
2. Committed under the statutory procedures of this state or any other jurisdiction to any institution for treatment of a mental, drug, or alcoholic condition.
C. It shall be unlawful for any person to be in possession of, carry or transport any firearm or ammunition while under the influence of alcohol or hallucinatory chemical, or narcotics, or other drugs.

East Grand Forks

Sec. 9.20. Dangerous Weapons and Articles. Subd. 1. Acts Prohibited. It is unlawful for any person to:
F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm; or,
G. Without the parent’s or guardian’s consent, furnish a child under 14 years of age, or as a parent or guardian permit such child to handle or use, outside of the parent’s or guardian’s presence, a firearm or airgun of any kind, or any ammunition or explosive; or,

Duluth

Sec. 49-6. Possession, use, etc., of firearm silencers prohibited. No person shall use, own or possess any type of silencer for a firearm or possess any firearm equipped so that a silencer may be attached to such firearm.

Sec. 49-8. Possession of firearms by minors. No minor under the age of eighteen years shall handle or have in his possession or under his control, except while accompanied by or under the immediate charge of a parent or guardian, any firearm of any kind for hunting or target practice or any other purpose.

Sec. 49-15. License — Required. No person shall engage in the business of selling or renting guns, pistols or other firearms without first having obtained a license to do so.

Sec. 49-20. Sales and rentals to minors. No person shall sell, rent, give, loan or in anywise furnish any firearm, ammunition, or explosive without the written consent of a magistrate, parent or guardian or of the Police Department of the Village.

Fairmont

6.20. Dangerous weapons and articles. 1. Acts prohibited. It is unlawful for any person to:
F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm; or,
G. Furnish a minor under eighteen years of age with a firearm, ammunition, or explosive without the written consent of his parent or guardian or of the Police Department.

Farmington

6-1-15. Dangerous weapons: It shall be unlawful for any person to do any of the following:
F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm;
H. Furnish a minor under eighteen years of age with a firearm, ammunition, or explosive without the written consent of his parent or guardian or of the Police Department of the Village.

Glenville
NOTICES

Hastings

Sec. 9.20. Dangerous weapons and articles. Subd. 1. Acts prohibited. It is unlawful for any person to: * * * *

- F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm;

- G. Furnish a minor under eighteen years of age with a firearm, ** ammunition, or explosive without the written consent of his parent or guardian or of the Police Department. * * * *

Hayfield

Ordinance 76–02

Section 3. No person shall use, own or possess any firearm equipped so that a silencer may be attached to such firearm.

Section 5. No minor age fourteen (14) years or under shall handle, or have in his or her possession or under his or her control except while accompanied by or under the immediate charge of a parent or guardian, any firearm or any kind for hunting or target practice or any other purpose. Any minor having attained the age of 15 shall be the holder of a valid firearm safety permit.

Hibbing

Firearms, sale and possession. 7–14.1. It shall be unlawful in the Village of Hibbing for any person, persons, firm or corporation to manufacture or cause to be manufactured, sell, keep for sale, offer or dispose of any instrument or weapon of the kind usually known as a ** pistol, revolver, ** or to give or sell any pistol or firearm to a person under age of eighteen (18) years, without the written consent of a magistrate or the president of the said village or the chief of police or marshal of said village ** *. ** *

Hermantown

Ordinance 920:12. Sale of Firearms to Minors. Every person who shall sell, give away, or in any wise furnish any firearms or ammunition to a minor under the age of eighteen years without the written consent of his parents or guardian or of a peace officer or magistrate, shall be guilty of a penal offense.

Hoyt Lakes

2. Use of fire arms by minors. No minor under the age of 14 years shall handle or have in his possession or under his control, except while accompanied by or under immediate charge of his parent or guardian, any fire arm ** of any kind for hunting or target practice or for any other purpose. Every person violating the foregoing provision or aiding or knowingly permitting any such minor to violate the same shall be guilty of a misdemeanor.

International Falls

Sec. 12.08–1. No person within the limits of the City of International Falls shall manufacture or cause to be manufactured, sell, keep for sale, offer, or dispose of, any instrument, or weapon of the kind usually known as a ** pistol ** or other offensive and dangerous weapons or instruments, or without the written consent of the Mayor, shall sell or give any revolver or fire arm of any description to a person under the age of eighteen years.

Jackson

Sec. 8.20. Dangerous Weapons and Articles. Subd. 1. Acts prohibited. It is unlawful for any person to: * * * *

- F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm; or,

- G. Furnish a minor under eighteen years of age with a firearm, ** ammunition, or explosive without the written consent of his parent or guardian or of the Police Department.

Subd. 2. Exception. Nothing in Subdivision 1 of this Section shall prohibit the possession of the articles therein mentioned if the purpose of such possession is for public exhibition by museums or collectors of art.

Granite Falls

* * *

6.06. Weapons, sale to minors. No person shall sell, give, loan, or in any wise furnish any firearm or ammunition to any minor under the age of eighteen years without the written consent of his parents or guardian, or of a police officer or magistrate of this city.
La Crescent

B. Specific Terms. The following terms shall have the following meanings:

1. "Person" shall mean any natural individual, firm, partnership, trust, estate, club, association or corporation. As applied to partnerships or associations, the word includes the partners or members thereof, as applied to corporations it includes the officers, agents, or employees thereof who are responsible for the act referred to. The singular includes the plural, and plural includes the singular. The masculine gender includes the feminine gender.

2. "Firearm" shall mean any weapon from which is propelled any missile, projectile or bullet by means of explosives or gas and shall include air and "BB" guns.

3. "Long gun" shall mean a rifle, shotgun or similar gun not designed to be fired from the hand.

4. "Hand gun" shall mean any firearm designed to be fired from the hand.

5. "Military type weapon" shall mean any destructive device and the ammunition designed only for such device having firepower, mass explosive or incendiary characteristic of weapons such as cannons having a bore diameter of larger than one-half inch, bazookas, machine guns, fully automatic weapons, mortars, grenades, Molotov cocktails, but not including shotguns, rifles, pistols or revolvers included in definitions (3) and (4) above. Destructive devices which are not firearms and ammunitions for any military type weapon which is inert and not readily restorable, both mechanically, and by intent, shall be exempted from the provisions of this ordinance.

7. "Ammunition" shall mean any complete round prepared for insertion in and propulsion from any firearm.

9. "Dealer" shall mean a person licensed to sell, manufacture or repair firearms.

Section 2. Persons Prohibited: A. It shall be unlawful for any person within the corporate limits of the Village of La Crescent, to own, possess, carry, or have in his custody or control any firearm, or ammunition unless such person:

1. Shall be at least 18 years of age or shall hold a firearms safety certificate recognized by the Minnesota Department of Conservation or be enrolled in a program to qualify for such certificate.

2. Shall not within the previous five years have been:

a. Convicted of a felony or drug addiction under the laws of this state or any other jurisdiction or a violation of this ordinance or any other law relating to weapons.

b. Committed under the statutory procedures of this state or any other jurisdiction to any institution for treatment of a mental, drug or alcoholic condition.

B. It shall be unlawful for any person to be in possession of, carry or transport any firearm or ammunition while under the influence of any alcoholic beverage, or hallucinatory chemical, or narcotics, or other drugs.

Section 3. Places Prohibited. A. It shall be unlawful for any person, except law enforcement or military personnel while in the course of their duties, or owner or agent while he is present at a business place operated by him, or private persons with permits who are required by their occupation to be present, to have in his possession or control any firearm or ammunition while such person is present at any public place or public gathering within the Village of La Crescent.

Section 4. Weapons Prohibited: A. It shall be unlawful for any person within the Village of La Crescent to own, keep, carry or have in his custody or control any of the following:

1. Military type * * * weapons unless the person in possession of such weapon has in his possession the permit provided in Section 6.

2. Any firearm or ammunition which the transferee knows or has reasonable cause to believe has been stolen or transferred in violation of this ordinance.

Section 5. Sales, Gift or Delivery of Weapons and Ammunition. A. It shall be unlawful for any person within the Village of La Crescent to sell, give or deliver to any person:

1. Any weapon prohibited under Section 4 unless the weapon to be received is a military type weapon * * * and the person to receive the weapon has secured the permit provided in Section 6.

2. Any firearm or ammunition for such firearm if such person is:

a. Under the age of 18 years if the firearm is a long gun or under 21 years of age if the firearm is a hand gun, except for legitimate firearm activities set forth in Section 3 (D) or unless the recipient shall qualify under Section 2 (A-1).

b. Under the influence of alcohol, hallucinatory chemicals, narcotics or other drugs.

c. Prohibited from ownership, possession, custody or control of firearms under Section 2, and seller or giver knew or had reasonable cause to believe such person was prohibited.

Section 6. Permit for Military Type and Assault Weapons: A. The owner or purchaser of a military type or assault weapon may be issued a permit by the Chief of Police for possession either as a collector's item or as a military type weapon used in officially recognized competition, or assault weapon provided such person is not prohibited from owning or possessing firearms under this ordinance * * *.

B. A "Military type weapon used in officially recognized competition" shall include its ammunition and shall be weapons used in competition regulated and supervised by a target shooting club, pistol club or sportsman's club, which is duly authorized to purchase or receive firearms from the United States. Any such weapon shall be kept in a secure location.

Lake Elmo

1301.050. License Required. No person shall deal in or sell at retail or wholesale without a license any gun, pistol, revolver, * * *

Lakeville

Section 1. Weapons Prohibited. No person shall * * * sell, offer for sale or have in his possession, except in his own domicile, or carry or use any dangerous or deadly weapon, including, but not by way of limitation, revolvers, pistols * * *

Section 2. Exception. The prohibition of this chapter shall not be construed to forbid any law enforcement officer from carrying any of said weapons as may be necessary in the proper discharge of his duties, nor shall this chapter prohibit the sale, possession or carrying of a revolver or pistol for legitimate sporting purposes providing such revolver or pistol is not concealed.

Lauderdale

2. Specific terms. The following terms shall have the following meanings. (a) "Firearm" shall mean any weapon from which is propelled any projectile, bullet, or other mass through a barrel by means of explosives or gas or air, excluding devices used exclusively for the fusing of stud cartridges, explosive rivets, or similar industrial apparatus and instruments or equipment when used by licensed physicians or veterinarians in the course and scope of their professions.

(b) "Handgun" shall mean any firearm having a barrel of less than twelve inches in length and capable of being concealed on the person.

(c) "Military type weapon" shall mean any destructive device and the ammunition designed only for such device having firepower, mass, explosive or incendiary characteristics of weapons such as cannons having a bore diameter larger than one-half inch, bazookas, machine guns, fully automatic weapons, mortars, grenades, Molotov cocktails, but not including shotguns, rifles, pistols or revolvers.

(e) "Ammunition" shall mean any projectile, bullet, or other mass prepared for insertion in and propulsion from any firearm.

(f ) "Secured container" shall mean a locked case legally marked "firearms" having no mechanical features designed for im-
mediate weapons removal or use and containing no other nonrelated objects, except that a "secured container" for a rifle or shotgun may mean a weapon case, such as leather, fibre, canvas or plastic secured with a zipper, clasp, buckle, or ties.

2. Persons prohibited from possessing firearms. (1) No person who has not attained the age of 18 years shall have any firearm in his custody or control, or carry the same on his person, within the limits of the Village of Lauderdale except when he is accompanied by his parent or legal guardian, while participating under adult supervision as a member of a registered target shooting or sportsmen's club, gun-training program, gun show, parade or similar event for which a permit has been issued by the Chief of Police, or unless he holds a firearms safety certificate recognized by the Minnesota Department of Conservation, or is actually enrolled in a program to obtain the same.

(2) No person shall have any firearm in his possession or control, or carry the same on his person, within the limits of the Village of Lauderdale who has been convicted of any felony, or who is addicted to the use of drugs or who is under the influence of drugs or alcohol.

4. Weapons prohibited. No person shall own, keep, carry, or have in his possession anywhere in the Village of Lauderdale any military type weapons, * * *, or any stolen weapon, except military personnel engaged in the course of their duties and peace officers, unless he holds a permit to possess the same as collectors' items or for use in officially recognized competition. "Officially recognized competition" includes all competitions held under the sponsorship of a registered target shooting or sportsmen's club which is duly authorized to obtain firearms or ammunition from the United States.

6. License required to sell firearms. No person shall engage in the business of selling or dealing in firearms or ammunition in the Village of Lauderdale without first obtaining a license to do so from the Village Council. The fee for such license shall be $10.00, payable annually * * *.

7. Permits and registrations. * * * * * * * *(2) Any person not prohibited from owning or possessing firearms may obtain a permit to possess a military type of assault weapon as a collector's item, or to possess a military type weapon for participation in officially recognized competition upon application therefor to the Chief of Police. [Contact local authorities for required contents] * * *. The Chief shall issue such permit, without fee, if he concludes the applicant is of good moral character and intends to use the weapon for a lawful purpose.

NOTICES

Luverne

6.20. Dangerous weapons and articles. Subd. 1. Acts prohibited. It is unlawful for any person to:

* * * * *

F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm; or,

G. Furnish a minor under eighteen years of age with a firearm, * * * ammunition, or explosive without the written consent of his parent or guardian or of the Police Department.

Subd. 2. Exception. Nothing in Subdivision 1 of this Section shall prohibit the possession of the articles therein mentioned if the purpose of such possession is for public exhibition by museums or collectors of art.

Mahtomedi

4. No minor under the age of 18 years shall within the Village of Mahtomedi, handle or have in his possession or under his control, except when accompanied by or under the immediate charge of his parent or guardian, any fire-arm of any kind whatever, or ammunition of any kind for use therein, * * *.

Mankato

Sec. 9.30. Dangerous Weapons and Articles. Subd. 1. Acts Prohibited. It is unlawful for any person to:

* * * * *

F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm; or,

G. Furnish a minor under eighteen (18) years of age with a firearm, air gun, ammunition, or explosive without the written consent of his parents or guardian or of the Police Department. * * *

Maplewood

1210.010 Permit. No person shall purchase, receive, or accept a revolver or pistol within the Village of Maplewood without first having obtained a written permit from the Chief of Police of said Village, authorizing him to purchase, receive or accept such revolver or pistol.

1210.020. Sale without permit prohibited. No person, firm or corporation deliver a pistol or revolver to the person to whom it is sold, or to be transferred unless such sale or transfer is made pursuant to approval of the Chief of Police in the manner hereinafter provided.

1210.040 Transfer of permit. Before the delivery of a pistol or revolver purchased, or to be transferred, the purchaser or the person to whom such revolver is to be delivered shall surrender his permit to the seller or transferor and shall sign in duplicate and deliver to said seller a statement [contact local authorities for required contents] * * *. The seller or transferor shall immediately deliver to the Chief of Police one copy of such statement * * *. The weapon shall not be released by the seller for delivery to the purchaser or transferee until the Police Chief has approved such sale.

1210.050. Terms. The words "pistol or revolver" as used in this ordinance shall be construed as meaning any fire arm with a barrel less than twelve (12) inches in length.

Mendota Heights

Ordinance 909

Section 5. Possession of Weapons by Minors. No minor under the age of eighteen years shall, within the corporate limits of the Village of Mendota Heights, handle or have in his possession or under his control, except when accompanied by or under the immediate charge of his parent or guardian, any firearm of any kind whatsoever, or ammunition of any kind for use therein, * * *.

Section 6. Sale to Minors. No person, firm, or corporation shall, within the corporate limits of the Village of Mendota Heights, give, sell, or otherwise furnish any firearms * * * or any ammunition of any kind for use therein, to any minor under age of eighteen years, without the written consent of the parent or guardian of the said minor.

Section 9. Definitions

9.1 General Terms. Terms used in this ordinance, unless expressly defined, shall have the meanings prescribed by the Statutes of the State of Minnesota for the same terms.

9.2 Specific Terms. The following terms shall have the following meanings:

9.2(1) Firearm—Shall mean any weapon from which is propelled any missile, projectile, bullet, or other means of explosives or gas or air, excluding devices used exclusively for the firing of stud cartridges, explosive rivets, or similar industrial apparatus and instruments or equipment when used by licensed physicians or veterinarians in the course and scope of their profession.

9.2(2) Handgun—Shall mean any firearm having a barrel of less than twelve inches in length and capable of being concealed on the person.
9.2(3) Military Type Weapon—Shall mean any destructive device and the ammunition designed only for such device having fire-power, mass, explosive or incendiary characteristics of weapons such as cannons having a bore diameter larger than one-half inch, bazookas, machine guns, fully automatic weapons, mortars, grenades, Molotov cocktails, but not including shotguns, rifles, pistols or revolvers. * * * * * 
9.2(5) Ammunition—Shall mean any projectile, bullet, or other mass prepared for insertion in and propulsion from any firearm.
9.2(6) Secured Container—Shall mean a locked case legibly marked "firearm" having no mechanical features designed for immediate weapons removal or use and containing no other non-related objects, except that a "secured container" for a rifle or shotgun may mean a weapon case, such as leather, fibre, canvas or plastic secured with a zipper, clasp, buckle or ties.

Section 12. Sale, Gift, or Delivery of Firearms

12.1. No person shall purchase, receive or accept a handgun within the Village of Mendota Heights without first having obtained a written permit from the Chief of Police authorizing him to purchase, receive or accept such handgun. * * * 
12.2. Before the delivery of a handgun purchased or to be transferred, the purchaser or person to whom such handgun is to be delivered shall surrender his permit and shall sign in duplicate and deliver to the seller or transferee a statement [contact local authorities for required contents] * * * . The seller or person intending to transfer such handgun shall immediately deliver to the Chief of Police one copy of such statement, and if it appears that the person to whom such weapon is sold or to be transferred has been permitted to purchase, accept or receive such handgun, the Chief of Police shall endorse upon such statement his approval of the purchase or transfer.

12.4. No person shall sell, lend, give, or deliver to any person any military type weapon or assault weapon except upon presentation of a valid permit to possess the same issued to the transferee by the Chief of Police as provided in Paragraph 12.2 hereinafter.

12.5. No person shall knowingly sell, lend, give, or deliver any firearm to any person forbidden to own or possess the same by law or ordinance.

12.6. Nothing contained in this section shall apply to sales at wholesale to dealers.

Section 13. License Required to Sell Firearms

13.1 No person shall engage in the business of selling or dealing in firearms or ammunition in the Village of Mendota Heights without first obtaining a license to do so from the Village Council. * * * 

Section 14. Permits and Registrations. Permits and registrations required hereunder shall be accomplished in the following manner:

4.1. Any person not prohibited from owning or possessing firearms may obtain a permit to possess a military type * * * weapon as a collector's item, or to possess a military type weapon for participation in officially recognized competition upon application therefor to the Chief of Police. * * *

Minneapolis

877.010. Definitions.

2. Specific terms. The following terms shall have the following meanings:

(a) "Person" shall mean any natural individual, firm, partnership, trust, estate, club, association or corporation. As applied to partners or members thereof, as applied to corporations it includes the officers, agents, or employees thereof who are responsible for the act referred to. The singular includes the plural, and the plural includes the singular.

(b) "Firearm" shall mean any weapon from which is propelled any missile, projectile or bullet by means of explosives or gas and shall include air and "BB" guns.

(c) "Long gun" shall mean a rifle, shotgun or similar gun not designed to be fired from the hand.

(d) "Hand gun" shall mean any firearm designed to be fired from the hand.

(e) "Military type weapon" shall mean any destructive device and the ammunition designed only for such device having fire-power, mass, explosive or incendiary characteristic of weapons such as cannons having a bore diameter of larger than one-half inch, bazookas, machine guns, fully automatic weapons, mortars, grenades, Molotov cocktails, but not including shotguns, rifles, pistols or revolvers included in definitions (c) and (d) above. Destructive devices which are not firearms and ammunition for any military type weapon which is inert and not readily restorable, both mechanically and by intent, shall be exempted from the provisions of this ordinance. * * * * *

(g) "Ammunition" shall mean any complete round prepared for insertion in and propulsion from any firearm.

(j) "Dealer" shall mean a person licensed to sell, manufacture or repair firearms.

877.020. Persons prohibited. It shall be unlawful for any person within the corporate limits of the City of Minneapolis to own, possess, carry, or have in his custody or control any of the following:

1. Military type * * * weapons, unless the person in possession of such weapon has in his possession the permit provided in Section 877.080.

2. Any firearm or ammunition which the transferee knows or has reasonable cause to believe has been stolen or transferred in violation of this ordinance.

The provisions of this section shall not apply to law enforcement or military personnel while engaged in the course of their duties.

877.050. Sales, gift or delivery of weapons and ammunition. It shall be unlawful for any person within the City of Minneapolis to sell, give, or deliver to any person:

1. Any weapon prohibited under Section 877.040, unless the weapon to be received is a military type weapon * * * and the person to receive the weapon has secured the permit provided in Section 877.080.

2. Any firearm or ammunition for such firearm if such person is:

(a) Under the age of 18 years if the firearm is a long gun or under the age of 21 years if the firearm is a hand gun, except for legitimate firearm activities set forth in Section 877.030(4) or unless the recipient shall qualify under Section 877.020(1).

(b) Under the influence of alcohol, hallucinatory chemicals, narcotics or other drugs.

(c) Prohibited from ownership, possession, custody, or control of firearms under Section 877.020, and seller or giver knew or had reasonable cause to believe such person was prohibited.

877.070. Report of sale, gift, or delivery of handguns. Every person within the corporate limits of the City of Minneapolis who agrees to sell, deliver or give to any person a handgun as defined in this ordinance shall within five (5) days after such agreement to sell, deliver or give, make and file with the City Clerk a legible written report. * * * * * 

The City Clerk shall provide the reporting forms on which such reports shall be made,
and shall make such forms freely available to licensed gun dealers. Persons not licensed dealers may secure such reporting forms from the City Clerk or any licensed gun dealer.

No person who intends to sell, deliver or give to any person a handgun as defined in this ordinance shall deliver actual possession to the person to receive the handgun until three (3) days excluding Saturday, Sunday, and holidays, after making and filing with the City Clerk the required Report of Sale.

877.080. Permit for military type and assault weapons. The owner or purchaser of a military type ** * weapon may be issued a permit by the City Clerk for possession either as a collector's item or as a military type weapon used in officially recognized competition, or assault weapon, provided such person is not prohibited from owning or possessing firearms under this ordinance.

Minnetonka

Section 515:00. Prohibited Use of Dangerous Weapons. No person shall in any public or private place engage in any of the following acts or conduct without first securing a permit to do so from the Chief of Police:

* * * *

(d) Sell or otherwise furnish any firearms ** * any ammunition of any kind for use therein, to any juvenile under the age of 18 years unless they are the parent or guardian of such juvenile.

Minnetrista

1. Definitions. (a) "Firearms" shall mean any device from which is propelled any projectile or bullet by means of explosions or gas.
(b) "Military type weapon" shall mean any firearm or other weapon such as bazookas, machine guns, mortars or grenades.

2. Possession. No person shall own, keep, carry or have possession of any military type weapon within the Village of Minnetrista except persons on active duty as a member of a United States military unit.

Montevideo

5-1-32: Firearms; minors; No minor under the age of fourteen (14) years shall handle, or have in his possession or under his control, except while accompanied by or under the immediate charge of his parent or guardian any firearm of any kind for hunting or target practice or any other purpose. No parent or guardian shall knowingly permit any minor to violate this Section.

5-1-71: Weapons; sale to minors: No person shall sell, give, loan, or in any wise furnish any firearm or ammunition to a minor under the age of eighteen (18) years without the written consent of his parents or guardian, or of a police officer or magistrate of the City.

Morris

341. Dangerous Weapons and Articles. Subd. 1. Acts Prohibited. It is unlawful for any person to:

* * * *

F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm; or,

G. Furnish a minor under eighteen years of age with a firearm, ** * ammunition, or explosive without the written consent of his parents or guardian or of the Police Department.

Subd. 2. Exception. Nothing in Subdivision 1 of this Section shall prohibit the possession of the articles therein mentioned if the purpose of such possession is for public exhibition by museums or collectors of art.

* * * *

Mound

51.30 Minors—Firearms No person, or persons, shall hereafter within the Village of Mound, sell, give, loan or in anywise furnish any firearm ** * (or) ammunition ** * to a minor under the age of 18 years without the written consent of his parents or guardian or of a police or magistrate of the Village ** *. 

North St. Paul

101.010. Permit. No person shall purchase, receive or accept a revolver or pistol within the Village of North St. Paul without first having obtained a written permit from the Chief of Police of said Village, authorizing him to purchase, receive or accept such revolver or pistol.

101.020. Sale without permit prohibited. No person, firm or corporation shall sell, deliver, display for sale, offer for sale, or otherwise transfer a pistol or revolver within the Village of North St. Paul to any person who is not the holder of a written permit from the Police Chief of North St. Paul, authorizing him to purchase, receive or accept such revolver or pistol ** *.

101.040. Transfer of permit. Before the delivery of a pistol or revolver purchased, or to be transferred, the purchaser or the person to whom such revolver is to be delivered shall surrender his permit to the seller or transferor and shall sign in duplicate and deliver to said seller a statement (contact local authorities for required contents) ** *. The seller or transferor shall immediately deliver to the Chief of Police one copy of such statement.

* * *. The weapon shall not be released by the seller for delivery to the purchaser or transferee until the Police Chief has approved such sale.

101.050. Terms. The words "pistol or revolver" as used in this ordinance shall be construed as meaning any fire arm with a barrel less than twelve (12) inches in length.

101.060. Wholesale to dealers does not apply. Nothing contained herein shall apply to the sales at wholesale to dealers.

Orono

Ordinance 106

Section 1. Chapter 80 of the Municipal Code of Orono is hereby amended as follows:
80.010 Definitions. *** *

(b) "Military type weapon" shall mean any firearm or other weapon such as bazookas, machine guns, mortars or grenades.

80.020 Possession. No person shall own, keep, carry or have possession of any military type weapon within the Village of Orono except persons on active duty as a member of a United States military unit.

Pine Springs

Ordinance 9

Section 3. Possession by Minor. It shall be unlawful for a minor under the age of 18 to have in his possession any uncased firearm beyond the presence of a parent or guardian within the Village of Pine Springs. The police officers of the Village may confiscate any such weapon found on any minor but shall return the weapon to the parent or guardian of said minor upon request.

Section 4. Acts Prohibited. a. It shall be unlawful for any person to do any of the following acts: ** *.

6. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm.

7. To furnish a child under 16 years of age, without the consent of the parent or guardian of said child or if parent or guardian of said child permit such child to handle or use outside of the parent's or guardian's presence a rifle, gun, or dangerous weapon of any kind or any ammunition or explosive.

Section 6. Possession. a. No person shall possess the following:

1. Fully automatic firearms.
2. Shot guns with a barrel less than 18 inches.
3. Rifles with a barrel less than 16 inches.
4. Weapons made from a rifle or shot gun with an overall length of less than 26 inches.
wise furnish any firearm or ammunition to a minor under 18 years without the written consent of his parents or guardian of a police officer or magistrate.

Richfield

5.29. Firearms. Subdivision 1. Definitions. The following terms have the meanings ascribed to them in this section:
(1) "Crime of violence" means murder, manslaughter, rape, mayhem, kidnapping, burglary, housebreaking; assault with intent to kill, commit rape or robbery; assault with a dangerous weapon or assault with intent to commit any offense punishable by imprisonment for more than one year.
(2) "Firearm" means any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of expanding gases.
(3) "Fugitive from justice" means any person who has fled or is fleeing from any law enforcement officer to avoid prosecution or incarceration for a crime of violence or to avoid giving testimony in any criminal proceeding.
(4) "Manufacturer or dealer" means any person engaged in the business of manufacturing, repairing or selling firearms at wholesale or retail, or of accepting or pledging firearms as security for loans within the city.
(5) "Pistol" means any firearm with a barrel less than 12 inches in length.
(6) "Subversive organization" means any group, committee, club, league, society, association or combination of individuals the purpose of which, or one of the purposes of which, is the establishment, control, conduct, seizure or overthrow of the government of the United States or any state or political subdivision thereof by the use of force, violence, military measures or threats of one or more of the foregoing.
Subd. 2. License Required. It is unlawful for any manufacturer or dealer to sell at wholesale or retail, to lease or to pledge or accept as security for a loan, any firearm without first having procured a license.
Subd. 9. Unlawful Disposition of Firearms. It is unlawful for any dealer to sell, lease, lend or otherwise transfer a firearm to any person who he knows or has reasonable cause to believe has been convicted of a crime of violence, is a fugitive from justice, is of unsound mind, is a drug addict or a habitual drunkard, or who is a member of a subversive organization.

Plymouth

1.14. Dangerous Articles. ***** (b) It shall be unlawful to sell, give, loan, or in anywise furnish any firearm or ammunition to a minor under the age of 18 years without the written consent of his parents or guardian of a police officer or magistrate.

Rochester

1. Dangerous weapons. No person shall: 
* * * (5) possess any other dangerous article or substance for the purpose of being used unlawfully as a weapon against some other person; or (6) sell or have in his possession any device designed to silence or muff the discharge of any firearm; or (7) without the parent’s or guardian’s consent, furnishes a child under 14-years of age, or as a parent or guardian permits such child to handle or use, outside of the parent’s or guardian’s presence, a firearm * * * or any ammunition or explosive; or (8) furnish to any minor under 18 years of age any firearm, ** * ammunition or explosive without the written consent of the parent or guardian, or of the police department.

Rockford

Ordinance 11.0

Dangerous Weapons. Subdivision 1. Acts prohibited. Whoever does any of the following may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than $100.00. * * * (6). Sells or has in his possession any device designed to silence or muff the discharge of a firearm; or ** * * * * (8). In the municipality of Rockford, furnishes a minor under 18 years of age with a firearm, ** * ammunition, or explosive without the written consent of his parent or guardian or of the police department or magistrate of said municipality.

Roseville

160.090. Sale to Minors under 18. No person shall give, sell or otherwise furnish any firearms, ** * or any ammunition of any kind for use therein, to any minor under the age of 18 years without the written consent of the parent or guardian of said minor. **

161.010. Registration Required. No person shall purchase, sell, trade, own or have in his possession any revolver or hand gun without registering the same with the Chief of Police.

St. Louis Park

4.700. Minors not to have firearms ** *. No minor under the age of eighteen years shall have, own or have in his possession, or under his control, except while accompanied by, or under the immediate charge of, his parent or guardian, any firearm of any kind whether for hunting or target practice or any other purpose. **. No person shall knowingly permit any such minor to violate this section.

4.701. Firearms for minors. No person shall sell, give, away, or in any wise furnish any firearms or ammunition ** to a minor under the age of eighteen years without the written consent of his parents or guardian or of a police officer or magistrate.

St. Paul

425.01—Definitions. A. General Terms. Terms used in this ordinance, unless expressly defined, shall have the meanings prescribed by the Statutes of the State of Minnesota for the same terms.
B. Specific Terms. The following terms shall have the following meanings.
(1) Firearm. Shall mean any weapon from which is propelled any projectile, bullet, or other mass through a barrel by means of explosives or gas or air, excluding devices used exclusively for the firing of stud cartridges, explosive rivets, or similar industrial apparatus and instruments or equipment when used by licensed physicians or veterinarians in the course and scope of their professions.
(2) Handgun. Shall mean any firearm having a barrel of less than twelve inches in length and capable of being concealed on the person.
(3) Military Type Weapon. Shall mean any destructive device and the ammunition designed only for such device having firepower, mass, explosive or incendiary characteristics of weapons such as cannons having a bore diameter larger than one-half inch, bazookas, machine guns, fully automatic weapons, mortars, grenades, Molotov cocktails, but not including shotguns, rifles, pistols or revolvers.
(5) Ammunition. Shall mean any projectile, bullet, or other mass prepared for insertion in and propulsion from any firearm.
NOTICES

St. Paul Park

22.07 Regulation and Licensing of Firearms. d. No minor under the age of fourteen years shall handle or have in his possession or under his control except as accompanied by or under the immediate charge of his parent or guardian, any firearm or air gun of any kind and use for hunting, target practice or any other purpose.

St. Peter

V. Silencers prohibited. No person shall use, own or possess any type of silencer for a firearm or possess any firearm equipped so that a silencer may be attached to such firearm.

VII. Possession of firearms by minors. No minor under the age of fourteen years shall handle or have in his or her possession or under his or her control except while accompanied by or under the immediate charge of a parent or legal guardian, any firearm of any kind for hunting or target practice or any other purpose.

Shakopee

V. Silencers prohibited. No person shall use, own or possess any type of silencer for a firearm or possess any firearm equipped so that a silencer may be attached to such firearm.

Shorewood

Section 12. Every person who shall sell, give, loan or in any wise furnish any firearm or ammunition to a minor under the age of 18 years without the written consent of his parent or guardian or of a police officer or magistrate shall be guilty of a misdemeanor.

South St. Paul

808.01. Firearms purchase restricted. No person shall purchase, receive or accept a revolver, pistol, and other firearm having a barrel of 10 inches or less in length, without first obtaining a written permit from the Chief of Police authorizing him to purchase, receive or accept such a firearm.

808.02 Firearms sale restricted. No person shall sell, deliver, or otherwise transfer a pistol, revolver, or other firearm having a barrel of 10 inches or less in length, within the City to any person who is not the holder of a written permit from the Chief of Police authorizing him to purchase, receive or accept such firearm.

808.03. Firearm permit required. Applications for permits to purchase, receive and accept any revolver, pistol, or other firearm...
NOTICES

**G. Furnish a minor under eighteen years of age with a firearm, ammunition, or explosive without the written consent of his parent or guardian or of the Police Department.**

**Subd. 2. Exception. Nothing in Subdivision 1 of this Section shall prohibit the possession of the articles therein mentioned if the purpose of such possession is for public exhibition by museums or collectors of art.**

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**West St. Paul**

52.02 Deadly Weapons. (f) Purchase of Revolvers. No person shall purchase, receive, or accept a revolver or pistol within the city without first providing the seller or transferor with his full and true name, address and date of birth in writing on a form approved by the Chief of Police.

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**White Bear Lake**

1303.050. Dangerous weapons. No minor under the age of 18 years shall handle or have in his possession or under his control, except when accompanied by or under the immediate charge of his parent or guardian, any firearm of any kind whatsoever, or ammunition of any kind whatsoever, or ammunition of any kind for use therein. ***

No person shall give, sell, or otherwise furnish any firearms, ammunition, or any ammunition of any kind for use therein, to any minor under age of 18 years, without the written consent of the parent or guardian of the minor. Said permission shall be preserved by the person furnishing such arms or ammunition, and shall be open to inspection at all reasonable times by all members of the police department, the Sheriff or his deputies, or the judge of any court of record in the State.

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**Mississippi**

State Law

§45-9-19. Purchase of rifles and shotguns in contiguous states. It is declared that it is in the public interest to authorize residents of this state to purchase or otherwise obtain rifles and shotguns in states contiguous to this state in compliance with such other laws of this state or its political subdivisions as may be applicable and in compliance with Section 102 of the Gun Control Act of 1968, Public Law 90-618, 18 USC 921 et seq.

As used in this section, the term “a state contiguous to this state” shall mean any state with a border touching a border of this state. As used in this section, all other terms shall be given the meaning prescribed in 18 USC 921 (the Gun Control Act of 1968, Public Law 90-618) and the regulations duly promulgated thereunder as presently enacted or promulgated and as hereinafter modified.

It shall be lawful for a person residing in this state (including a corporation or other business entity maintaining a place of business in this state) to purchase or otherwise obtain a rifle or shotgun in a state contiguous to this state and to receive or transport such rifle or shotgun into this state.

This section shall not apply or be construed to affect in any way the purchase, receipt or transportation of rifles and shotguns by federally licensed firearms manufacturers, importers, dealers or collectors.

§97-37-1. Deadly weapons—carrying deadly weapon and use of imitation firearm prohibited—penalties. Any person who carries, conceals in whole or in part, any pistol, revolver, or any rifle with a barrel of less than sixteen (16) inches in length, or any shotgun with a barrel of less than eighteen (18) inches in length, machine gun or any fully automatic firearm or deadly weapon, or any muffler or silencer for any firearm, whether or not it is accompanied by a firearm, or uses or attempts to use against another person any imitation firearm, shall upon conviction be punished as prescribed by law.

§97-37-5. Deadly weapons—possession by convicted felon as evidence of crime. The possession of any deadly weapon as described in section 97-37-1 by any person who has been convicted of a felony under the laws of this state, any other state, or of the United States, shall be prima facie evidence of a violation of that section.

§97-37-13. Deadly weapons—weapons and cartridges not to be given to minor or intoxicated person. It shall not be lawful for any person to sell, give or lend to any minor or
person intoxicated, knowing him to be a minor or in a state of intoxication, any deadly weapon, or other weapon the carrying of which concealed is prohibited, or pistol cartridge; and on conviction thereof, he shall be punished by a fine not less than twenty-five dollars nor more than two hundred dollars, or imprisoned in the county jail not exceeding three months, or both.

597-37-15. Deadly weapons—father not to suffer minor son to have or carry. Any father who shall knowingly suffer or permit any son under the age of sixteen years to have or to own, or to carry concealed, in whole or in part, any weapon the carrying of which concealed is prohibited, shall be guilty of a misdemeanor. * * *

597-37-17. Deadly weapons—possession by students. A student of any college, university, or school, who shall carry, bring, receive, own, or have on the campus, college or school grounds, or within two miles thereof, any weapon the carrying of which concealed is prohibited, or a teacher, instructor, or professor who shall knowingly suffer or permit any such weapon to be carried or so brought, received, owned, or had by a student or pupil, shall be guilty of a misdemeanor, * * *

97-37-31. Silencers on firearms—manufacture, sale, possession or use unlawful. It shall be unlawful for any person, persons, corporation, or manufacturing establishment, within this state, to make or manufacture for sale in the State of Mississippi, any instrument or device which, if used on firearms of any kind, will arrest or muffle or tend to lessen the report of said firearm when shot or fired. It shall be unlawful to sell, offer for sale or to give away, in this state any such instrument or device, and it shall be unlawful for any person to own, use or have in his possession, any such instrument or device. * * *

Vicksburg

14-93. Dispensing to minor or intoxicated person. It shall be unlawful for any person to sell, give, or lend to any minor, or person intoxicated, knowing him to be a minor or in a state of intoxication, any deadly weapon, or other weapon the carrying of which concealed is prohibited, or pistol cartridge.

Missouri

State Law

Ann. Mo. Stat. (Vernon's)

Purchase of Shotguns and Rifles

407.500. Missouri residents may purchase rifles and shotguns in contiguous states, when Residents of the state of Missouri may purchase rifles and shotguns in a state contiguous to the state of Missouri, provided that such residents conform to the applicable provisions of the Federal Gun Control Act of 1968, and regulations thereunder, as administered by the United States Secretary of the Treasury, and provided further that such residents conform to the provisions of law applicable to such purchase in the state of Missouri and in the contiguous state in which the purchase is made.

564.590. Machine gun—defined. The term "machine gun" as used in section 564.590 shall be construed to apply to and include all firearms known as machine rifles, machine guns or sub-machine guns capable of discharging automatically and continuously loaded ammunition of any caliber in which the ammunition is fed to such gun from or by means of clips, disks, drums, belts or other separable mechanical device.

564.610. * * *—sale of weapons to minors. If any person shall ** have any such weapon [any kind of firearms] in his possession when intoxicated, or, directly or indirectly, sell or deliver, loan or barter to any minor any such weapon, without the consent of the parent or guardian of such minor, he shall, upon conviction, be punished by imprisonment in the penitentiary not exceeding two years, or by fine of not less than one hundred nor more than one thousand dollars, or by imprisonment in the county jail not less than fifty days nor more than one year, or by both such fine and imprisonment; * * *

564.620. Pistol, revolver or firearms to be plainly marked. No wholesaler or dealer therein shall have in his possession for the purpose of sale, or shall sell, any pistol, revolver, or other firearm of a size which may be concealed upon the person, which does not have plainly and permanently stamped upon the metallic portion thereof, the trademark or name of the maker, the model and the serial factory number thereof, which number shall not be the same as that of any other weapon of the same model made by the same maker, and the maker, and no wholesale or retail dealer therein shall have in his possession for the purpose of sale, or shall sell, any such weapon unless he keep a full and complete record of the description of the weapon, the name and address of the person from whom purchased and to whom sold, the date of the purchase or sale, and in the case of retailers the date of the permit and the name of the sheriff granting the same, which record shall be open to inspection at all times by any police officer or other peace officer of this state.

564.630. Concealed weapon permits, how obtained—antique firearms exempted. 1. No person, other than a manufacturer or wholesaler thereof to or from a wholesale or retail dealer therein, for the purposes of commerce, shall directly or indirectly buy, sell, borrow, loan, give away, trade, barter, deliver or receive, in this state, any pistol, revolver or other firearm of a size which may be concealed upon the person, unless the buyer, borrower or person receiving the weapon shall first obtain and deliver to, and the same be demanded and received by, the seller, loaner, or person delivering the weapon, within thirty days after the issuance thereof, a permit authorizing the person to acquire the weapon.

2. The permit shall be issued by the sheriff of the county in which the applicant for a permit resides in this state, if the sheriff be satisfied that the person applying for the same is of good moral character and of lawful age, and that the granting of the same will not endanger the public safety. The permit shall cite the date of the issuance thereof and that the same is invalid after thirty days after the date, the name and address of the person to whom granted and of the person from whom the weapon is to be acquired, the nature of the transaction, and a full description of the weapon, and shall be countersigned by the person to whom granted in the presence of the sheriff. The sheriff shall receive therefor a fee of fifty cents which shall be remitted to the county treasurer for deposit in the general revenue fund of the county.

3. If the permit be used, the person receiving the same shall return it to the sheriff within thirty days after its expiration, with a notation thereon showing the date and manner of the disposition of the weapon. The sheriff shall keep a record of all applications
for the permits and his action thereon, and shall preserve all returned permits.

4. No person shall in any manner transfer, alter or change the permit or make a false notation thereon or obtain the same upon any false representation to the sheriff granting the same, or use or attempt to use a permit granted to another.

5. No permit shall be required for an antique firearm or replica thereof. The term "antique firearm" means any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured before 1898 (including any matchlock, flintlock, percussion cap, or similar type of ignition system or replica thereof, whether actually manufactured before or after the year 1898) and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

564.640. Weapons must be stamped. No person within this state shall lease, buy or in any wise procure the possession from any person, firm or corporation within or without the state, of any pistol, revolver or other firearm of a size which may be concealed upon the person, that is not stamped as required by section 564.620; and no person shall buy or otherwise acquire the possession of any such article unless he shall have first procured a written permit so to do from the sheriff of the county in which such person resides, in the manner as provided in section 564.630.

Bridgeton

Sec. 16-60. [Weapons] Sale of firearms or cartridges to minor. No person shall sell to any minor any firearm without the consent of the parent or guardian of such minor; or, without such consent, sell to any minor under the age of sixteen (16) years any cartridge or shell of fixed ammunition which part is detonated by any type of primer.

Cape Girardeau

18-100. Sale of weapons to minors; restrictions. No person shall sell to any child under the age of sixteen years without the written consent of the parents or guardian of such child any cartridge or fixed ammunition of which fulminate is a component part, or any gun, rifle, pistol, revolver, ***.

Caruthersville

51.10 Sale of Ammunition to Minors. No person shall give, lend, barter, or sell to any minor under the age of 18 years, without the written consent of the guardian or parent of such minor, any cartridge of fixed ammunition, either blank or loaded with shot or ball, of which fulminate is a component part, or any gun, rifle, pistol or revolver ***.

Charleston

12-59. Selling ammunition to minors. Any person within the limits of this city, who shall give, lend, barter, or sell to any minor under the age of eighteen (18) years, without the written consent of the guardian or parent of such minor any cartridge of fixed ammunition, either blank or loaded with shot or ball, of which fulminate is a component part, or any gun, rifle or revolver, *** shall be deemed guilty of a misdemeanor.

Columbia

7.1500. Weapons—Carrying concealed; delivering to minors. If any person shall, within the city, carry concealed upon or about his person any deadly or dangerous weapon, or *** shall directly or indirectly sell or deliver, loan or barter to any minor any such weapon, without the consent of the parent or guardian of such minor, he shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment in the city prison not less than five days nor more than six months, or by both such fine and imprisonment.
the parents or guardian of such child, any cartridge of fixed ammunition, or blank cartridge, or any gun, rifle, pistol, revolver, *** shall be deemed guilty of a misdemeanor.

** ** ** ** **

Grantwood Village

Section 304.01: Sale, Discharge and Use of Prohibited. It shall be unlawful for any person, firm or corporation to, within the Village, sell, offer for sale, expose for sale, use, discharge or explode any shells or cartridges, blank or otherwise, pistols, toy or otherwise, cannon, toy or otherwise, ***.

Holden

562-6—Sale of Firearms to Minors. If any person shall directly or indirectly sell, deliver, loan or barter to any minor, any kind of firearms, *** or other deadly weapon, without the consent of the parent or guardian of such minor, he shall upon conviction be punished by a fine of not less than ten nor more than two hundred dollars, or by imprisonment in the city jail not less than five days nor more than six months or by both such fine and imprisonment.

Iberia

17-56. Sale of firearms, etc., to minors. If any person shall directly or indirectly, sell or deliver, loan or barter to any minor any kind of firearms *** or other deadly weapon, without the consent of the parent or guardian of such minor, within the city, he shall be deemed guilty of a misdemeanor.

Independence

12.150. Weapons. E. Sales to intoxicated persons and minors. No pawnbroker, second-hand dealer, or other person engaged in business shall purchase from, or sell, loan, or furnish any weapon in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of 18 years.

Jefferson City

3. Explosives, firearms and weapons. 3.1 No person shall, in this City, *** having upon or about his person any kind of firearms, *** directly or indirectly sell, deliver, loan or barter to any minor any such weapon, without the consent of the parent or guardian of such minor; ***.

1268. Sale of pistols, *** and cartridges to children, prohibited. Any person, within this city, who shall sell to any child under the age of sixteen years, without the written consent of the parents or guardian of such child, any cartridge or fixed ammunition of which any fulminate is a component part, or any gun, rifle, pistol, revolver, *** shall be deemed guilty of a misdemeanor.

Joplin

38.132. Weapons—Sale, etc., to minor of firearm, *** etc. It shall be unlawful within the city for any person to sell, loan or furnish, to any minor any gun, pistol or other firearm or any toy gun, toy pistol or other toy firearm in which any explosive substance can be used, ***.

Kansas City

26.181. Sale of firearms to minors. No person shall, directly or indirectly, sell or deliver, loan or barter to any person under eighteen (18) years of age, without the consent of the parent or guardian of such minor, any kind of firearm, gun, revolver, pistol, starter pistol or starter pistol with automatic ejector or firearm of any description, *** casing or any ammunition, cartridge, shell or other device, whether containing any explosive substance or not, designed and intended for use in any weapons or devices enumerated or described herein.

26.186. Machine guns. (a) Possession prohibited. Every person who, within the city, possesses any firearm of the kind commonly known as a machine gun, as hereinafter defined, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment at the municipal farm not to exceed one year, or by a fine not to exceed five hundred dollars ($500.00) or by both such fine and imprisonment. (b) Applicability to police. Nothing in this section shall prohibit the police department, and the members thereof, sheriffs or the members of the military or naval forces or this state or of the United States from possessing such firearms for official use in the discharge of their duties. ***

(d) Definition. The term "machine gun", as used in this section, shall be construed to apply to and include all firearms known as machine rifles, machine guns or submachine guns capable of discharging, automatically and continuously, loaded ammunition of any caliber, in which ammunition is fed to such gun from or by means of clips, clips, drums, belts or other separable mechanical device.

26.188. Explosive or flammable devices. It shall be unlawful for any person to make, use, or possess on his person, or under his control, any explosive device, including a molotov cocktail, containing flammable, combustible or explosive material or substance which can be used as a fire bomb either by igniting the fuse or breaking the device; provided however, any person who can show that he is engaged in any lawful activity, business, calling, employment, or occupation requiring him to have such a device or such material or substance in his possession or under his control, is hereby exempt from the operation of this section.

Kearney

Ordinance 30

Section 1. Any person who shall, within the corporate limits of the City of Kearney *** directly or indirectly sell or deliver, loan or barter to any minor, any such weapon, [any kind of firearms] without the consent of the parent or guardian of such minor, shall, upon conviction, be fined ***

Kirksville

46. Carrying deadly weapons, etc. If any person within the city of Kirksville *** having upon or about his person any kind of fire arms, *** shall, directly or indirectly, sell or deliver, loan or barter to any minor any such weapon, without the consent of the parent or guardian of such minor, he shall, upon conviction, be punished by a fine not to exceed one hundred dollars or by imprisonment not to exceed three months.

Lathrop

Ordinance 32

Section 1. Any person who shall within the corporate limits of the city of Lathrop, *** directly or indirectly, sell or deliver, loan or barter to any minor any such weapon (firearms), without the consent of the parent or guardian of such minor, he shall, upon conviction, be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment in the city prison not less than five nor more than thirty days, or by both such fine and imprisonment.

Leasburg

Section 1. No fireworks, firearms and ammunition of any kind shall be sold, *** within the boundaries of the Village of Leasburg, Missouri.

Section III. Ammunition may be sold for hunting purpose only.
Maplewood

305.19 Weapons, Etc.  * * * B. No person shall sell to a minor under the age of sixteen (16) years, without the consent of that child’s guardian or parents, any ammunition, firearms, or any deadly weapon.  * * *

Marceline

9. No person  * * * having upon or about his person, any kind of firearms  * * * directly or indirectly loan or barter to any minor any such weapon without the consent of the parent or guardian of such minor.

Marshall

20-29. Weapons—Carriage, display. It shall be unlawful for any person  * * * having upon or about his person,  * * * any kind of firearms,  * * * directly or indirectly, sell or deliver, loan or barter to any minor any such weapon, without the consent of the parent or guardian of such minor;  * * *

Mexico

44.4. Weapons transactions with incompetent persons, etc., prohibited. No person in this city shall purchase or borrow from or sell, loan or furnish to any person who is (a) under the influence of alcohol or any narcotic drug, stimulant or depressant; or (b) in a condition of agitation or excitability; or (c) legally incompetent or a minor under the age of eighteen years any weapon in which any explosive substance can be used.

Monett

Ordinance 773

Section 86. Firearms; Minors. It shall be unlawful for any person to sell, loan or furnish to any minor any gun, pistol, or other firearm, or any toy gun, toy pistol or other toy firearm, in which any explosive substance can be used, within the city. Any person violating this section shall be deemed guilty of a misdemeanor.

Monroe City

4.3. Sale of Pistols,  * * *, and Cartridges to children prohibited. Any person within this city who shall sell to any child under the age of sixteen years, without the written consent of the parent or guardian of such child, any cartridge of fixed ammunition of which any fulminate is a component part, or any gun, rifle, pistol, revolver,  * * * shall be deemed guilty of a misdemeanor.

NOTICES

Sec. 23-28. No person in the city shall sell, give, furnish or procure or deliver any revolver, pistol, shotgun, rifle or other firearm capable of propelling a metal object or projectile by means of an explosive substance to any minor under the age of eighteen years without the written consent of the parent, guardian or other person having control of the minor.

Sec. 23-80. No person in the city shall sell, loan or furnish a weapon described in section 23-78 [pistol, revolver] or other weapon in which an explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation or excitability.

Poplar Bluff

22-70. Sale of firearms, etc., to minors. If any person shall directly or indirectly, sell or deliver, loan or barter to any minor any kind of firearm  * * * without the consent of the parent or guardian of such minor, within the city, he shall be deemed guilty of a misdemeanor.

Richmond

13-66. Dangerous and concealed weapons; prohibitions concerning. If any person shall carry, conveyed upon or about his person, any deadly or dangerous weapon,  * * * any kind of firearm,  * * *, or shall directly or indirectly loan or barter to any minor any such weapon without the consent of the parent or guardian of such minor, shall be guilty of a misdemeanor.

Rolla

33-3. Same—Sale to minors prohibited; exception. No person shall directly or indirectly sell, deliver, loan or barter to any minor any weapon of the type described in section 33-2 [any pistol, revolver] without the written consent, or in the presence of, the parent or guardian of such minor.

St. Joseph

Sec. 16-161. Machine guns.  
(a) Possession. It shall be unlawful for any person within the city, to possess any firearm of the kind commonly known as a machine gun, as hereinafter defined.  
(b) Scope of section. Nothing in this section shall prohibit the police department, and the members thereof, sheriffs or the members of the military or naval forces of this state or of the United States from possessing such firearms for official use in the discharge of their duties.  * * *  * * *

(d) Definition. The term “machine gun” as used in this section shall be construed to apply to and include all firearms known as machine rifles, machine guns or submachine guns capable of discharging, automatically and continuously loaded ammunition of any caliber, in which the ammunition is fed to such gun from or by means of clips, disks, drums, belts or other separable mechanical device.

St. Louis

754.030. Sale of certain weapons to minors prohibited. No person shall sell or deliver, loan or barter, either directly or indirectly, to any minor under the age of 21 years, any kind of firearms,  * * * or tear gas gun, vapor gas gun, or any other similar weapon, without the consent of the parent or guardian of such minor.

756.010. Definition. As used in this Chapter, the term “minor” shall mean anyone under the age of 21 years.

St. Louis County

712.020 Definitions. The term “Firearm” as is used in this Chapter means any rifle, shotgun, weapon or similar mechanism by whatever name known, which is designed to expel a projectile or projectiles through a gun-barrel, tube, pipe, cylinder or similar device by the action of any explosive. The term “Firearm” shall not apply to devices used exclusively for commercial, industrial or vocational purposes.

712.030 Scope. The provisions of this code shall apply to that area of St. Louis County outside the incorporated cities, towns, and villages.

712.040 Specific Actions, Prohibited. 1. It shall be unlawful for any person to sell, give, lend or otherwise transfer any firearm to any person sixteen (16) years of age or younger, except where the relationship of parent and child, guardian and ward, or adult instructor and pupil exists between such person, and the person sixteen (16) years of age or younger,
Shrewsbury

5. No person shall sell to any minor any firearms of any kind without the consent of the parent or guardian of such minor, or, without such consent, sell to any minor under the age of sixteen years any cartridge or shell of fixed ammunition of which fulminate is a component part.

Sikeston

9-206. Dangerous or deadly weapons. (a) No person shall, directly or indirectly, sell, loan, barter, deliver or give to any minor any dangerous or deadly weapon without the written consent of such minor's parent or guardian.

Slater

Section 1. If any person *** shall have any such weapon [any kind of firearms] in his possession when intoxicated, or shall, directly or indirectly, sell or deliver, loan or barter to any minor any such weapon, without the consent of the parent or guardian of such minor, he shall be deemed guilty of a misdemeanor ***.

Springfield

26-10. *** Sale of weapons to minors. No person shall *** sell or deliver, loan or barter to any minor any *** weapon without the consent of the parent or guardian of such minor.

Stanberry

Chapter 14, Article 4, Section 16—Sale of Firearms, etc., to Children Prohibited: Any person within the City who shall sell to any child under the age of sixteen (16) years, without the written consent of the parents or guardian of such child, any cartridge of fixed ammunition, or blank cartridge, or any gun, rifle, pistol, revolver, *** shall be deemed guilty of a misdemeanor.

Sweet Springs

31.116. Sale of weapons to minors. Any person who shall within the City, directly or indirectly sell or deliver, loan or barter to any minor any kind of firearms *** or other dangerous weapon, without the consent of the parent or guardian of such minor, shall upon conviction thereof be deemed guilty of a misdemeanor.

NOTICES

University City

23-37.1. Weapons—Handguns Prohibited. It shall be unlawful for any person to manufacture, assemble, distribute, or sell any handgun within the City. 'Handgun' means any pistol, revolver or other firearm having a barrel of less than 10' in length, measured by the insertion therein of a rod with the receiver or slide closed. Nothing herein shall apply to officers of the law who are authorized to carry arms.

Valley Park

302.090: Weapons. a. It is unlawful to: (5) Directly or indirectly, sell or deliver, loan or barter to any minor any such weapon without the consent of the parent or guardian of such minor; ***.

Warrensburg

16-85. Sale of firearms, etc., to minors. If any person shall directly or indirectly, sell or deliver, loan or barter to any minor any kind of firearms, *** without the consent of the parent or guardian of such minor, within the city, he shall be deemed guilty of a misdemeanor.

Waynesville

217-1. No person shall *** have any such weapon (any kind of firearms, including firearms designed for firing blank cartridges) in his possession when intoxicated, nor shall directly or indirectly sell or deliver, loan or barter, to any minor such weapon, without the consent of the parent or guardian of such minor.

Webb City

Sec. 17-61. *** Firearms and ammunition not to be provided to minors. It shall be unlawful for any person within the city to sell, give away or otherwise dispose of, to any minor, firearms or ammunition of any type, including but not limited to blank cartridges, *** excepting toy pistols which shoot paper caps only, or to allow such to be done by any person in his employ or under his control.

Wellston

Ordinance 191

Section 1. If any person shall *** [directly or indirectly, sell or deliver, loan or barter to any minor] any kind of firearms, *** without the consent of the parent or guardian of such minor, he shall, upon conviction, be punished by a fine of not less than One Hundred ($100.00) nor more than Five Hundred Dollars ($500.00), or by imprisonment in the county jail not less than one year, or by both such fine and imprisonment; provided, that nothing contained in this section shall apply to legally qualified sheriffs, police officers and other persons whose bona fide duty is to execute process, civil or criminal, make arrest, or aid in conserving the public peace, nor to persons traveling in a continuous journey peaceably through this state.

Wentzville

7-504. Offenses against public safety. No person in the city shall: (2) Weapons. (e) Sales to Intoxicated Persons and Minors. Purchase from, or sell, loan, or furnish, any weapon in which any explosive substance can be used to, any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of 21 years.

Wright City

230.420 Weapons *** F. Sales to Intoxicated Persons and Minors. No one shall purchase from, or sell, loan or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of twenty-one (21) years.

Montana

State Law

Rev. Codes of Mont.

94-8-201. (11317.1) Machine guns—definitions. "Machine gun" applies to and includes a weapon of any description by whatever name known, loaded or unloaded, from which more than six shots or bullets may be rapidly, or automatically, or semiautomatically discharged from a magazine, by a single function of the firing device.
"Crime of violence" applies to and includes any of the following crimes or an attempt to commit any of the same, namely, murder, manslaughter, kidnapping, rape, mayhem, assault to do great bodily harm, robbery, burglary, housebreaking, breaking and entering, and larceny.

"Person" applies to and includes firm, partnership, association or corporation.

94-8-202. (11317.2) Possession or use of machine gun—when unlawful. Possession or use of a machine gun in the perpetration or attempted perpetration of a crime of violence is hereby declared to be a crime punishable by imprisonment in the state penitentiary for a term of not less than twenty years.

94-8-204. (11317.4) Presumption of possession or use for offensive or aggressive purpose. Possession or use of a machine gun shall be presumed to be for offensive or aggressive purpose:

(a) When the machine gun is on premises not owned or rented, for bona fide permanent residence or business occupancy, by the person in whose possession the machine gun may be found; or

(b) When in the possession of, or used by, an unnaturalized foreign-born person, or a person who has been convicted of a crime of violence in any court of record, state or federal, of the United States of America, its territories or insular possessions; or

(c) When the machine gun is of the kind described in section 94-8-208 [adapted to use pistol cartridges of 30 (.30 in. or 7.63 mm) or larger caliber] and has not been registered as in said section required; or

(d) When empty or loaded pistol shells of 30 (.30 in. or 7.63 mm.) or larger caliber which have been or are susceptible of use in the machine gun are found in the immediate vicinity thereof.

94-8-206. (11317.6) Exceptions. Nothing contained in this act shall prohibit or interfere with:

1. The manufacture for, and sale of, machine guns to the military forces or the peace officers of the United States or of any political subdivision thereof, or the transportation required for that purpose;

2. The possession of a machine gun for scientific purpose, or the possession of a machine gun not usable as a weapon and possessed as a curiosity, ornament, or keepsake;

3. The possession of a machine gun other than one adapted to use pistol cartridges of 30 (.30 in. or 7.63 mm.) or larger caliber, for a purpose manifestly not aggressive or offensive.

94-8-219. When Montana residents may purchase rifles or shotguns in contiguous states. Residents of Montana may purchase any rifle or rifle and shotgun or shotguns in a state contiguous to Montana, provided that such residents conform to the applicable provisions of the federal Gun Control Act of 1968, and regulations thereunder, as administered by the United States secretary of the treasury, and provided further, that such residents conform to the provisions of law applicable to such purchase in Montana and in the state in which the purchase is made.

94-8-223. (11281) Sale or manufacture of Maxim silencers and various explosives for wrongful use a felony. Any person who shall make, manufacture, compound, buy, sell, give-away, offer for sale or to give away, transport, or have in possession any Maxim silencer, bomb, nitroglycerin, cyanide, oriental, or thunderbolt powder, dynamite, ballistite, fulgurite, detonie, or any other explosive compound, or any inflammable material, or any instrument or agency, with intent that the same shall be used in this state or anywhere else for the injury or destruction of public or private property, or for the assassination, murder, injury, or destruction of any person or persons, either within this state or elsewhere, or knowing that such explosive compounds or other materials, instruments, or agencies are intended to be used by any other person or persons for any such purpose, shall be guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for not less than five years nor more than thirty years, or by a fine of not less than one thousand dollars nor more than twenty thousand dollars, or by both such fine and imprisonment.

Deer Lodge

2. It shall be unlawful for any person, firm, co-partnership, Association, or Corporation, to sell to any person under the age of 18 years, * * * rifles or firearms unless such person is accompanied by his or her guardian.

Nebraska

State Law


28-1010. Machine guns; sale unlawful; exceptions; penalty. It shall be unlawful for any person, firm or corporation, or any person, firm or corporation, or its or their agents or servants, to sell or cause to be sold or otherwise to dispose of any machine gun to any person in the State of Nebraska, except officers of the law, agents of the United States government, or agents of the law enforcement department of the State of Nebraska. If any person, firm or corporation, or its or their agents or servants, violate any of the provisions of this section, they shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one thousand dollars nor more than ten thousand dollars.

28-1011.10. Firearm; person under eighteen, unlawful to possess; exception; violation; penalty. It shall be unlawful for any person under the age of eighteen years to possess a pistol, revolver, or any other form of short-barreled hand firearm. The provisions of this section shall not apply to the issue of pistols, revolvers, or any other form of short-barreled hand firearms to members of the armed forces of the United States, active or reserve, state militia, or Reserve Officers Training Corps, when not in training, or to the temporary loan of pistols, revolvers, or any other form of short-barreled firearms for instruction under the immediate supervision of a parent or guardian or adult instructor. Any person violating the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not to exceed one hundred dollars or by imprisonment in the county jail for not to exceed thirty days, or by both such fine and imprisonment.

28-1011.14. Fugitive from justice, defined. As used in sections 28-1011.14 to 28-1011.19, "fugitive from justice" shall mean any person who has fled or is fleeing from any law enforcement officer to avoid prosecution or incarceration for a felony.

28-1011.15. Fugitive from justice; firearms; knuckles; possession; unlawful. It shall be unlawful for any person who has been convicted of a felony, or who is a fugitive from justice, to possess any firearm with a barrel less than twelve inches in length, or brass or iron knuckles. Such felony conviction may have been had in any court of the United States, the several states, territories, or possessions, or the District of Columbia.

28-1011.16. Fugitive from justice; pistol; receive, possess, sell, lease; unlawful. It shall be unlawful for any person to receive, possess, sell, or lease, other than by delivery to law enforcement officials, any pistol from which the manufacturer's identification mark or serial number has been removed.

28-1011.20. Firearms; purchase, sell, trade, convey; conditions. The State of Nebraska hereby permits its residents, not otherwise precluded by any applicable laws, to purchase, sell, trade, convey, deliver, or transport rifles, shotguns, ammunition, reloading components or firearm accessories in Nebraska and in states contiguous to Nebraska. This authorization is enacted to implement for this state the permissive firearms sales and delivery provisions in section 922 (b), (3) (A) of Public Law 90-618 of the 90th Congress.
Second Session. In the event that presently enacted federal restrictions on the purchase of rifles, shotguns, ammunition, reloading components or firearm accessories are repealed by the United States Congress or set aside by courts of competent jurisdiction, this section shall in no way be interpreted to prohibit or restrict the purchase of shotguns, rifles, ammunition, reloading components, or firearm accessories by residents of Nebraska otherwise competent to purchase same in contiguous or other states.

28-1011.22 Explosives control; terms, defined. As used in sections 28-1011.18, 28-1011.19 and 28-1011.22 to 28-1011.34, unless the context otherwise requires:

(7) Destructive devices shall mean:
(a) Any explosive, incendiary, or poison gas (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, (vi) booby trap, (vii) Molotov cocktail, or (viii) any similar device, the primary or common purpose of which is to explode and to be used as a weapon against any person or property; or
(b) Any combination of parts either designed or intended for use in converting any device into a destructive device as defined in subdivision (7) (a) of this section and from which a destructive device may be readily assembled. The term destructive device shall not include any device which is neither designed nor redesigned for use as a weapon to be used against persons or property; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of Section 4684(2), 4685, or 4686 of Title 10 of the United States Code; or any other device which the State Fire Marshal finds is not likely to be used as a weapon, or is an antique; or any other device possessed under circumstances negating an intent that the device be used as a weapon against any person or property; * * * *

28-1011.24. Explosives control; permit required; exceptions; violations; penalty. * * * *

(5) Whoever has in his possession a destructive device shall be guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the Nebraska Penal and Correctional Complex for not more than ten years, or by a fine of not more than ten thousand dollars, or by both such fine and imprisonment. A permit or license issued under any state or federal law to possess, own, use, distribute, sell, manufacture, store, or handle in any manner explosive materials shall not be a defense to the crime of possession of a destructive device as defined in this subsection.

NOTICES

Aurora

6-311 Misdemeanors; Selling Weapons to Minors, Possession. It shall be unlawful for any person to sell or give away to any person under the age of sixteen (16) years any rifle, gun, pistol, * * * blank cartridge revolver or any other firearm. * * * It shall be unlawful for any person under the age of sixteen (16) years to have in his possession any firearm or weapon as described above or any ammunition designed for use in said above described firearms or weapons unless said individual is accompanied by a person of legal age.

Creston

10-409 Firearms Vendor; Sale to Minors. It shall be unlawful for any person, or persons, to sell, convey, or deliver any firearm, except toy cap pistols which explode caps that contain less than twenty-five hundredths of a gram of explosive materials, to a minor under the age of eighteen (18) years without legal, or written permission from the parents, or legal guardian. It shall be further unlawful for any person, or persons, to sell, convey, or deliver to any minor under the age of eighteen (18) years a pistol, except as herein provided.

Gering

6-4-3: Sale to minors: It shall be unlawful for any person within the Corporate Limits of the City to sell or give away to any minor under the age of twenty-one (21) years, or for any such minor to have in his possession, any revolver, pistol, gun or firearm of any description or calibre or any cartridges or ammunition loaded with powder or powder and ball of any size or dimension without first procuring the consent of such minor’s parent or guardian.

Hastings

11-511. Sale to intoxicated persons and minors. No person in the City shall purchase from, or sell, loan, or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of eighteen (18) years.

Lincoln

9.28.020 Minors not to be furnished with firearms and weapons. It is unlawful for any person to sell, loan or furnish to any minor any gun, fowling piece, or other firearm * * * provided, it shall be lawful to sell, loan or furnish shotguns, rifles, and .22-caliber pistols, of a type commonly used for hunting, to persons eighteen years of age or older.

Kearney

Sec. 21.13. Same—Sale to and Possession by Minors. It shall be unlawful for any person with the city to sell or give way to any minor under the age of eighteen years, or for any such minor to have in his possession, any revolver, pistol, gun or firearm of any description or calibre or any cartridges or ammunition loaded with powder, or powder and ball of any size or dimension without first procuring the consent of such minor’s parent or guardian.

Kimball

6-4-4. Sale to Persons Under Eighteen Years of Age Forbidden: It shall be unlawful for any person to sell or give away to any other person under the age of eighteen years, or for any person under the age of eighteen years to have in his possession, any revolver, pistol, gun or firearm of any description or calibre or any cartridges or ammunition loaded with powder or powder and ball of any size or dimension without first procuring the consent of such person’s, parent or guardians.

Grand Island

Sec. 22-10. It shall be unlawful for any person to sell, loan, give or furnish to any minor, any gun, fowling piece, or other firearm * * * within the city.

Omaha

16.86.020 Permits Required * * * Any person who is engaged in the business of a Firearms Dealer shall first obtain a written permit to do so from the Permits & Inspection Division of the City of Omaha. * * * *

16.86.050 Firearms to Be Retained for Ten Days. No firearm received on deposit, purchased or taken in trade by any Firearm Dealer shall be sold or permitted to be taken from the place of business of such person for the period of ten (10) days after the mailing to the Chief of Police of the copy and statement * * * requiring a list of all Firearms or other valuable things, received or deposited, purchased, mortgaged, or taken in trade during the previous day.

25.01.015 Concealable Firearm. The term ‘Concealable Firearm’ shall mean a firearm having a barrel less than 18" in length.

25.01.020 Firearm. The term ‘Firearm’ shall mean any instrument which releases a projectile by means of an explosive charge.

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976
25.53.010 Possession of an Unregistered Concealable Firearm. It shall be unlawful for any person to own, have possession of or maintain control over any concealable firearm which has not been registered to said person with the Chief of Police in accordance with this Chapter, except when such possession or control is with the knowledge and express consent of the person in whose name such concealable firearm is registered.

25.93.010. Sale of a firearm to a minor. It shall be unlawful for any person to sell to a minor any firearm or ammunition therefor.

25.93.030. Purchasing or renting a firearm. It shall be unlawful for any person to sell or rent a firearm to any person who has not obtained a written permit from the Chief of Police as provided for in this Title.

25.93.040. Pawning a firearm. It shall be unlawful for any person to pawn, pledge or store a firearm or to accept a firearm in pawn or as a pledge of or for storage from a person who has not registered it as provided for in this Title.

Nevada State Law

202.260 Infernal machines. 1. Any person who unlawfully possesses, manufactures, or disposes of any explosive or incendiary device with intent to destroy life or property shall be punished by imprisonment in the state prison for not less than 1 year nor more than 6 years.

2. For the purposes of this section: (a) "Dispose of" means give, give away, loan, offer, offer for sale, sell or transfer.

(b) "Explosive or incendiary device" means any explosive or incendiary material or substance that has been constructed, altered, packaged or arranged in such a manner that its intended use would cause destruction or injury to life or property.

3. Subsection 1 does not prohibit the manufacture, use, possession or disposal of any material, substance or device by those persons engaged in mining or any other lawful activity or who are authorized by governmental agencies, which have lawful control over such matters, to use such items in the performance of their duties.

202.310 Sales of certain firearms to minors under 18 years unlawful. 1. Any person in this state who sells or barter to another under the age of 18 years either a pistol, revolver or a firearm capable of being concealed upon the person shall be guilty of a misdemeanor.

2. The term "firearm capable of being concealed upon the person" as used in this section applies to and includes all firearms having a barrel less than 12 inches in length.

202.350 Alien, ex-felon not to possess firearm capable of being concealed on person; penalty. 1. The terms "pistol," "revolver," and "firearm capable of being concealed upon the person," as used in this section, apply to and include all firearms having a barrel less than 12 inches in length.

2. After July 1, 1925, no unnaturalized foreign-born person, and no person who has been convicted of a felony in the State of Nevada, or in any one of the states of the United States of America, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, shall own or have in his possession or under his custody or control any pistol, revolver or other firearm capable of being concealed upon the person.

202.370 Definitions. As used in NRS 202.370 to 202.440, inclusive:

1. "Shell," "cartridge" or "bomb" shall be construed to apply to and include all shells, cartridges or bombs capable of being discharged or exploded, when such discharge or explosions will cause or permit the release or emission of tear gas.

2. "Tear gas" shall be construed to apply to and include all liquid, gaseous or solid substances intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispersed in the air.

3. "Weapon designed for the use of such shell, cartridge or bomb" shall be construed to apply to and include all revolvers, pistols, fountain pens, rifles, revolvers or other form of device, portable or fixed, intended for the projection or release of tear gas except those regularly manufactured and sold for use with firearm ammunition.

202.380 Sale, possession of tear gas bombs, weapons without permit unlawful; exceptions. 1. Every person, firm or corporation who within the State of Nevada knowingly sells or offers for sale, possesses or transports any form of shell, cartridge or bomb containing or capable of emitting tear gas, or any weapon designed for the use of such shell, cartridge or bomb, except as permitted under the provisions of NRS 202.370 to 202.440, inclusive, shall be guilty of a gross misdemeanor.

2. Nothing in NRS 202.370 to 202.440, inclusive, shall prohibit police departments or regular salaried members thereof, sheriffs and their regular salaried deputies, or the military or naval forces of this state or of the United States from purchasing, possessing or transporting such shells, cartridges or bombs for official use in the discharge of their duties.

202.390 Weapon to bear name of manufacturer and serial number; penalty for removal. 1. Each tear gas weapon sold, transported or possessed under the authority of NRS 202.370 to 202.440, inclusive, shall bear the name of the manufacturer and a serial number applied by him.

202.400 Permit for possession, transportation, protective system, to be issued by chief of Nevada highway patrol. 1. It shall be lawful for the chief of the Nevada highway patrol to issue a permit for the possession and transportation of such shells, cartridges, bombs or weapons upon proof to the chief that good cause exists for the issuance thereof to the applicant for such permit.

2. The permit may also allow the applicant to install, maintain and operate a protective system involving the use of such shells, cartridges, bombs or weapons in any place which is accurately and completely described in the application for the permit.

598.648 Sales of rifles, shotguns to residents of Nevada and contiguous states in accordance with provisions of federal law. 1. Residents of the State of Nevada may purchase rifles and shotguns in states contiguous to Nevada if:

(a) Such residents conform to the applicable provisions of the federal firearms'control law (18 U.S.C. §921 et seq.) and any regulation promulgated thereunder.

(b) Such residents conform to the provisions of law applicable to such a purchase in Nevada and in the state where the purchase is made.

Carson City

8.20.020. Sale of dangerous weapons to minors prohibited. It shall be unlawful for any person, firm or association to sell or dispose of any * * * revolver, pistol, gun or other dangerous or deadly weapon to any person under the age of twenty-one years. Any person vio-
lating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceeding twenty dollars, or imprisonment in the city jail not exceeding ten days, or both such fine and imprisonment.

Clark County

12.04.010 Definitions. In this chapter, unless the context clearly requires otherwise, the following definitions shall apply and be effective:

(1) “Dealer” means any person engaged in the business of buying or selling pistols at wholesale or retail, or of accepting pledges of pistols as security for loans.

(2) “Firearm capable of being concealed” means any gun, pistol, revolver or other firearm, the barrel of which does not exceed twelve inches in length from which a dangerous projectile may be propelled by explosives, springs, gas or air, as a means of propulsion.

12.04.020 Dealing in pistols without permit unlawful. It is unlawful within the unincorporated area of Clark County, for any person, except a dealer having a pistol permit issued under the provisions of this chapter, to engage in the business of buying or selling pistols at retail or wholesale, or of accepting pledges of pistols as security for loans, and no such permit shall authorize the leasing of any pistol.

12.04.050 Persons prohibited from purchasing or owning pistols. It is unlawful in the unincorporated area of Clark County, for any person to receive from another by loan, gift, purchase, or in any manner, or attempt to obtain in any manner or have in his possession or control, a pistol as defined by this chapter who:

(a) Is under the influence of intoxicating beverages;
(b) Is mentally ill or disturbed;
(c) Is seventeen years of age or under;
(d) Is a person prohibited from purchasing a pistol as provided in Section 12.04.050.

12.04.070 Certain persons prohibited from purchasing or owning pistols. It shall be unlawful for any person who is included in any one or more of the categories set forth in Section 12.04.050 of this chapter, to receive from another by loan, gift, purchase or in any other manner, or in any manner whatsoever, to attempt to obtain, or have in his or her possession or control, any pistol; provided, however, that a person under the age of eighteen years may have a pistol in his or her possession, or under his or her control, while accompanied by or under the immediate charge of his or her parent, guardian, or other responsible adult, and while engaged in hunting or target practice or other lawful purpose.

12.04.080 Time between sale and delivery of pistol. When any sale of a pistol is made by a dealer under this chapter, seventy-two hours must elapse between the time of sale and the time of delivery to the purchaser. *

12.04.090 Exceptions to Section 12.04.080. The aforesaid seventy-two hour waiting period shall not apply to the sale of a pistol to any person who, at the time of such sale, produces bona fide documentary evidence that he is a member of a federal law enforcement agency; or a peace officer of the state of Nevada or any political subdivision thereof, regularly employed for pay by the state or such subdivision; or that he currently owns a pistol which is duly registered in his name with any law enforcement agency in Clark County. And said waiting period shall not apply to any person who requires the use of a pistol in connection with his employment, and who receives written permission from the sheriff with express waiver of the waiting period; however, all of the other provisions herein shall apply to any such sales.

12.04.120 Sale or possession of certain pistols prohibited. It shall be unlawful to purchase, sell, or in any manner to transfer, or have in possession or control, any pistol on which the name of the manufacturer, or the model, or the manufacturer's serial number has been removed, obliterated, concealed, or altered.

12.04.140 Sale of foreign made pistols with ammunition restricted. No pistol of foreign manufacture shall be sold with ammunition for the same unless the ammunition is expressly designed for use with such pistol.

12.04.150 Sale of homemade pistols prohibited. No homemade pistols shall be sold with ammunition for the federal firearms act.

12.04.160 Condition of pistols sold. All secondhand and used pistols, except antique pieces, sold or purchased, shall be in a safe and operable condition.

12.04.200 Registration of firearms capable of being concealed. It is unlawful for any person to own or have in his possession, within the unincorporated area of Clark County, a gun, pistol, revolver, or other firearm capable of being concealed, unless the same has first been registered with the sheriff or with a police department of any of the incorporated cities of Clark County.

12.04.210 Unlawful transfer of firearms capable of being concealed. It is unlawful for any person to sell, give away or permanently pass possession to another person of any pistol, revolver or other firearm capable of being concealed, unless the transferor thereof first registers, or causes the weapon to be registered to the transferee and new owner thereof, either with the sheriff, or with a police department of one of the incorporated cities of Clark County.

Las Vegas

6-4-1: Pistol Defined: The term “Pistol” shall mean any small firearm fired by hand, loaded or unloaded capable of being concealed upon the person. The term shall include all small firearms with a barrel or barrels not exceeding twelve inches (12") in length including revolvers, automatics, derringers and like weapons from which a dangerous projectile may be propelled ***

6-4-2: Person Defined: The term “Person” shall mean any individual, partnership, association or corporation.

6-4-3: Dealer Defined: The term “Dealer” shall mean any person engaged in the business of buying or selling pistols at wholesale or retail, or of accepting pledges of pistols as security for loans.

6-4-4: Dealing in Pistols without Permit Unlawful: It shall be unlawful for any person, except a dealer having a pistol permit issued, under the provisions of this Chapter, to engage in the business of buying or selling pistols at wholesale or retail, or of accepting pledges of pistols as security for loans.

6-4-7: Sales to Certain Persons Prohibited: It shall be unlawful for a dealer or any other person to sell, lease, rent or otherwise transfer a pistol to any person whom he knows or has reasonable cause to believe is under the age of 18 years.

B. Who is under the influence of intoxicating beverages.

C. Who is a fugitive from justice.

D. Who has been convicted of a felony in the State of Nevada or any State or terri-
ity of the United States or any political subdivision thereof.

E. Who is an unlawful user or seller of narcotics.

F. Who is a member of an association advocating criminal syndicalism as defined in Section 203.160 through 203.190 of the Nevada Revised Statutes.

G. Who is foreign born and not a naturalized citizen of the United States of America,

H. Who has been adjudged insane in this State or elsewhere and has not subsequently been adjudged sane by a court of competent jurisdiction.

6-4-8: Certain Persons Prohibited from Purchasing or Owning Pistols: It shall be unlawful for any person who is included within any one or more of the categories set forth in Section 7 of this Chapter, to receive from another by loan, gift, purchase or in any manner, or to attempt to obtain in any manner or have in his or her possession or control any pistol; provided, however, that a person under the age of 18 years may have a pistol in his or her possession or under his or her control while accompanied by or under the immediate charge of his or her parent, guardian, or responsible adult while engaged in hunting or target practice or other lawful purpose.

6-4-9: Seventy-two Hours must Elapse between Sale and Delivery of Pistol: When any sale of a pistol is made by a dealer under this Chapter, seventy-two (72) hours must elapse between the time of sale and the time of delivery to the purchaser, and when delivered, all pistols must be securely wrapped, must be unloaded, capable of being concealed upon the person. All pistols must be registered with the Chief of Police within twenty-four (24) hours.

The aforesaid seventy-two (72) hour waiting period shall not apply to the sale of a pistol to any person who, at the time of such sale, produces bona fide documentary evidence that he is a member of a federal law enforcement agency, that he is a peace officer of the State of Nevada or any political subdivision thereof who is regularly employed for pay by the State or such subdivision, or that he currently owns a pistol which is duly registered in his name with any law enforcement agency in Clark County, Nevada, nor shall said waiting period apply to any person who requires the use of a pistol in his employment and receives written permission from the Chief of Police to waive said waiting period; provided, however, that all of the other provisions shall apply to any of such sales.

6-4-12: Sale or Possession of Certain Pistols Prohibited: It shall be unlawful to purchase, sell, or to transfer in any manner or to have in possession or control any pistol on which the name of the manufacturer, model or manufacturer's serial number has been removed or altered.

6-4-14: Sale of Foreign made Pistols with Ammunition Restricted: No pistol of foreign make shall be sold with ammunition for the same unless said ammunition is expressly made for the pistol.

6-4-15: Sale of Home-made Pistols Prohibited: No home-made pistols shall be bought or sold except as provided by law under the Federal Firearms Act.

6-4-16: Condition of Pistols Sold: All secondhand and used pistols, except antique pieces, sold or purchased shall be in a safe and first class condition.

North Las Vegas

66-2. It shall be unlawful for any person to sell, offer to sell or to give or lend any minor under the age of 18 years any ammunition for any firearms enumerated in Section 12 thereof (pistol, revolver and firearms capable of being concealed upon the person).

304-1. Definitions. Unless the context clearly requires otherwise, the following definitions shall apply and be effective in this ordinance:

1. Dealer. The term "dealer" means any person engaged in the business of buying or selling pistols at wholesale or retail, or of accepting pledges of pistols as security for loans as set forth herein.

2. Pistol. The term "pistol" shall mean any small firearm fired by hand, loaded or unloaded, capable of being concealed upon the person. The term shall include all small firearms with a barrel or barrels not exceeding twelve (12) inches in length including revolvers, automatics and derringers from which a dangerous projectile may be propelled by explosives.

304-2. Dealing in Pistols without Permit Unlawful. It shall be unlawful for any person, except a dealer having a pistol permit issued under the provisions of this Ordinance, to engage in the business of buying or selling pistols at retail or wholesale or to lease or to pledge or accept any pistol as security for a loan.

304-8. 72 Hour Waiting Period. When any sale of a pistol is made by a dealer under this Ordinance, seventy-two (72) hours must elapse between the time of sale and the time of delivery to the purchaser and, when delivered, all pistols must be unloaded.

This section shall not apply to Federal law enforcement agencies or to a police officer of the State of Nevada or any subdivision thereof who is regularly employed and paid by the State or subdivision, or to any person who currently owns a pistol which is duly registered in his name with any law enforcement agency of Clark County or who has a currently valid permit to carry a concealed pistol, nor shall it apply to any person who requires the use of a pistol in his employment and receives written permission from the Chief of Police to waive the 72 hour waiting period.

304-11. Means of Identifying Pistol. It shall be unlawful to purchase, sell or to transfer in any manner, or to have in possession or control, any pistol on which the name of the manufacturer, model and manufacturer's serial number has been removed or altered unless, if upon presentation for registration, the pistol can otherwise be identified to the satisfaction of the Chief of Police, in which case the means of identification shall be noted upon the registration card.

304-12. Persons Prohibited from Purchasing or Owning Pistols. It shall be unlawful for any person to receive from another by loan, gift, purchase or in any manner, or to attempt to obtain in any manner or have in his possession or control, a pistol as defined by this Ordinance who:

(a) Has been convicted of a felony in the State of Nevada, or in any state or territory of the United States or any political subdivision thereof.

(b) Is mentally ill or disburbed,

(c) Is an unlawful user or seller of narcotics,

(d) Is a fugitive from justice,

(e) Is a member of an organization advocating criminal syndicalism as defined in N.R.S. 203.160 through 203.190.

(f) Is foreign born and not a naturalized citizen of the United States of America,

(g) Has been adjudged insane in this State or any other state and has not subsequently been adjudged sane.

304-13. Prohibited Sales and Transfers of a Pistol. It shall be unlawful for any person or a dealer in pistols to sell, lease, lend, or otherwise transfer a pistol to any person whom he knows or has reasonable cause to believe:

(a) Is under the influence of intoxicating beverages,

(b) Is mentally ill or disturbed,

(c) Is under 18 years of age, or

(d) Is a person prohibited from purchasing a pistol as provided in Section 12 preceding.

304-15. Sales of Foreign Made Pistols with Ammunition Restricted. No pistol of foreign make shall be sold with ammunition for the same unless said ammunition is expressly designated for use with such pistol.
304-16. Homemade Pistols Prohibited. No homemade pistols shall be bought or sold except as provided by law under the Federal Firearms Act.

304-17. Condition of Pistols Sold. All secondhand and used pistols, except, antique pieces, sold or purchased shall be in a safe, operable condition.

New Hampshire
State Law

Chapter 159
Pistols and Revolvers

159:1 Definition. Pistol or revolver, as used herein, means any firearm with barrel less than sixteen inches in length. It does not include antique pistols or revolvers. An antique pistol or revolver, for the purposes of this chapter, means any pistol or revolver utilizing an early type of ignition, including, but not limited to, flintlocks, wheel locks, matchlocks, percussions and pin-fire, but no pistol or revolver which utilizes center fire or rim fire cartridges shall be deemed to be an antique pistol or revolver.

159:3 Possession; Felons. No person who has been convicted of a felony against the person or property of another, shall own or have in his possession or under his control a pistol or revolver, unless said weapon is obtained in accordance with the provisions of RSA 159:7. Whoever violates the provisions of this section shall be guilty of a class B felony, and upon conviction the weapon shall be confiscated to the use of the state.

159:7 Permit to Purchase. No person shall sell, deliver or otherwise transfer a pistol or revolver to a person who has been convicted of a felony against the person or property of another, except upon delivery of a written permit to purchase, signed by the selectmen of the town or the mayor or chief of police of the city. Before a delivery is made the purchaser shall sign in duplicate and deliver to the seller a statement containing his full name, address and nationality, the date of sale, the caliber, make, model and manufacturer's number of the weapon. The seller shall, within seven days, sign and forward to the chief of police of the city or selectmen of the town one copy thereof and shall retain the other copy for one year. This section shall not apply to sales at wholesale. Where neither party to the transaction holds a dealer's license no person shall sell or otherwise transfer a pistol or revolver to any person not personally known to him. Whoever violates the provisions of this section shall be guilty of a misdemeanor.

159:16 [New] License to Sell. The selectmen of a town and the chief of police of a city may grant licenses, the form of which shall be prescribed by the secretary of state, effective for not more than one year from date of issue, permitting the licensee to sell at retail pistols and revolvers subject to the following conditions, for breach of any of which the license shall be subject to forfeiture:

1. The business shall be carried on only in the building designated in the license or at any organized sporting show or arms collectors' meeting sponsored by a chartered club or organization.

159:8-a [New] Sales to Nonresidents; Attorney General. No person holding a license issued under the provisions of section 8 shall sell a pistol or revolver to a nonresident unless such nonresident has authority under the laws of the state of his residence, to purchase a pistol or revolver in the state of his residence, or unless the director of the division of state police, for good cause shown, has issued to such nonresident a permit for the purchase of a pistol or revolver. The attorney general shall, at least once annually, file with the secretary of state a summary of the laws of each state of the United States relative to the purchase of pistols and revolvers in such states; and a licensee may rely upon such summary in determining if a nonresident offering to purchase a pistol or revolver has authority to make such purchase under the laws of the state of his residence.

159:10 Sale Without License. Any person who, without being licensed as herein provided, sells, advertises or exposes for sale, or has in his possession with intent to sell, pistols or revolvers shall be guilty of a class B felony if a natural person, or guilty of a felony if any other person.

159:11 False Information. If any person in purchasing or otherwise securing delivery of a pistol or revolver shall give false information or offer false evidence of his identity he shall for a first offense be fined not less than one hundred dollars and not more than five hundred dollars, and for a second or subsequent offense he shall be imprisoned not less than one year and not more than three years.

159:12 Sale to Minors. Any person who shall sell, barter, hire, lend or give to any minor any pistol or revolver shall be guilty of a misdemeanor. This section shall not apply to fathers, mothers, guardians, administrators or executors who give a revolver to their children or wards or to heirs to an estate.

159:16 [New] Carrying or Selling Weapons. Whoever, except as provided by the laws of this state, sells, has in his possession with intent to sell, or carries on his person any pistol cane shall be guilty of a misdemeanor; and such weapon or article so carried by him shall be confiscated to the use of the state.

159:17 [New]—Exception. The provisions of the preceding section shall not apply to officers of the law, to persons holding hunters' licenses when lawfully engaged in hunting, to employees of express companies while on duty, or to watchmen while on duty.

Chapter 159-A [New]
Purchase Of Shotguns And Rifles

159-A:1 Purchase in Contiguous States. Residents of the state of New Hampshire may purchase firearms in such states; and provided that such residents conform to the applicable provisions of the Gun Control Act of 1968, and regulations thereunder, as administered by the United States Secretary of the Treasury, and provided further that such residents conform to the provisions of law applicable to such purchase in the state of New Hampshire and in the contiguous state in which the purchase is made.
New Jersey
State Law

2A:151-1. Definitions. The following definitions apply to this chapter:

a. Firearm or firearms includes any pistol, revolver, rifle, shotgun, machine gun, automatic and semiautomatic rifle, or other firearm as the term is commonly used, or any gun, device or instrument in the nature of a weapon from which may be fired or ejected any solid projectile, ball, slug, pellet, missile or bullet, or any gas, vapor or other noxious thing, by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances.

b. Pistol or revolver includes any firearm with an overall length less than 26 inches, or a shotgun having a barrel or barrels of a length less than 18 inches, or a rifle having a barrel length less than 16 inches.

c. Rifle and shotgun includes all other firearms with overall length of 26 inches or greater, provided the length of the barrel or barrels, if a shotgun, is 18 or more inches, and if a rifle is 16 or more inches but does not include machine guns or automatic rifles as defined in section 2A:151-49.

d. Person includes any individual, corporation, partnership, firm or association of any kind or nature whatsoever; any public entity of any kind or nature; the plural as well as the singular, and any gender.

e. Superintendent means the Superintendent of State Police.

2A:151-2. Pawnbrokers not to deal in weapons. Any pawnbroker who sells or possesses for sale or to lend or give away, any firearm or any *** *** grenade, bomb or other explosive is guilty of a high misdemeanor.

2A:151-3. Right to refuse to sell weapons; sales to persons without permit or to persons of unsound mind or with physical defect; penalty. Any person shall have the right to refuse to sell any firearm or dangerous instrument to any other person, provided however that any person who knowingly sells any firearm to a person who does not possess and exhibit to the seller a permit to purchase in the case of a pistol or revolver, or the signing of a certificate and presentation of a firearms purchaser identification card in the case of a rifle or shotgun; or where the seller has reason to believe that the person is of unsound mind or suffers from a physical defect or sickness which would make it unsafe for him to handle firearms, is guilty of a misdemeanor. The presentation of a permit for the purchase of a firearm or dangerous instrument or of a firearms purchaser identification card for the purchase of a rifle or shotgun as set forth in section 2A:151-32, shall be prima facie evidence of compliance with the requirements of this chapter.

2A:151-4. Certain persons not to have weapons; penalty. Any person, having been convicted in this State or elsewhere of any crime enumerated in section 2A:151-5, whether or not armed with or having in his possession any firearm or dangerous instrument enumerated in section 2A:151-5, or any person who has ever been committed for a mental disorder to any hospital, mental institution or sanitarium unless he possesses a certificate of a medical doctor or psychiatrist licensed in New Jersey or other satisfactory proof that he is no longer suffering from a mental disorder which interferes with or handicaps him in the handling of a firearm, or any person who has been convicted for the unlawful use, possession or sale of a controlled dangerous substance as defined in article 2 of P.L. 1970, c. 226 (C. 24:21-3 et seq.), who purchases, owns, possesses or controls any firearm or any of the said dangerous instruments, is guilty of a misdemeanor.

Whenever any person shall have been convicted in another State, territory, commonwealth or other jurisdiction of the United States, or of any country in the world, in a court of competent jurisdiction, of a crime which in said State, jurisdiction or country shall be equal to or comparable to the same or one of the crimes designated in 2A:151-5, then that person shall be subject to the provisions of this section.

2A:151-5. Additional sentence for armed criminals. Any person who commits or attempts to commit an assault, robbery, larceny, burglary, breaking and entering, rape, murder, mayhem, arson, abduction, extortion, kidnapping, sodomy or treason, or who is a fugitive from justice, when armed with or having in his possession any firearm, whether or not of being discharged or dangerous instrument of any kind, *** *** grenade, bomb or other explosive or act or device, whether toy or imitation, having an appearance similar to or capable of being mistaken for any of the foregoing, shall, in addition to the punishment provided for the crime, be punished on a first conviction by imprisonment for not less than one nor more than 10 years; upon a second conviction by imprisonment for not less than 3 nor more than 15 years; upon a third conviction by imprisonment for not less than 5 nor more than 20 years; and upon a fourth or subsequent conviction, by imprisonment for not less than 10 years nor more than for life, in the discretion of the court. No such additional punishment shall be imposed unless the indictment shall have averred that the person was armed with or had in his possession any such instrument and conviction was had thereon.

2A:151-6. Sale of weapons or loaded or blank cartridges to minors. Any person who knowingly offers, sells, lends, leases or gives to any person under the age of 18 years, any firearm, grenade, bomb or other explosive or any chemical compounds or ingredients for explosives or instructions for the use of such chemical compounds or ingredients as explosives, or a toy pistol or other instrument from which a loaded or blank cartridge may be fired, or any loaded or blank cartridge therefor, is guilty of a misdemeanor; provided however that a person may lend a firearm to a minor who may borrow same for the purpose of carrying, firing or using said firearm under section 2A:151-11, and provided further said minor furnishes the owner with written consent to his use thereof by his parent or legal guardian.

2A:151-7. Acquisition of weapons or explosives by minors; exceptions. Any person under the age of 18 years who purchases, bar-
2A:151-24. Licenses for retail dealers; standards and qualifications; fees, conditions. No retail dealer shall sell or expose for sale, or possess with intent to sell, any firearm, except that a retail dealer may be licensed to sell firearms as hereinafter provided.

The superintendent shall prescribe standards and qualifications for retail dealers of firearms for the protection of the public, health and welfare.

* * * * * *

d. No pistol or revolver shall be delivered to any person:
  1. Unless the person has obtained a permit to purchase under the provisions of sections 2A:151-32 through 2A:151-39;
  2. Until 7 days have elapsed after date of the application for the permit;
  3. Unless the person either is personally known to the seller or presents evidence of his identity;
  4. Unless the pistol or revolver is unloaded and securely wrapped;
  f. No rifle or shotgun shall be delivered to any person:
     1. Unless the person has obtained a firearms purchaser identification card under the provisions of this chapter;
     2. Unless the person has exhibited his firearms purchaser identification card and furnished the seller, on a form prescribed by the superintendent, a certification signed by him which shall contain among other things the name, permanent home address and firearms purchaser identification card number of said person.

2A:151-33. Permit to purchase; who may obtain. No person of good character and who is of good repute in the community in which he lives, and who is not subject to any of the disabilities set forth in this section or other sections of this chapter, shall be denied a permit to purchase a pistol or revolver or a firearm purchaser identification card, except as hereinafter set forth:

a. No pistol or revolver purchaser permit or firearms purchaser identification card shall be issued to any person who has ever been convicted of any crime, to any drug dependent person as defined in P.L.1970, c. 226 (C. 24:21-2) to any person who is confined for a mental disorder to a hospital, mental institution or sanitarium, or to any person who is presently a habitual drunkard; or

b. To any person who suffers from a physical defect or sickness which would make it unsafe for him to handle firearms, to any person who has ever been confined for a mental disorder, or to any alcoholic, unless any of the foregoing persons produce a certificate of a medical doctor or psychiatrist licensed in New Jersey, or other satisfactory proof, that he is no longer suffering from that particular disability in such a manner that would interfere with or handicap him in handling of firearms; or

c. To any person under the age of 18 years; or

d. To any person where the issuance would not be in the interest of the public health, safety or welfare.

2A:151-39. Restriction on number of firearms person may purchase. A person shall not be restricted as to the number of pistols or revolvers he may purchase, if he applies for and obtains permits to purchase the same, but only one pistol or revolver shall be purchased or delivered on each permit, except that a person shall not be restricted as to the number of rifles or shotguns he may purchase provided he possesses a valid firearms purchaser identification card and provided further that he signs the certification required.

2A:151-49. "Machine gun or automatic rifle" defined. The term "machine gun or automatic rifle," as used in this chapter, means any weapon, mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir, belt or other means of storing and carrying ammunition, which can be loaded into the weapon, mechanism or instrument and fired therefrom.
This section does not apply to the regular Armed Forces of the United States or its Allies, or to the duly authorized militia of any State or territory thereof, or to the police or fire departments of this State or any municipality or county thereof, provided they are acting in their official capacity and in the performance of their duties; nor does this section apply to explosives or combustibles or incendiary substances while the same are being transported in conformity with the regulations adopted by the interstate commerce commission.

2A:151-60. Possession or carrying of explosives with intent to use unlawfully. Any person who, with intent to use the same unlawfully against the person or property of another, possesses or carries any explosive substance, or any explosive liquid, gas, or like substance, is guilty of a high misdemeanor.

Belleville

1. The manufacture, storage or display for sale at retail or wholesale, or the sale at retail or wholesale of fireworks and cartridges, is hereby prohibited within the limits of the Town of Belleville, in the County of Essex.

2. The storage or display for the sale at retail or wholesale, or the sale at retail or wholesale of cartridges whether loaded or blank, is prohibited within the limits of the Town of Belleville, in the County of Essex.

3. The within ordinance shall not prohibit the sale or storage of bullets or cartridges for hunting purposes, when sold in stores that deal in sportmen and hunting equipment.

Clementon Borough

47:1-A(28). No person shall sell, barter, give or distribute any ammunition of an explosive nature for firearms, or any pistol, rifle, shotgun or firearm of any description or kind to any person or child under the age of twenty-one (21) years.

Cresskill Borough

246-5. Purchasing or selling a firearm. Any resident of the Borough of Cresskill purchasing or selling a firearm of any description within the Borough of Cresskill shall report the same forthwith to the Chief of Police, giving a full and complete description of said firearm.

Deal Borough

5-7.3 Compliance with State Statute. No person shall possess, carry, sell, exchange, store or retain any firearm or other device ** except in accordance with the provisions of 2A:151-1 through 2A:151-55 of the Revised Statutes of New Jersey.

Fairlawn

12.3 Permits required. a. Permits shall be obtained: (1) To manufacture, possess, store, sell or otherwise dispose of explosives, blasting agents, or small arms ammunition.

12.5 General Requirements. a. The manufacture of any explosives, blasting agents, including small arms ammunition, and pyrotechnics, ** shall be prohibited unless such manufacture is authorized by the Chief of the Bureau of Fire Prevention. This shall not apply to hand loading of small arms ammunition prepared for personal use when not for resale.

Glassboro

69-3. Permits required to sell or store ammunition and gunpowder. No person, firm or corporation shall sell or store gunpowder, gun shells or cartridges without having first obtained a permit from the Chief of the Fire Department, who shall inspect the place where same is to be kept.

Irvinton

22-14. ** Parents, etc., not to purchase [guns] for minors under sixteen or permit such minors to purchase, possess. ** No parent, guardian, or person standing in loco parentis of any minor under the age of sixteen years shall purchase for such minor or shall knowingly permit such minor, who is in his care or custody, to purchase, have, hold, possess, own, ** any of the articles or guns or devices described in section 22-13.

Kenilworth Borough

1. Except as hereinafter excepted, no person shall discharge or use any ** shotgun or firearm of any kind, or any other missile projecting device or contrivance of any kind within the Borough of Kenilworth.

2. No parent, guardian, or person, standing in loco parentis of any minor under the age of sixteen (16) years shall purchase for such minor or shall knowingly permit such minor, who is in his or her care or custody to purchase, have, hold, possess, own, any of the articles or guns or devices described in Section 1.

Lincoln Park Borough

1. The storage and sale of fire works, gun powder and ammunition in the Borough of Lincoln Park shall be subject to the following rules and regulations:
A permit for the storage and sale of fireworks, gun powder and ammunition must be obtained from the Clerk of the Borough. All such permits shall expire on the first day of January after the issuance thereof. All permits issued as aforesaid shall be exposed in a conspicuous place in the place of business of the applicant.

No blank cartridge pistol or blank cartridge shall be sold or kept in stock; no pistol or firearm of any description shall be sold to anyone under the age of fifteen years.

Pine Hill Borough

1. Prohibited acts and conduct. A no person shall, within the limits or bordering the limits of the Borough of Pine Hill: ***. (28) Sell, barter, give or distribute any ammunition of an explosive nature for firearms or any pistol, rifle, shotgun or firearm of any description or kind to any person or child under the age of twenty-one (21) years.

Piscataway

7-7-1. It shall be unlawful for any person to carry or possess a loaded gun or any firearm until licensed or authorized by State or Federal Authorities, or both.

Prospect Park Borough

136.1. That it shall be unlawful to exhibit for sale or sell any pistols, cap pistols, firearms or fireworks of any and all descriptions within the limits of the Borough of Prospect Park.

Sea Girt Borough

Section 3 No person shall possess, carry, sell, exchange, store or retain any firearm or other device *** except in accordance with the provisions of 2A:151-1 through 2A:151-55 of the Revised Statutes of New Jersey.

New Mexico

State Law


40A-7-8. Firearms—Sale and purchase. Residents of states contiguous to New Mexico may purchase firearms in New Mexico. Residents of New Mexico may purchase firearms in states contiguous to New Mexico.

Alamagordo

5-6-4. Transactions with minors. It shall be the responsibility of each person or firm who buys, sells or loans money on second-hand or used firearms to ascertain whether or not the person with whom the transaction is consummated is a minor under the age of twenty-one (21) years and to report to the Chief of Police of the City any transaction with such minor.

Albuquerque

2-10. Unlawful Possession, Transfer or Sale of Weapons. * * * * * B. Unlawful sale of a deadly weapon consists of giving, selling, trading, bartering, or
exchanging for anything of value any deadly weapon or ammunition for any firearm to any person under the age of 18 years; provided, however, that nothing herein contained shall be construed to prevent any parent or legal guardian from purchasing such a weapon or ammunition for his child or ward.

**Artesia**

21.36. Sale of firearms to minors. No person shall sell, deliver or transfer to any person under the age of eighteen years ownership of any pistol, revolver or other similar weapon capable of being concealed upon the person designed to discharge a solid projectile propelled by the expansion of a gas.

**Belen**

2-9. Negligent Use of Weapons. A Negligent use of weapon consists of either: ****** 4. Selling loaning or furnishing any deadly weapon to a person with knowledge that the person is under the influence of any intoxicant or narcotic or that the person is incompetent. ******

2-10. Unlawful Possession, Transfer or Sale of Weapons. ****** B. Unlawful sale of a deadly weapon consists of giving, selling, trading, bartering, or exchanging for anything of value any deadly weapon or ammunition for any firearm to any person under the age of 18 years; provided, however, that nothing herein contained shall be construed to prevent any parent or legal guardian from purchasing such a weapon or ammunition for his child or ward.

**Cloudcroft**

6-1-10 Unlawful Possession, Transfer or Sale of Weapons. ****** B. Unlawful sale of a deadly weapon consists of giving, selling, trading, bartering, or exchanging for anything of value any deadly weapon or ammunition for any firearm to any person under the age of 18 years; provided, however, that nothing herein contained shall be construed to prevent any parent or legal guardian from purchasing such a weapon or ammunition for his child or ward.

**Espanola**

18. Weapons—furnishing firearms, etc., to persons under sixteen. It shall be unlawful for any person to furnish, sell or offer for sale to any person under sixteen years of age any firearm. * * * in the city. 19. Same—possession of firearm by person under sixteen. It shall be unlawful for any person under sixteen years of age to have in his possession any firearm * * * within the city, except that when such person is under the immediate supervision of an adult instructor or teacher such possession shall not be considered a violation of this section.

**Farmington**

Sec. 21-80. Same—Furnishing to minors. No person shall sell, lend or furnish to any minor, below the age of sixteen, any gun, pistol or other firearm, within the city. Nor shall any person in the city sell or give to any minor below the age of sixteen any cartridges of fixed ammunition of which any fulminate is a component part.

**Gallup**

6-4-5. Sales of Firearms to Minors Prohibited: The giving, selling, trading, bartering or exchanging for anything of value any firearm as defined in Section 6-4-1 [shotguns, rifles, pistols] or of any ammunition for any firearm, to any person under the age of eighteen (18) years, within the corporate limits of the Municipality, is hereby prohibited and declared to be a misdemeanor; provided, however, that nothing herein contained shall be construed to prohibit any parent or legal guardian from purchasing a firearm for his child or ward, or from giving such a weapon to his child or ward, subject to the provisions of Section 6-4-3 hereof.

**Grants**

6-1-58 Firearms—furnishing to minors. No person shall sell, loan or furnish to any minor below the age of sixteen any gun, pistol or other firearm within the limits of the Town, nor shall any person in the Town sell or give to any minor below the age of sixteen any explosive ammunition.

**Las Cruces**

G. Sales to minors: It shall be unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon. * * * or ammunition for any firearm to any person under the age of 18 years provided that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

**Las Vegas**

7-1-14. G. Sales to minors. It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon. * * * or ammunition for any firearm to any person under the age of 18 years provided that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

**Los Lunas**

Ordinance 86

2-9. Negligent Use of Weapons. ****** 4. Selling loaning or furnishing any deadly weapon to a person with knowledge that the person is under the influence of any intoxicant or narcotic or that the person is incompetent.

2-10. Unlawful Possession, Transfer or Sale of Weapons. ****** B. Unlawful sale of a deadly weapon consists of giving, selling, trading, bartering, or exchanging for anything of value any deadly weapon or ammunition for any firearm to any person under the age of 18 years; provided, however, that nothing herein contained shall be construed to prevent any parent or legal guardian from purchasing such a weapon or ammunition for his child or ward.

**Lovington**

7-1-14. Deadly weapons. ******

(e) Exposing Others to Danger. It is unlawful to ** sell, loan or furnish any deadly weapon to persons under the influence of any intoxicant or narcotic or to any incompetent person. ******

(g) Sales to Minors. It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon. * * * or ammunition for any firearm to any person under the age of eighteen (18) years; provided, however, that nothing herein contained shall be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

**Raton**

9. F. Unlawful sale of a deadly weapon consists of giving, selling, trading, bartering, or exchanging for anything of value any deadly weapon or ammunition for any firearm to any person under the age of 18 years; provided, however, that nothing herein contained shall be construed to prevent any parent or legal guardian from purchasing such a weapon or ammunition for his child or ward.

**Santa Fe**

15-31. Weapons—Furnishing firearms, etc., to persons under sixteen. It shall be unlawful for any person to furnish, sell or offer for sale to any person under sixteen years of age any firearm, * * * within the city.
NOTICES

§265.01 Criminal possession of a weapon in the fourth degree. A person is guilty of criminal possession of a weapon in the fourth degree when:

1. He possesses any firearm * * * or

2. He possesses any * * * imitation pistol or any other dangerous or deadly instrument or weapon with intent to use the same unlawfully against another; or

3. He knowingly has in his possession a rifle, shotgun or firearm in or upon a building or grounds, used for educational purposes, of any school, college or university, except the forestry lands, wherever located, owned and maintained by the State University of New York college of environmental science and forestry, without the written authorization of such educational institution; or

4. He possesses a rifle or shotgun and has been convicted of a felony or serious offense; or

5. He possesses any dangerous or deadly weapon and is not a citizen of the United States; or

6. He is a person who has been certified not suitable to possess a rifle or shotgun, as defined in subdivision sixteen of section 265.00, and refuses to yield possession of such rifle or shotgun upon the demand of a police officer. Whenever a person is certified not suitable to possess a rifle or shotgun, a member of the police department to which such certification is made, or of the state police, shall forthwith seize any rifle or shotgun possessed by such person. A rifle or shotgun seized as herein provided shall not be destroyed, but shall be delivered to the headquarters of such police department, or state police, and there retained until the aforesaid certificate has been rescinded by the director of police, and there retained until the aforesaid certificate has been rescinded by the director or physician in charge, or other disposition of such rifle or shotgun has been ordered or authorized by a court of competent jurisdiction.

Criminal possession of a weapon in the fourth degree is a class A misdemeanor.

FEDERAL REGISTER, VOL. 41, NO. 121—TUESDAY, JUNE 22, 1976

NEW YORK

State Law

N.Y. Consol. Laws (McKinney's)

Penal Law

265.00. Definitions. As used in this article and in article four hundred, the following terms shall mean and include:

1. "Machine-gun" means a weapon of any description, irrespective of size, by whatever name known, loaded or unloaded, from which a number of shots or bullets may be rapidly or automatically discharged from a magazine with one continuous pull of the trigger and includes a sub-machine gun.

2. "Firearm silencer" means any instrument, attachment, weapon or appliance for causing the firing of any gun, revolver, pistol or other firearms to be silent, or intended to lessen or muffle the noise of the firing of any gun, revolver, pistol or other firearms.

3. "Firearm" means any pistol, revolver, sawed-off shotgun or other firearm of a size which may be concealed upon the person, except an antique firearm.

4. "Contractor" means any person, firm, corporation, partnership, or company who engages in the business of repairing, altering, assembling, manufacturing, cleaning, polishing, engraving or trueing, or who performs any mechanical operation on, any firearm or machine-gun.

5. "Dealer in firearms" means any person, firm, partnership, corporation or company who engages in the business of purchasing, selling, keeping for sale, loaning, leasing, or in any manner disposing of, any pistol or revolver.

6. "Deface" means to remove, deface, cover, alter or destroy the manufacturer's serial number or any other distinguishing number or identification mark.

7. "Gunsmith" means any person, firm, partnership, corporation or company who engages in the business of repairing, altering, assembling, manufacturing, cleaning, polishing, engraving or trueing, or who performs any mechanical operation on, any firearm or machine-gun.

8. "Sporting goods firm" means any person, firm, partnership, corporation or company who engages in the business of purchasing, selling, keeping for sale, loaning, leasing, or in any manner disposing of, any firearm or machine-gun.

9. "Licensing officer" means the city of New York the police commissioner of that city; in the county of Nassau the commissioner of police of that county; in the county of Suffolk the sheriff of that county except in the towns of Babylon, Brookhaven, Huntington, Islip and Smithtown, the commissioner of police of that county; and elsewhere in the state a judge or justice of a court of record having his office in the county of issuance.

10. "Licensing officer" means in the city; in the county of Nassau the commissioner of police of that county; in the county of Suffolk the sheriff of that county except in the towns of Babylon, Brookhaven, Huntington, Islip and Smithtown, the commissioner of police of that county; and elsewhere in the state a judge or justice of a court of record having his office in the county of issuance.

11. "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

12. "Shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

13. "Antique Firearm" Any unloaded muzzle loading pistol or revolver with a matchlock, flintlock, percussion cap, or similar type of ignition system, or a pistol or revolver which uses fixed cartridges which are no longer available in the ordinary channels of commercial trade.

14. "Loaded firearm" means any firearm loaded with ammunition or any firearm which is possessed by one who, at the same time, possesses a quantity of ammunition which may be used to discharge such firearm.

15. "Machine-gun" means a weapon of any description, irrespective of size, by whatever name known, loaded or unloaded, from which a number of shots or bullets may be rapidly or automatically discharged from a magazine with one continuous pull of the trigger and includes a sub-machine gun.

16. "Certified not suitable to possess a rifle or shotgun" means that the director or physician in charge of any hospital or institution for mental illness, public or private, has certified to the superintendent of state police or to any organized police department of a county, city, town or village of this state, that a person who has been judicially adjudicated incompetent, or who has been confined to such institution for mental illness pursuant to judicial authority, is not suitable to possess a rifle or shotgun.

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Silver City

7.206—Selling to Minors Under 16 Years. No person shall sell, loan, or furnish to any minor below the age of 16, any gun, pistol, or other firearm, within the limits of the town. Nor shall any person in the town sell or give to any minor below the age of 16, any cartridges of fixed ammunition of which any fulminate is a component part.

Tatum

5.12. (g) Sales to minors. It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, * * * or ammunition for any firearm to any person under the age of eighteen (18) years provided that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.
§265.03 Criminal possession of a weapon in the second degree. A person is guilty of criminal possession of a weapon in the second degree when he possesses a machine-gun or loaded firearm with intent to use the same unlawfully against another.

Criminal possession of a weapon in the second degree is a class D felony.

§265.04 Criminal possession of a dangerous weapon in the first degree. A person is guilty of criminal possession of a dangerous weapon in the first degree when he possesses any explosive substance with intent to use the same unlawfully against the person or property of another.

Criminal possession of a weapon in the first degree is a class B felony.

§265.05 Unlawful possession of weapons by persons under sixteen. It shall be unlawful for any person under the age of sixteen to possess any gun or any instrument or weapon in or upon which any loaded or blank cartridges may be used, or any loaded or blank cartridges or ammunition therefor.

A person who violates the provisions of this section shall be adjudged a juvenile delinquent.

§265.10 Manufacture, transport, disposition and defacement of weapons and dangerous instruments and appliances. 1. Any person who manufactures or causes to be manufactured any machine-gun is guilty of a class D felony, **

2. Any person who transports or ships any machine-gun or firearm silencer is guilty of a class D felony. Any person who transports or ships as merchandise any firearm ** is guilty of a class A misdemeanor.

3. Any person who possesses any machine-gun or firearm silencer is guilty of a class D felony. Any person who knowingly buys, receives, disposes of, or conceals a machine-gun or firearm which has been defaced for the purpose of concealment or prevention of the detection of a crime or misrepresenting the identity of such machine-gun or firearm is guilty of a class D felony.

4. Any person who possesses any of the weapons, instruments, appliances or substances specified in subdivision one of section 265.01 is guilty of a class A misdemeanor, and he is guilty of a class D felony if he has previously been convicted of any crime.

5. Any person who possesses any of the weapons, instruments, appliances or substances specified in subdivision one of section 265.01 to any other person under the age of sixteen years is guilty of a class A misdemeanor.

6. Any person who willfully defaces any machine-gun or firearm is guilty of a class D felony.

7. Any person, other than a wholesale dealer, or gunsmith or dealer in firearms duly licensed pursuant to section 400.00, lawfully in possession of a firearm, who disposes of the same without first notifying in writing the licensing officer in the city of New York and counties of Nassau and Suffolk and elsewhere in the state the executive department, division of state police, Albany, is guilty of a class A misdemeanor.

§265.15 Presumptions of possession, unlawful intent and defacement.

1. The presence in any room, dwelling, structure or vehicle of any machine-gun is presumptive evidence of its unlawful possession by all persons occupying the place where such machine-gun is found.

2. The presence in any stolen vehicle of any weapon, instrument, appliance or substance specified in sections 265.01, 265.02, 265.03, 265.04 and 265.05 is presumptive evidence of its possession by all persons occupying such vehicle at the time such weapon, instrument, appliance or substance is found.

3. The presence in an automobile, other than a stolen one or a public omnibus, of any firearm, defaced firearm, firearm silencer, explosive or incendiary bomb, bombshell, ** is presumptive evidence of its possession by all persons occupying such automobile at the time such weapon, instrument or appliance is found, except under the following circumstances: (a) if such weapon, instrument or appliance is found upon the person of one of the occupants therein; (b) if such weapon, instrument or appliance is found in an automobile which is being operated for hire by a duly licensed driver in the due, lawful and proper pursuit of his vocation, then such presumption shall not apply to the driver; or (c) if the weapon so found is a pistol or revolver and one of the occupants, not present under duress, has in his possession a valid license to have and carry concealed the same.

4. The possession by any person of the substance as specified in section 265.04 is presumptive evidence of possessing such substance with intent to use the same unlawfully against the person or property of another if such person is not licensed or otherwise authorized to possess such substance. The possession by any person of any ** weapon, instrument, appliance, or substance designed, made or adapted for use primarily as a weapon, is presumptive evidence of intent to use the same unlawfully against another.

5. The possession by any person of a defaced machine-gun or firearm is presumptive evidence that such person defaced the same.

§265.20 Exemptions. a. Sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.10, 265.15 and 270.05 shall not apply to:

1. Possession of any of the weapons, instruments, appliances or substances specified in the sections within which such surrender is made or adapted for use primarily as a weapon, instrument, appliance, or substance is found.

2. Any person, other than a wholesale dealer, or gunsmith or dealer in firearms duly licensed pursuant to section 400.00, lawfully in possession of a firearm, who disposes of the same without first notifying in writing the licensing officer in the city of New York and counties of Nassau and Suffolk and elsewhere in the state the executive department, division of state police, Albany, is guilty of a class A misdemeanor.

3. The presence in an automobile, other than a stolen one or a public omnibus, of any firearm, defaced firearm, firearm silencer, explosive or incendiary bomb, bombshell, ** is presumptive evidence of its possession by all persons occupying such automobile at the time such weapon, instrument or appliance is found, except under the following circumstances: (a) if such weapon, instrument or appliance is found upon the person of one of the occupants therein; (b) if such weapon, instrument or appliance is found in an automobile which is being operated for hire by a duly licensed driver in the due, lawful and proper pursuit of his vocation, then such presumption shall not apply to the driver; or (c) if the weapon so found is a pistol or revolver and one of the occupants, not present under duress, has in his possession a valid license to have and carry concealed the same.

4. Possession by any person of the substance as specified in section 265.04 is presumptive evidence of possessing such substance with intent to use the same unlawfully against the person or property of another if such person is not licensed or otherwise authorized to possess such substance. The possession by any person of any ** weapon, instrument, appliance, or substance designed, made or adapted for use primarily as a weapon, is presumptive evidence of intent to use the same unlawfully against another.

5. The possession by any person of a defaced machine-gun or firearm is presumptive evidence that such person defaced the same.

§265.20 Exemptions. a. Sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.10, 265.15 and 270.05 shall not apply to:

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the property is received within two years of the delivery of such property to such official he shall dispose of it in accordance with the provisions of section 400.05 of the penal law.

2. Possession of a machine-gun, firearm, * * * by a warden, superintendent, headkeep­
der or deputy of a state prison, penitentiary, workhouse, county jail or other institution for the detention of persons convicted or accused of a crime or detained as witnesses in criminal cases, in pursuit of official duty or when duly authorized by regulation or order to possess the same.

3. Possession of a pistol or revolver by a person to whom a license therefor has been issued as provided under section 400.00; pro­vided, that such a license shall not preclude a conviction for the offense defined in subdivi­sion three of section 265.01.

4. Possession of a rifle, shotgun or long­bow for use while hunting, trapping or fish­ing, by a person, not a citizen of the United States, carrying a valid license issued pursuant to section 11-0713 of the environmental conservation law.

5. Possession of a rifle or shotgun by a person who has been convicted as specified in subdivision four of section 265.01 to whom a certificate of good conduct has been issued pursuant to section two hundred forty-two, subdivision three of the executive law.

7. Possession, at an indoor or outdoor rifle range for the purpose of loading and firing the same, of a rifle of not more than twenty-two caliber rim fire, the propelling force of which may be either gunpowder, air or springs, by a person under sixteen years of age but not un­der twelve, who is a duly enrolled member of any club, team or society organized for edu­cational purposes and maintaining as a part of its facilities, or having written permission to use, such rifle range under the supervision, guidance and instruction of (a) a duly commis­sioned officer of the United States army, navy, marine corps or coast guard, or of the national guard of the state of New York; or (b) a duly qualified adult citizen of the United States who has been granted a certificate as an instructor in small arms practice issued by the United States army, navy or marine corps, or by the adjutant general of this state, or by the national rifle association of Amer­ica, a not-for-profit corporation duly orga­nized under the laws of this state.

8. The manufacturer of machine-guns * * * as merchandise and the disposal and shipment thereof direct to a regularly constituted or ap­pointed state or municipal police department, sheriff, policeman or other peace officer, or to a state prison, penitentiary, workhouse, county jail or other institution for the deten­tion of persons convicted or accused of crime or held as witnesses in criminal cases, or to the military service of this state or of the United States.

9. The regular and ordinary transport of firearms as merchandise, provided that the person transporting such firearms, where he knows or has reasonable means of ascertain­ing what he is transporting, notifies in writing the police commissioner, police chief or other law enforcement officer performing such functions at the place of delivery, of the name and address of the consignee and the place of delivery, and withholds delivery to the con­sиг­nee for such reasonable period of time des­ignated in writing by such police commis­sioner, police chief or other law enforcement officer as such official may deem necessary for investigation as to whether the consignee may lawfully receive and possess such fire­arms.

10. Engaging in the business of gunsmith or dealer in firearms by a person to whom a valid license therefor has been issued pursuant to section 400.00.

b. At any time, any person who voluntarily delivers to a peace officer any weapon, in­strument, appliance or substance specified in section 265.01, 265.02, 265.03, 265.04 or 265.05, under circumstances not suspicious, peculiar or involving the commission of any crime, shall not be arrested. Instead, the offi­cer who might make the arrest shall issue or cause to be issued in a proper case a summons or other legal process to the person for inves­tigation of the source of the weapon, instru­ment, appliance or substance.

265.40. * * * It shall be lawful for a person or persons residing in this state to purchase or otherwise obtain a rifle and/or shotgun in a contiguous state, and to receive or transport such rifle and/or shotgun into this state; pro­vided, however, such person is otherwise eli­gible to possess a rifle and/or shotgun under the laws of this state.

Article 400—Licensing And Other Provi­sions Relating To Firearms
§400.00 Licenses to carry, possess, repair and dispose of firearms.

1. Eligibility. No license shall be issued or renewed pursuant to this section except by the licensing officer, and then only after inves­tigation and finding that all statements in a proper application for a license are true. No license shall be issued or renewed except for an applicant (a) of good moral character; (b) who has not been convicted anywhere of a felony or a serious offense; (c) who has stated whether he has ever suffered any mental ill­ness or been confined to any hospital or institu­tion, public or private, for mental illness; and (d) concerning whom no good cause ex­ists for the denial of the license. No person shall engage in the business of gunsmith or dealer in firearms unless licensed pursuant to this section. An applicant to engage in such business shall also be a citizen of the United States, more than twenty-one years of age and maintain a place of business in the city or county where the license is issued. For such business, if the applicant is a firm or partnership, each member thereof shall comply with all of the requirements set forth in this subdivi­sion and if the applicant is a corporation, each officer thereof shall so comply.

N. Y. Consol. Laws (McKinney’s)

Village Law

89. General powers of the board of trustees. 58. Firearms and explosives. May prohibit, re­strain, regulate and license the storage, sale or dis­charge of firearms, fireworks and other ex­plosives and the explosion of gun powder and gun cotton.

Babylon

Sec. 1. No person shall offer, sell, loan, lease or give to any child under the age of sixteen years any gun, revolver, pistol or oth­er firearm, * * * or any instrument or weapon commonly known as a toy pistol, or a blank gun or any type of gun, pistol, cannon or in­strument simulating a weapon in or upon which any loaded or blank cartridge, powder and ball are used or may be used, or any loaded or blank cartridge, powder or ammun­ition therefor.

It shall be unlawful for any child under the age of sixteen years to have in his possession or to use any of the articles, instruments or weapons enumerated in this section.

Sec. 2. No person over the age of sixteen years shall have in his possession any gun, revolver, pistol or other firearm, * * * without having procured a permit to possess the same from such official, agency or department as the Board of Trustees may from time to time by resolution designate.

Buffalo

12.01. Definition. “Small arms ammuni­tion” shall mean any shotgun, rifle, pistol or revolver cartridge and cartridges for propel­lant-actuated power devices and industrial guns. “Small arms ammunition primer” shall mean a small percussion-sensitive explosive charge, encased in a cap, used to ignite prop­pellant powder.

12.02. License Required for the Possession and Sale of Fixed Ammunition for Small Arms. No person, firm or corporation shall store, keep for sale or offer for sale any fixed ammuni­tion for small arms without a license from the director of licenses and permits of the city of Buffalo upon the approval of the bureau of fire prevention at wholesale or re-
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Mount Vernon

§78-15. Prohibition Against Fire Bombs or “Molotov Cocktails”. (a) Prohibition: No person or organization shall assemble, manufacture, produce, distribute, store or possess fire bombs or “Molotov Cocktails” or any similar devices which employ the use of gasoline or any other flammable or combustible substance. (b) Fire Bomb or “Molotov Cocktail” defined: A glass or other breakable or collapsible portable container in which is contained gasoline or any other flammable or combustible liquid with a wick attached thereto, which upon impact will burn, explode or ignite.

New York City

436-5.0. Firearms. a. Pistols or revolvers, keeping or carrying. 1. The commissioner shall grant and issue licenses and permits hereunder pursuant to the provisions of section eighteen hundred ninety-six and nineteen hundred three of the penal law, which licenses and permits shall expire on December thirty-first of each year following the date of issuance. **

Hempstead

6-57. Permits for sale of ammunition. (a) Required: issuance. Permits for the sale and storage of ammunition may be granted in the discretion of the village board. Application shall be made in writing to the village clerk; ** Such permit shall apply only to the premises and persons stated and to the class and kind of ammunition mentioned therein and shall be subject to such conditions and restrictions as the board may prescribe.

Kings Point

Ordinance 8

§11.11 Manufacture Prohibited. It shall be unlawful to manufacture small arms ammunition in The Village of Kings Point without a permit therefor from the Fire Chief.

§11.13 Storage and Sale of Small Arms Ammunition. (a) Permit required. It shall be unlawful to store, sell or offer for sale any small ammunition without first having obtained a permit therefor from the Fire Chief.

Kingston

§11.11 Manufacture Prohibited. It shall be unlawful to manufacture small arms ammunition in The City of Kingston.

§11.13 Storage and Sale of Small Arms Ammunition. (a) Permit required. It shall be unlawful to store, sell or offer for sale any small ammunition without first having obtained a permit therefor from the Fire Chief.

§78-15. Prohibition Against Fire Bombs or “Molotov Cocktails”. (a) Prohibition: No person or organization shall assemble, manufacture, produce, distribute, store or possess fire bombs or “Molotov Cocktails” or any similar devices which employ the use of gasoline or any other flammable or combustible substance. (b) Fire Bomb or “Molotov Cocktail” defined: A glass or other breakable or collapsible portable container in which is contained gasoline or any other flammable or combustible liquid with a wick attached thereto, which upon impact will burn, explode or ignite.

§11.11 Manufacture Prohibited. It shall be unlawful to manufacture small arms ammunition in The City of Kingston.

§11.13 Storage and Sale of Small Arms Ammunition. (a) Permit required. It shall be unlawful to store, sell or offer for sale any small ammunition without first having obtained a permit therefor from the Fire Chief.

§11.11 Manufacture Prohibited. It shall be unlawful to manufacture small arms ammunition in The City of Kingston.

§11.13 Storage and Sale of Small Arms Ammunition. (a) Permit required. It shall be unlawful to store, sell or offer for sale any small ammunition without first having obtained a permit therefor from the Fire Chief.

§11.11 Manufacture Prohibited. It shall be unlawful to manufacture small arms ammunition in The City of Kingston.

§11.13 Storage and Sale of Small Arms Ammunition. (a) Permit required. It shall be unlawful to store, sell or offer for sale any small ammunition without first having obtained a permit therefor from the Fire Chief.
partnership, corporation or company has obtained a license in the manner prescribed in this section.

b. No license shall be issued or renewed pursuant to this section except by the commissioner, and then only after investigation and finding that all statements in a proper application for a license or renewal are true. No license shall be issued or renewed except for any applicant:
   (1) of good moral character;
   (2) who has not been convicted anywhere of a felony or of any of the following misdemeanors or offenses: * * *
   (3) who has stated whether he has ever suffered any mental illness or been confined to any hospital or institution, public or private, for mental illness; and
   (4) concerning whom no good cause exists for the denial of the license.

c. An applicant to engage in such business shall also be a citizen of the United States, more than twenty-one years of age and maintain a place of business in the city. * * *

d. The conviction of a licensee anywhere of a felony or of any of the misdemeanors or offenses enumerated in paragraph two, of subdivision b, of this section, shall operate as a revocation of the license. * * *

436-6.3. Licensing of dealers in rifles and shotguns. No person shall engage in the business of purchasing, selling, licensing, or in any manner disposing of shotguns or rifles unless he has been issued a permit for the purchase and possession of shotguns and rifles, and prominently displays in his place of business a license as a registered dealer in shotguns and rifles. * * *

436-6.6. Permits for possession and purchase of rifles and shotguns. It shall be unlawful to dispose of any rifle or shotgun to any person unless said person is the holder of a permit for possession and purchase of rifles and shotguns; it shall be unlawful for any person to have in his possession any rifle or shotgun unless said person is the holder of a permit for the possession and purchase of rifles and shotguns.

The disposition of a rifle or shotgun, by any licensed dealer, to any person presenting a valid rifle and shotgun permit issued to such person, shall be conclusive proof of the legality of such disposition by the dealer.

a. Requirements—No person of good character and who is of good repute in the community and who is not subject to any of the disabilities set forth in this section or other sections of this chapter, shall be denied a permit to purchase and possess a rifle or shotgun unless the applicant:
   1. is under the age of eighteen, or
   2. has been convicted in this state or elsewhere of a felony or any misdemeanor or offense set forth in section 552 of the code of criminal procedure, unless such person has received a certificate of good conduct pursuant to subdivision 3 of section 242 of the executive law, or
   3. has ever been confined to any hospital or institution, public or private, for mental illness, alcoholism, drug addiction, except where such person has a written statement by a physician duly licensed to practice medicine in the state of New York, and that the applicant is a sound person to possess a rifle or shotgun without danger of harm to himself or any other person, or
   4. suffers from a physical defect or sickness which would make it unsafe for him to handle firearms, rifles or shotguns except where such person has a written statement from a physician duly licensed to practice medicine in the state of New York, or other satisfactory proof, that he is no longer suffering from a disability in such a manner that it would interfere with or incapacitate him in the handling of a rifle or shotgun, or
   5. is a mental defective, or
   6. is a habitual drunkard, or
   7. has been adjudicated mentally incompetent and with respect to whom such adjudication remains outstanding, or
   8. is addicted to narcotic drugs, or
   9. has received a dishonorable discharge from the military service of the United States by reason of an action found constituting a felony or a misdemeanor or offense set forth in section 552 of the code of criminal procedure;
   10. Where the issuance of a permit to such a person would not be in the interests of public health, safety or welfare.

b. Validity—Any person to whom a rifle and shotgun permit has been validly issued pursuant to this chapter may possess a rifle or shotgun. No permit shall be transferred to any other person. Every person carrying a rifle or shotgun shall have on his person a permit which shall be exhibited for inspection to any police officer upon demand. Failure of any such person to so exhibit his permit shall be presumptive evidence that he is not duly authorized to possess a rifle or shotgun and the same may be considered by the control board as cause for forfeit of such permit. A permit shall be valid for three (3) years and shall be subject to automatic renewal, upon sworn application, and without investigation, unless the control board has reason to believe that the status of the applicant has changed since the previous application.

c. Non-residents.—Non-residents of the city of New York may apply for a rifle or shotgun permit subject to the same conditions, regulations and requirements as residents of the city of New York.

A non-resident of the city of New York who has not been issued a permit may nevertheless, purchase a rifle or shotgun from a licensed dealer provided that:
   1. He subscribes and affirms or swears to a written statement that he does not suffer from any of the disabilities set forth in subdivision a. of this section which would prohibit him from receiving a permit if he were a resident of the city of New York, and that he would be legally permitted to purchase a rifle or shotgun in the city or state in which he resides.
   2. The rifle or shotgun so purchased is transmitted by the dealer directly to the purchaser's residence.
   3. In the event the purchaser is traveling to another country by rail, ship or plane, the dealer is hereby authorized to deliver such rifle or shotgun at the appropriate terminal to a representative of the railroad, airline or shipping company, for placement aboard such train, plane or ship.

436-6.9. Certificates of registration. a. It shall be unlawful for any person to have in his possession any rifle or shotgun unless said person is the holder of a certificate of registration for such rifle or shotgun. It shall be unlawful for any person, not a licensed dealer, to dispose of any rifle or shotgun for which he does not have a certificate of registration.

d. Disposition of rifles and shotguns—No person lawfully in possession of a rifle or shotgun shall dispose of same except to a licensed dealer in firearms, licensed dealer in rifles and shotguns, the holder of a valid rifle and shotgun permit, or to an exempt person as enumerated in this chapter.

Any person so disposing of a rifle or shotgun shall report the disposition on forms provided by the control board setting forth the rifle and shotgun permit number of both seller and purchaser, the make, caliber, type, model and serial number, if any, and if the seller is a licensed dealer the certificate of registration number, of all such rifles and shotguns. Such form shall be signed by both seller and purchaser and the original shall be forwarded to the control board within seventy-two hours of the disposition, one copy shall be retained by the seller, another by the purchaser.

1.—If the seller is a licensed dealer, he shall at the time of the sale issue a certificate of registration to the purchaser provided to the dealer for that purpose by the control board and shall forward to the control board the duplicate thereof, together with the report of disposition.

2.—If the seller is not a licensed dealer the control board shall, if the purchaser's rifle permit is valid, issue the certificate of registration within ten days of the receipt by the control board of the report of disposition. Pending receipt of the certificate, but in no event for any longer than fourteen days from the date of purchase, the copy of the report of disposition shall serve in lieu of the purchaser's certificate of registration.

436-6.10. Exemptions. The sections requiring rifle and shotgun permits and certificates shall not apply as follows:

a. Minors. Any person under the age of eighteen years may carry, fire, or use any rifle.
or shotgun in the actual presence or under the direct supervision of any person who is himself a holder of a rifle or shotgun permit, or for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision or for the purpose of competition or target practice in and upon a firing range approved by the commissioner or any other governmental agency authorized to provide such approval, or the national rifle association, which is under competent supervision at the time of such competition or target practice, and providing that the rifle or shotgun is otherwise properly registered or exempt from registration by virtue of some other provision of this chapter.

b. Antiques and ornaments. The provisions of this chapter shall not apply to antique rifles and shotguns which are incapable of being fired or discharged or which do not fire fixed ammunition, or those weapons manufactured prior to 1894 and those weapons whose design was patented and whose commercial manufacture commenced prior to 1894 and whose manufacture continued after 1894 without any substantial alteration in design or function, and for which cartridge ammunition is not commercially available and are possessed as curiosities or ornaments or for their historical significance and value.

c. Persons in the military service in the state of New York, when duly authorized by regulations issued by the chief of staff to the governor to possess the same, and police officers, and other peace officers.

d. Persons in the military or other service of the United States, in pursuit of official duty or when duly authorized by federal law, regulation or order to possess the same.

e. Persons employed—in fulfilling defense contracts with the government of the United States or agencies thereof when possession of the same is necessary for manufacture, transport, installation and testing under the requirements of such contract.

Any such person excepted by sections c, d and e above, may purchase a rifle or shotgun only from a licensed dealer, and must submit to the dealer full and clear proof of identification, including shield number, serial number, military or governmental order or authorization, and military or other official identification. Any dealer who possesses a rifle or shotgun to any exempt person without securing such identification shall be in violation of these sections.

g. The regular and ordinary transport of rifles and shotguns as merchandise provided that the person transporting such rifles and shotguns where he knows or has reasonable means of ascertaining what he is transporting notifies, in writing, the control board of the name and address of the consignee and the place of delivery, and withholds delivery to the consignee for such reasonable period of time designated in writing by the control board as it may deem necessary for investiga-

tion as to whether the consignee may lawfully receive and possess such rifles and shotguns.

j. Nothing herein contained shall be construed to be a prohibition of the conduct of business by manufacturers, wholesale dealers, interstate shippers, or any other individuals or firms properly licensed by the federal government.

k. Special theatrical permit. Nothing herein contained is intended to prevent the possession or utilization of any rifle or shotgun during the course of any television, movie, stage or other similar theatrical production, or by a professional photographer in the pursuance of his profession, provided however, that the rifle or shotgun so used shall be properly registered and a special theatrical permit shall have been issued by the control board without the requirements for fingerprinting and investigation set forth for rifle and shotgun permits.

436-6.11. Sale and purchase of ammunition. At any time after one year from the effective date of this section no ammunition suitable for use in a rifle of any caliber or for any shotgun shall be sold or given away, or otherwise disposed of to any person who has not been issued a rifle and shotgun permit and a certificate of registration and who does not exhibit same to the dealer at the time of purchase. In no event shall rifle or shotgun ammunition be sold to any such person except for a shotgun, or for the specific caliber of rifle, for which the certificate of registration has been issued.

A record shall be kept by the dealer of each sale or any other disposition of ammunition under this section which shall show the type and quantity of ammunition sold, the name and address of the person receiving same, the date and time of the transaction, and the names of the permit and certificate exhibited as required by this section.

436-6.13. Identifying marks. a. Defacing. Any person who alters, changes, removes, disfigures, obliterates or defaces the name of the maker, model, manufacturer's or serial number of a rifle or shotgun shall be in violation of this section.

b. Any rifle or shotgun sold or otherwise disposed of by a licensed dealer, at any time after six months of the effective date of this act, which does not contain a manufacturer's or serial number, must have imbedded into the metal portion of such rifle or shotgun a dealer's number. Failure to so mark and identify any rifle or shotgun shall be a violation of this section.

C19-38.0. Storage and sale. a. Permit. It shall be unlawful to store, sell or offer for sale any ammunition in excess of two hundred small arm cartridges without a permit.

Pelham Manor

20—Firearms (a) It shall be unlawful for any person without proper license issued under the laws of the State of New York to possess or carry any pistol, revolver, sawed-off shotgun or other firearms as defined in Section 1 of this Code of General Ordinances of a size which may be concealed upon the person except in the case of any person who is specifically exempt from the State licensing provisions under the laws of the State of New York.

Rochester

47-5. Rifles, guns, revolvers and dangerous instruments. A. No person shall sell, loan, lease, give or offer to any child under eighteen years of age, or to any other person to whom a permit has not been issued by the Commissioner of Public Safety, any revolver, pistol or instrument which may be used as a weapon in which the propelling force is compressed air, compressed gas, a spring or any elastic substance and which releases darts, pellets, bullets, metallic particles or other materials capable of endangering life or property, or causing bodily injury, or any instrument commonly known as a blank gun in which any loaded or blank cartridge or ammunition is or may be used. No person shall make such sale, loan, lease, gift, transfer or offer, unless the person acquiring the item or items above named exhibits to him a permit issued by the Commissioner of Public Safety and produces identification that that person acquiring said item or items is the same person to whom the permit has been issued.

No person shall sell, loan, lease, give or offer to any child under eighteen years of age any loaded or blank cartridge or ammunition commonly used in the said type of revolver, pistol, gun or instrument which may be used as a weapon, described in this section.

Town of Orangefield

Section 15-78. Permits Required. A. Permits shall be obtained: (1) To manufacture, possess, store, sell or otherwise dispose of * * * small-arms ammunition.

Utica

16-4. Fireworks, firearms, pyrotechnics. (a) Definitions. (2) "Small arms ammunition" whenever used in this section, shall be held to mean any shotgun, rifle, pistol, or revolver cartridges.

(b) Sale, manufacture, delivery, use. No person shall manufacture, cause to be manufactured, store, handle, transport, sell, keep for sale, offer, give, dispose of, or discharge any firearms except as provided in the Penal Code, nor any pyrotechnics or small arms ammunition within the city without permission.
from the common council or written permission from the commissioner of public safety, or the mayor.

White Plains

11.10—Definitions. "Small Arms Ammunition" shall mean any shotgun, rifle, pistol or revolver cartridge, and cartridges for propulsion.

North Carolina

State Law
The Gen. Stat. of N.C.

14-288.8. Manufacture, assembly, possession, storage, transportation, sale, purchase, delivery, or acquisition of weapon of mass death and destruction; exceptions. (a) Except as otherwise provided in this section, it is unlawful for any person to manufacture, assemble, possess, store, transport, sell, offer to sell, purchase, offer to purchase, deliver or give to another, or acquire any weapon of mass death and destruction.

(b) This section does not apply to:

(1) Persons exempted from the provisions of §14-269 with respect to any activities lawfully engaged in while carrying out their duties.

(2) Importers, manufacturers, dealers, and collectors of firearms, ammunition, or destructive devices validly licensed under the laws of the United States or the State of North Carolina, while lawfully engaged in activities authorized under their licenses.

(3) Persons under contract with the United States, the State of North Carolina, or any agency of either government, with respect to any activities lawfully engaged in under their contracts.

(4) Inventors, designers, ordnance consultants and researchers, chemists, physicists, and other persons lawfully engaged in pursuits designed to enlarge knowledge or to facilitate the creation, development, or manufacture of weapons of mass death and destruction intended for use in a manner consistent with the laws of the United States and the State of North Carolina.

(c) The term "weapon of mass death and destruction" includes:

(1) Any explosive, incendiary, or poison gas:
   a. Bomb; or
   b. Grenade; or
   c. Rocket having a propellant charge of more than four ounces; or
   d. Missile having an explosive or incendiary charge of more than one-quarter ounce; or
   e. Mine; or

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f. Device similar to any of the devices described above; or

(2) Any type of weapon (other than a shotgun or a shotgun shell of a type particularly suitable for sporting purposes) which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; or

(3) Any machine gun, sawed-off shotgun, or other weapon designed for rapid fire or inflicting widely dispersed injury or damage (other than a weapon of a type particularly suitable for sporting purposes); or

(4) Any combination of parts either designed or intended for use in converting any device into any weapon described above and from which a weapon of mass death and destruction may readily be assembled.

The term "weapon of mass death and destruction" does not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of Title 10 of the United States Code; or any other device which the Secretary of the Treasury finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting purposes, in accordance with chapter 44 of Title 18 of the United States Code. * * * *

§14-315. Selling or giving weapons to minors. If any person shall knowingly sell, offer for sale, give or in any way dispose of to a minor any pistol or pistol cartridge, he shall be guilty of a misdemeanor.

Article 52A.
Sale of Weapons in Certain Counties.

§14.402. Sale of certain weapons without permit forbidden. It shall be unlawful for any person, firm, or corporation in this State to sell, give away, dispose of, or to purchase or receive, at any place within the State from any other place within or without the State, unless a license or permit therefor shall have first been obtained by such purchaser or receiver from the sheriff of the county in which such purchase, sale, or transfer is intended to be made, any pistol, so-called pump gun, * * * "Antique firearm" as defined by G.S. 14-409.11, and "historic edged weapon" as defined by G.S. 14-409.12, are hereby excepted from the provisions of this section.

§14-404. Applicant must be of good moral character; weapon for defense of home; sheriff's fee. Before the sheriff shall issue any such license or permit he shall fully satisfy himself by affidavits, oral evidence, or otherwise, as to the good moral character of the applicant therefor, and that such person, firm, or corporation requires the possession of the weapon mentioned for protection of the home. If said sheriff shall not be so fully satisfied, he shall refuse to issue said license or permit: Provided that nothing in this article shall apply to officers authorized by law to carry firearms if such officers identify themselves to the vendor or donor as being officers authorized by law to carry firearms. The sheriff shall charge for his services upon issuing such license or permit a fee of fifty cents.

§14-407.1. Sale of blank cartridge pistols. The provisions of G.S. 14-402 and G.S. 14-405 to 14-407 shall apply to the sale of pistols suitable for firing blank cartridges. The clerks of the superior courts of all the counties of this State are authorized and may in their discretion issue to any person, firm or corporation, in any such county, a license or permit to purchase or receive any pistol suitable for firing blank cartridges from any person, firm or corporation offering to sell or dispose of the same, which said permit shall be in substantially the following form: [form deleted]

§14-409. Machine guns and other like weapons. It shall be unlawful for any person, firm or corporation to manufacture, sell, give away, dispose of, use or possess machine guns, submachine guns, or other like weapons: Provided, however, that this section shall not apply to the following:

Banks, merchants, and recognized business establishments for use in their respective places of business, who shall first apply to and receive from the sheriff of the county in which said business is located, a permit to possess the said weapons for the purpose of defending the said business; officers and soldiers of the United States army, when in discharge of their official duties, officers and soldiers of the militia and the State guard when called into actual service, officers of the State, or of any county, city or town, charged with the execution of the laws of the State, when acting in the discharge of their official
duties; the manufacture, use or possession of such weapons for scientific or experimental purposes when such manufacture, use or possession is lawful under federal laws and the weapon is registered with a federal agency, and when a permit to manufacture, use or possess the weapon is issued by the sheriff of the county in which the weapon is located. Provided, further, that automatic shotguns and pistols or other automatic weapons that shoot less than thirty-one shots shall not be construed to be or mean a machine gun or submachine gun under this section; and that any bona fide resident of this State who now owns a machine gun used in former wars, as a relic or souvenir, may retain and keep same as his or her property without violating the provisions of this section upon his reporting said ownership to the sheriff of the county in which said person lives.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall be fined not less than five hundred ($500.00) dollars, or imprisoned for not less than six months, or both, in the discretion of the court.

Article 53.

Sale of Weapons in Certain Other Counties.

§14-409.1. Sale of certain weapons without permit forbidden. It shall be unlawful for any person, firm, or corporation in this State to sell, give away, or dispose of, or to purchase or receive, at any place within the State from any other place within or without the State, unless a license or permit therefor shall have first been obtained by such purchaser or receiver from the clerk of the superior court of the county in which such purchase, sale or transfer in intended to be made, any pistol, *

§14-409.3. Applicant must be of good moral character; weapon for defense of home; clerk's fee. Before the clerk of the superior court shall issue any such license or permit he shall fully satisfy himself by affidavits, oral evidence, or otherwise, as to the good moral character of the applicant therefor, and that such person, firm or corporation requires the possession of the weapon mentioned for protection of the home. If said clerk shall not be so fully satisfied, he shall refuse to issue said license or permit: Provided, that nothing in this article shall apply to officers authorized by law to carry firearms if such officers identify themselves to the vendor or donor as being officers authorized by law to carry firearms. The clerk shall charge for his services upon issuing such license or permit a fee of fifty cents.

§14-409.7. Sale of blank cartridge pistols. The provisions of G. S. 14-409.1 and G. S. 14-409.4 to 14-409.6 shall apply to the sale of pistols suitable for firing blank cartridges. The clerks of the superior courts of all the counties of this State are authorized and may in their discretion issue to any person, firm or corporation, in any such county, a license or permit to purchase or receive any pistol suitable for firing blank cartridges from any person, firm or corporation offering to sell or dispose of the same, which said permit shall be in substantially the following form: [form deleted]

§14-409.9. Machine guns and other like weapons. It shall be unlawful for any person, firm or corporation to manufacture, sell, give away, dispose of, use or possess machine guns, submachine guns, or other like weapons: Provided, however, that this section shall not apply to the following:

Banks, merchants, and recognized business establishments for use in their respective places of business, who shall first apply to and receive from the clerk of the superior court of the county in which said business is located, a permit to possess the said weapons for the purpose of defending the said business; officers and soldiers of the United States army, when in discharge of their official duties, officers and soldiers of the militia and the State guard when called into actual service, officers of the State, or of any county, city or town, charged with the execution of the laws of the State, when acting in the discharge of their official duties; the manufacture, use or possession of such weapons for scientific or experimental purposes when such manufacture, use or possession is lawful under federal laws and the weapon is registered with a federal agency, and when a permit to manufacture, use or possess the weapon is issued by the sheriff of the county in which the weapon is located. Provided, further, that automatic shotguns and pistols or other automatic weapons that shoot less than thirty-one shots shall not be construed to be or mean a machine gun or submachine gun under this section; and that any bona fide resident of this State who now owns a machine gun used in former wars, as a relic or souvenir, may retain and keep same as his or her property without violating the provisions of this section upon his reporting said ownership to the clerk of the superior court of the county in which said person lives.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall be fined not less than five hundred ($500.00) dollars, or imprisoned for not less than six months, or both, in the discretion of the court.

§14-409.10. Purchase of rifles and shotguns out of State. It shall be lawful for citizens of this State to purchase rifles and shotguns and ammunition therefore in states contiguous to this State.

§14-409.11. “Antique firearm” defined. The term “antique firearm; means any firearm manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1898; and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

§14-415.1. Possession of firearms, etc., by felon prohibited. (a) It shall be unlawful for any person who has been convicted in any court in this State, in any other state of the United States or in any federal court of the United States of a crime, punishable by imprisonment for a term exceeding two years, to purchase, own, possess or have in his custody, care or control, any hand gun or other firearms with a barrel length of less than 18 inches or an overall length of less than 26 inches.

Every person violating the provisions of this section shall be guilty of a felony and shall be imprisoned for not more than 10 years in the State prison or shall be fined an amount not exceeding five thousand dollars ($5,000).

§14-415.2. Exemption where citizenship restored. Any person whose citizenship is restored under the provisions of Chapter 13 of the General Statutes, any comparable State or federal statute, shall thereafter be exempted from the provisions of G.S. 14-415.1

Ahoskie

Section 8-22. Firebombs (a) Definitions.

For the purposes of this Section, the following terms shall have the meanings herein ascribed:

(1) “Molotov Cocktail” is defined as any breakable container or any container which is designed in such a manner that upon being propelled it will at impact empty its contents, which is filled with an inflammable fluid or substance, and which is fitted with a fuse or wick.

(2) “Firebombs” is defined as any type of object designed or constructed so that upon being propelled it will explode or ignite its area of impact.

(b) Prohibited Acts. No person or persons shall manufacture, possess, transport or use any Molotov Cocktail or other firebomb.

(c) Possession of Materials Restricted. No person or group of persons shall possess all the items or materials needed to manufacture Molotov Cocktails or other firebombs, other than on his or their premises.

Charlotte

11-18(246a). Pistols, dealers in pistols, etc. License required of dealers in pistols and/or metallic pistol cartridges or cartridges used in pistols.
Edenton

(a) "Molotov Cocktail" is defined as any breakable container or any container which is designed in such a manner that upon being propelled it will at impact empty its contents, which is filled with an inflammable fluid or substance, and which is fitted with a fuse or wick.

(b) "Firebomb" is defined as any type of object designed or constructed so that upon being propelled it will explode or ignite its area of impact.

2. Prohibited acts. It shall be unlawful for any person or persons to manufacture, possess, transport or use any Molotov Cocktail or other firebomb.

3. Possession of materials restricted. It shall be unlawful for any person or group of persons to possess all the items or materials needed to manufacture Molotov Cocktails or other firebombs, other than on his or their premises.

Elizabeth City

6-3.1. Public safety. 1: It shall be unlawful for any merchant within the City of Elizabeth City to engage in the business of selling or exchanging pistols without being licensed by the City Council of the City of Elizabeth City to engage in such business.

II: A new section shall be added to such ordinance, designated as Section III.1, reading as follows: All employees of a licensed merchant who are authorized to make a sale of pistols shall apply to the Chief of Police on a form to be prepared by him for a license to sell pistols as an employee of a licensed merchant and such application shall be passed upon by the City Council and if approved, a license shall be granted. It shall be unlawful for any employee of a licensed merchant to engage in the sale of pistols without being first licensed in accordance with the above provisions.

Franklinton

Section 1. Definitions: For the purpose of this ordinance, the following shall have the meanings herein ascribed:

(a) "Molotov Cocktail" is defined as any breakable container or any container which is designed in such a manner that upon being propelled it will at impact empty its contents, which is filled with an inflammable fluid substance, and which is fitted with a fuse or wick.

(b) "Firebomb" is defined as any type of object designed or constructed so that upon being propelled it will explode or ignite its area of impact.

Section 2. Prohibited Acts. It shall be unlawful for any person or persons to manufac-
Shelby

(1) "Molotov cocktail" is defined as any breakable container or any container which is designed in such a manner that upon being propelled it will at impact empty its contents, which is filled with an inflammable fluid or substance, and which is fitted with a fuse or wick.

(2) "Firebomb" is defined as any type of object designed or constructed so that upon being propelled it will explode or ignite its area of impact.

(b) Manufacture, possession, transportation, or use. It shall be unlawful for any person or persons to manufacture, possess, transport or use any Molotov cocktail or other fire bomb.

(c) Possession of materials restricted. It shall be unlawful for any person or group of persons to possess all the items or materials needed to manufacture Molotov Cocktails or other fire bombs, other than on his or their premises.

Williamston

(a) "Molotov Cocktail" is defined as any breakable container or any container which is designed in such a manner that upon being propelled it will at impact empty its contents, which is filled with an inflammable fluid or substance, and which is fitted with a fuse or wick.

(b) "Firebomb" is defined as any type of object designed or constructed so that upon being propelled it will explode or ignite its area of impact.

2. Prohibited acts. It shall be unlawful for any person or persons to manufacture, possess, transport or use any Molotov Cocktail or other firebomb.

3. Possession of material restricted. It shall be unlawful for any person or group of persons to possess all the items or materials needed to manufacture Molotov Cocktails or other fire bombs, other than on his or their premises.

NOTICES

North Dakota

State Law

N. D. Century Code

Sec. 9-21. Definitions. For the purposes of this article, the following terms shall have the meanings herein ascribed:

(a) Molotov Cocktail. "Molotov Cocktail" is defined as any breakable container or any container which is designed in such a manner that upon being propelled it will at impact empty its contents, which is filled with an inflammable fluid or substance, and which is fitted with a fuse or wick.

(b) Firebomb. "Firebomb" is defined as any type of object designed or constructed so that upon being propelled it will explode or ignite its area of impact.

Sec. 9-22. Prohibited acts. It shall be unlawful for any person or persons to manufacture, possess, transport or use any Molotov Cocktail or other firebomb.

Warsaw

(a) "Molotov Cocktail" is defined as any breakable container or any container which is designed in such a manner that upon being propelled it will at impact empty its contents, which is filled with an inflammable fluid or substance, and which is fitted with a fuse or wick.

(b) "Firebomb" is defined as any type of object designed or constructed so that upon being propelled it will explode or ignite its area of impact.

2. Prohibited acts. It shall be unlawful for any person or persons to manufacture, possess, transport or use any Molotov Cocktail or other firebomb.

3. Possession of materials restricted. It shall be unlawful for any person or group of persons to possess all the items or materials needed to manufacture Molotov Cocktails or other fire bombs, other than on his or their premises.

and deliver to the person selling, delivering, or transferring the same, a statement in triplicate containing the full name, age, address, and occupation of the person receiving the pistol and the caliber, make, model, and manufacturer's number of the pistol, and the number of the license possessed by the person obtaining the pistol.

62-01-11. Selling pistol to minors prohibited—Penalty. Any person who shall sell, barter, hire, lend, or give any pistol to any minor under the age of seventeen years shall be guilty of a class A misdemeanor.

62-01-12. Prohibited transfers. No person shall deliver a pistol to any person if he has reasonable cause to believe that such person is prohibited by law from possessing a pistol. No person shall make any loan secured by a mortgage, deposit, or pledge of a pistol. Any person may lend a pistol for not more than thirty days to any person who holds a license to carry a pistol. A person not a licensed retailer shall not sell or give away a pistol without complying with the provisions of section 62-01-09.

62-01-13. Dealer's license required. Before any retail dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell or transfer, any pistol, he must be licensed by the federal government and, in cities requiring such license, by the duly constituted licensing authorities of such city.

62-01-19. Antique pistols. This chapter shall not apply to the purchase, possession, or sale as curiosities or ornaments, of pistols more than fifty years old.

62-02-01. Definitions. The term "machine gun, submachine gun, or automatic rifle" as used in this chapter shall mean and include a...
weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot, and having a reservoir, belt, or other means of storing and carrying ammunition which can be loaded into the weapon, mechanism, or instrument and fired therefrom at a rate of five or more shots to the second.

62-02-02. License required. No person shall purchase, sell, have, or possess a machine gun, submachine gun, automatic rifle of a caliber larger than twenty-two, or a bomb loaded with explosives or poisonous or dangerous gases unless he has a license permitting him to purchase, sell, have, or possess such weapon.

62-02-04. License—Application—Who issues. An application for a license to purchase, sell, have, or possess a machine gun, submachine gun, automatic rifle of a caliber larger than twenty-two, or a bomb loaded with explosives or poisonous or dangerous gases shall be made to the judge of the district court of the county in which the applicant is a resident.

62-02-07. Persons exempt from provisions of this chapter. The provisions of this chapter shall not apply to the following persons:

1. The authorized agent and a servant of a person who has a license to purchase, sell, have, or possess a machine gun, submachine gun, automatic rifle of a caliber larger than twenty-two, or a bomb loaded with explosives or poisonous or dangerous gases; or
2. Officers and members of a duly authorized military organization; or
3. Officers and members of the police force of any municipality or sheriffs, deputy sheriffs, or other officers having police powers under the laws of this state.

62-04-01. Use and sale of “silencier” prohibited—Penalty. Any person who sells, offers for sale, or uses any device for or attachment to any firearm which will silence or deaden the sound or natural report of the weapon, when it is discharged shall be guilty of a class A misdemeanor. The use of any such device by a member of the national guard or of the regular army, on any rifle range in this state under the supervision of a commissioned officer shall not be a violation of this section.

62-05-02. Resident may purchase rifle or shotgun in contiguous state. It shall be lawful for a person residing in this state, including a corporation or other business entity maintaining a place of business in this state, to purchase or otherwise obtain a rifle or shotgun in a state contiguous to this state, and to receive or transport such rifle or shotgun into this state.

Grafton

Ordinance 135.

Section 1. Definitions: 1. Retail Dealer shall be any person, firm or corporation purchasing pistols for resale.

2. Pistols shall be any firearm having a barrel less than twelve (12) inches long.

3. Purchaser shall be any person, firm or corporation obtaining a pistol either by purchase or gift, or by any other means, from a retail dealer.

Section 2. No retail dealer in pistols shall sell a pistol within the City limits of the City of Grafton before he has obtained a license from the City.

Section 3. Any license issued in accordance with this Ordinance shall be subject to the following conditions, for the breach of any of which the license shall be subject to forfeiture: ** *

3. No pistol shall be delivered:
   a. On the day of the application for the purchase;
   b. Unless the purchaser either is personally known to the seller, or shall present clear evidence of his identity; or
   c. Unless the purchaser shall exhibit a license to carry a pistol issued in his name; or
   d. Unless the Chief of Police shall have been notified at least twenty-four (24) hours before delivery of a pistol of the name of the prospective purchaser and the caliber of the pistol intended to be sold.

4. A true record, in triplicate, shall be made of every pistol sold, said record to be made in a book kept for such purpose. Such book shall be signed personally by the purchaser and by the person effecting the sale, each in the presence of the other, [contact local authorities for required contents] ** *

Mandan

6-0401. Firearms not to be furnished to minors. It shall be unlawful for any person, firm or corporation to sell or rent firearms to minors within the limits of the city of Mandan.

6-0403. Blank cartridges, pistols, etc.; manufacture, use, and sale of. No person shall manufacture, use, sell, or keep for sale within the city of Mandan any blank cartridges, pistols, blank cartridge revolver, or other blank cartridge firearms, blank cartridge caps containing dynamite, or firecrackers exceeding three inches in length and exceeding one-half of an inch in diameter.

Minot

Sec. 23-124. Sales to intoxicated persons and minors. No person in the city shall purchase, or sell, loan, or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of twenty-one (21) years.

Valley City

8-9. Pistol defined. The term "pistol" means any firearm having a barrel less than twelve inches long.

8-11. License—Required; term. No retail dealer shall sell or otherwise transfer or expose for sale or transfer, or have in his possession with intent to sell, trade, or transfer any pistol without first obtaining a license to sell pistols as herein provided. All licenses granted under the provisions of this article shall expire at the expiration of the calendar year in which issued.

8-12. Same—Qualifications. No person may obtain a retail dealer's pistol license within the city without first being licensed by the federal government to sell pistols and exhibiting such federal license to the city auditor, and unless the applicant is a resident of the city.

8-13. Weapons—Conditions of issuance. (c) No pistol shall be delivered:
   (1) On the day of the application for the purchase.
   (2) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.
   (3) Unless the purchaser shall exhibit a license to carry a pistol
2923.11 Definitions. As used in sections 2923.11 to 2923.24 of the Revised Code:

(A) "Deadly weapon" means any instrument, device, or thing capable of inflicting death, and designed or specially adapted for use as a weapon, or possessed, carried, or used as a weapon.

(B) "Firearm" means any deadly weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant. "Firearm" includes an unloaded firearm, and any firearm which is inoperable but which can readily be rendered operable.

(C) "Handgun" means any firearm designed to be fired while being held in one hand.

(D) "Semi-automatic firearm" means any firearm designed or specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.

(E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger. "Automatic firearm" also means any semi-automatic firearm designed or specially adapted to fire more than eighteen cartridges without reloading, other than a firearm chambering only .22 caliber short, long, or long-rifle cartridges.

(F) "Sawed-off firearm" means a shotgun with a barrel less than eighteen inches long, or a rifle with a barrel less than sixteen inches long, or a shotgun or rifle less than twenty-six inches long overall.

(G) "Zip-gun" means any of the following:
(1) Any firearm of crude and extemporized manufacture;
(2) Any device, including without limitation a starter's pistol, not designed as a firearm, but which is specially adapted for use as such;
(3) Any industrial tool, signalling device, or safety device, not designed as a firearm, but which as designed is capable of use as such, when possessed, carried, or used as a firearm.

(H) "Explosive device" means any device designed or specially adapted to cause physical harm to persons or property by means of fire, and consisting of an incendiary substance or agency and a means to ignite it.

(I) "Dangerous ordnance" means any of the following, except as provided in division (K) of this section:
(1) Any automatic or sawed-off firearm, or zip-gun;
(2) Any explosive device or incendiary device;
(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, cyclonite, TNT, picric acid, and other high explosives; amatol, trinitrotoluene, tetrytol, pentolite, percol, cyclotol, and other high explosive compositions; plastic explosives; dynamite, blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, liquid-oxygen blasting explosives, blasting powder, and other blasting agents; and any other explosive substance having sufficient brisance or power to be particularly suitable for use as a military explosive, or for use in mining, quarrying, excavating, or demolitions;
(4) Any firearm, rocket launcher, mortar, artillery piece, grenade, mine, bomb, torpedo, or similar weapon, designed and manufactured for military purposes, and the ammunition therefor.

(J) "Incendiary device" means any device, including a military weapon and the ammunition therefor, and regardless of its actual age, which employs a percussion cap or other obsolete ignition system, or which is designed and safe for use only with black powder;

(K) "Incendiary device" does not include any of the following:
(1) Any firearm, including a military weapon and the ammunition therefor, and regardless of its actual age, which employs a percussion cap or other obsolete ignition system, or which is designed and safe for use only with black powder;
(2) Any pistol, rifle, or shotgun, designed or suitable for sporting purposes, including a military weapon as issued or as modified, and the ammunition therefor, unless such firearm is an automatic or sawed-off firearm;
(3) Any cannon or other artillery piece which, regardless of its actual age, is of a type in accepted use prior to 1887, has no mechanical, hydraulic, pneumatic, or other system for absorbing recoil and containing the tube into battery without displacing the carriage, and is designed and safe for use only with black powder;
(4) Black powder, priming quills, and percussion caps possessed and lawfully used to fire a cannon of a type defined in division (K) of this section during displays, celebrations, organized matches or shoots, and target practice, and smokeless and black powder, primers, and percussion caps possessed and lawfully used as a propellant or ignition device in small-arms or small-arms ammunition;
(5) Dangerous ordnance which is inoperable or inert and cannot readily be rendered operable or activated, and which is kept as a trophy, souvenir, curio, or museum piece.

(L) Any device which is expressly excepted from the definition of a destructive device pursuant to the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921 (4), and any amendments or additions thereto or reenactments thereof, and regulations issued thereunder.

2923.13 Having weapons while under disability. (A) Unless relieved from disability as provided in section 2923.14 of the Revised Code, no person shall knowingly acquire, have, carry, or use any firearm or dangerous ordnance, if any of the following apply:
(1) Such person is a fugitive from justice;
(2) Such person is under indictment for or has been convicted of any felony involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse, or has been adjudged a juvenile delinquent for commission of any such offense;
(3) Such person is under indictment for or has been convicted of any offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse, or has been adjudged a juvenile delinquent for commission of any such offense;
(4) Such person is drug dependent or in danger of drug dependence, or is a chronic alcoholic;
(5) Such person is under adjudication of mental incompetence.

(B) Whoever violates this section is guilty of having weapons while under disability, a felony of the fourth degree.

2923.14 Relief from disability. (A) Any person who, solely by reason of his disability under division (A) (2) or (3) of section 2923.13 of the Revised Code, is prohibited from acquiring, having, carrying, or using firearms, may apply to the court of common pleas in the county where he resides for relief from such prohibition.

(B) The application shall recite the following:
(1) All indictments, convictions, or adjudications upon which the applicant's disability is based, the sentence imposed and served, and probation, parole, or partial or conditional pardon granted, or other disposition of each case;
(2) Facts showing the applicant to be a fit subject for relief under this section.

(C) A copy of the application shall be served on the county prosecutor, who shall cause the matter to be investigated, and shall raise before the court such objections to granting relief as the investigation reveals.

(D) Upon hearing, the court may grant the applicant relief pursuant to this section, if all of the following apply:
(1) The applicant has been fully discharged from imprisonment, probation, parole, or, if he is under indictment, has been released on bail or recognizance;
(2) The applicant has led a law-abiding life since his discharge or release, and appears likely to continue to do so;
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(3) The applicant is not otherwise prohibited by law from acquiring, having, or using firearms.

(E) Costs of the proceeding shall be charged as in other civil cases, and taxed to the applicant.

(F) Relief from disability granted pursuant to this section:
(1) Applies only with respect to indictments, convictions, or adjudications recited in the application;
(2) Applies only with respect to firearms lawfully acquired, possessed, carried, or used by the applicant;
(3) Does not apply with respect to dangerous ordnance;
(4) May be revoked by the court at any time for good cause shown and upon notice to the applicant;
(5) Is automatically void upon commission by the applicant of any offense embraced by division (A) (2) or (3) of section 2923.13 of the Revised Code, or upon the applicant's becoming one of the class of persons named in division (A) (1), (4), or (5) of such section.

2923.17 Unlawful possession of dangerous ordnance. (A) No person shall knowingly acquire, have, carry, or use any dangerous ordnance.

(B) This section does not apply to:
(1) Officers, agents, or employees of this or any other state or the United States, members of the armed forces of the United States or the organized militia of this or any other state, and law enforcement officers, to the extent that any such person is authorized to acquire, have, carry, or use dangerous ordnance and is acting within the scope of his duties;
(2) Importers, manufacturers, dealers, and users of explosives, having a license or user permit issued and in effect pursuant to the "Organized Crime Control Act of 1970," 84 Stat. 952, 18 U.S.C. 843, and any amendments or additions thereto or reenactments thereof, with respect to explosives and explosive devices lawfully acquired, possessed, carried, or used under the laws of this state and applicable federal law;
(3) Importers, manufacturers, and dealers having a license to deal in destructive devices or their ammunition, issued and in effect pursuant to the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 923, and any amendments or additions thereto or reenactments thereof, with respect to dangerous ordnance lawfully acquired, possessed, carried, or used under the laws of this state and applicable federal law;
(4) Persons to whom surplus ordnance has been sold, loaned, or given by the secretary of the army pursuant to 70A Stat. 262 and 263, 10 U.S.C. 4684, 4685, and 4686, and any amendments or additions thereto or reenactments thereof, with respect to dangerous ordnance when lawfully possessed and used for the purposes specified in such sections;
(5) Owners of dangerous ordnance registered in the national firearms registration and transfer record pursuant to the act of October 22, 1968, 82 Stat. 1229, 26 U.S.C. 5841, and any amendments or additions thereto or reenactments thereof, and regulations issued thereunder.
(6) Carriers, warehousemen, and others engaged in the business of transporting or storing goods for hire, with respect to dangerous ordnance lawfully transported or stored in the usual course of their business and in compliance with the laws of this state and applicable federal law;
(7) The holders of a license or temporary permit issued and in effect pursuant to section 2923.18 of the Revised Code, with respect to dangerous ordnance lawfully acquired, possessed, carried, or used for the purposes and in the manner specified in such license or permit.
(C) Whoever violates this section is guilty of unlawful possession of dangerous ordnance, a misdemeanor of the first degree.

2923.18 License or permit to possess dangerous ordnance. (A) Upon application to the sheriff of the county or safety director or police chief of the municipality where the applicant resides or has his principal place of business, and upon payment of the fee specified in division (B) of this section, a license or temporary permit shall be issued to qualified applicants to acquire, possess, carry, or use dangerous ordnance, for the following purposes:
(1) Contractors, wreckers, quarrymen, mine operators, and other persons regularly employing explosives in the course of a legitimate business, with respect to explosives and explosive devices acquired, possessed, carried, or used in the course of such business;
(2) Farmers, with respect to explosives and explosive devices acquired, possessed, carried, or used for agricultural purposes as defined in section 3743.01 of the Revised Code;
(3) Scientists, engineers, and instructors, with respect to dangerous ordnance acquired, possessed, carried, or used in the course of bona fide research or instruction;
(4) Financial institution and armored car company guards, with respect to automatic firearms lawfully acquired, possessed, carried, or used by any such person while acting within the scope of his duties;
(5) In the discretion of the issuing authority, any responsible person, with respect to dangerous ordnance lawfully acquired, possessed, carried, or used for a legitimate purpose;
(6) Application for a license or temporary permit under this section shall be in writing under oath to the sheriff of the county or safety director or police chief of the municipality where the applicant resides or has his principal place of business. The application shall be accompanied by an application fee of fifty dollars when the application is for a license, and an application fee of five dollars when the application is for a temporary permit. The fees shall be paid into the general revenue fund of the county or municipality. The application shall contain the following information:
(1) The name, age, address, occupation, and business address of the applicant, if he is a natural person, or the name, address, and principal place of business of the applicant, if the applicant is a corporation;
(2) A description of the dangerous ordnance for which a permit is requested;
(3) A description of the place or places where and the manner in which the dangerous ordnance is to be kept, carried, and used;
(4) A statement of the purposes for which the dangerous ordnance is to be acquired, possessed, carried, or used;
(5) Such other information as the issuing authority may require in giving effect to this section.
(C) Upon investigation, the issuing authority shall issue a license or temporary permit only if all of the following apply:
(1) The applicant is not otherwise prohibited by law from acquiring, having, carrying or using dangerous ordnance;
(2) The applicant is age twenty-one or over, if he is a natural person;
(3) It appears that the applicant has sufficient competence to safely acquire, possess, carry, or use the dangerous ordnance, and that proper precautions will be taken to protect the security of the dangerous ordnance and insure the safety of persons and property;
(4) It appears that the dangerous ordnance will be lawfully acquired, possessed, carried, and used by the applicant for a legitimate purpose.
(D) The license or temporary permit shall identify the person to whom it is issued, identify the dangerous ordnance involved and state the purposes for which the license or temporary permit is issued, state the expiration date, if any, and list such restrictions on the acquisition, possession, carriage, or use of the dangerous ordnance as the issuing authority considers advisable to protect the security of the dangerous ordnance and insure the safety of persons and property.
(E) A temporary permit shall be issued for the casual use of explosives and explosive devices, and other consumable dangerous ordnance, and shall expire within thirty days of its issuance. A license shall be issued for the regular use of consumable dangerous ordnance, or for any non-consumable dangerous ordnance, which license need not specify an expiration date, but the issuing authority may specify such expiration date, not earlier than
2923.20 Unlawful transactions in weapons. (A) No person shall: (1) Recklessly sell, lend, give, or furnish any firearm to any person prohibited by section 2923.13 or 2923.15 of the Revised Code from acquiring or using any firearm, or recklessly sell, lend, give, or furnish any dangerous ordnance to any person prohibited by section 2923.13, 2923.15, or 2923.17 of the Revised Code from acquiring or using any dangerous ordnance; (2) Possess any firearm or dangerous ordnance with purpose to dispose of it in violation of division (A) of this section; (3) Sell any firearm to a person under age eighteen; (4) Sell any handgun to a person under age twenty-one; (5) Furnish any firearm to a person under age eighteen, except for purposes of lawful hunting, or for purposes of instruction in firearms safety, care, handling, or marksmanship under the supervision or control of a responsible adult. (B) Whoever violates this section is guilty of improperly furnishing firearms to a minor, a misdemeanor of the second degree.

Editor's Note

A number of the Ohio municipalities included herein have incorporated portions of the Ohio State law directly into their municipal ordinances. In these instances, the ordinance language is identical to the corresponding portion of the State law. To avoid undue repetition of State law language, listings for municipalities falling within this category contain only municipal codification references, followed by either the words "same as" or "adopts," and the corresponding State law citations. The reader can then refer to the appropriate portion of the State law.

In the case of Akron, for example, Section 672.01 of the municipal ordinances would contain the same language as Section 2923.11 of the Ohio State law.

Ada

60-25. Section 31. Sale of firearms to minors. No person shall sell, barter, furnish, or give to a minor under the age of seventeen years rifle, shotgun, revolver, pistol, or other firearm, or ammunition therefor.

Akron

672.01 same as 2923.11.
672.05 same as 2923.17.
672.07 adopts 2923.18.
672.13 Certain Handguns Prohibited. No person shall possess, sell, transfer, give, deliver or furnish a handgun having a retail value of $50.00 or less and having a barrel, slide, frame, or receiver which is a die casting of zinc alloy or any other non-homogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit, either assembled or disassembled.

C. For purposes of this section, "handgun" shall mean a firearm having a barrel and firing mechanism designed to eject or propel a projectile by the action of any explosive or combustible propellant, and having a barrel not exceeding twelve inches in length, measured by the insertion therein of a rod with the receiver or slide closed, but does not include inoperable firearms which cannot be rendered operable, or handguns designed and safe only for use with black powder.

864.01 Definitions. As used in this chapter: (a) "Firearm" means any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of expanding gases, but does not include any weapon not designed to fire or capable of firing fixed cartridge or fixed shotshell ammunition. (b) "Pistol" means any firearm with a barrel less than twelve inches in length. (c) "Manufacturer" or "dealer" means any person engaged in the business of manufac
turing, repairing or selling firearms at wholesale or retail. (d) "Fugitive from justice" means any person who has fled or is fleeing from any law enforcement officer to avoid prosecution or incarceration for a felony or to avoid giving testimony in any criminal proceeding.

864.02 Possession restricted. (a) No person who has been convicted of a felony in any court of the United States, the several states, territories, possessions, commonwealth countries or the District of Columbia, or who is a fugitive from justice or of unsound mind or a drug addict or an habitual drunkard, shall possess a firearm within the City. (b) No person under the age of eighteen years shall possess a pistol. The provisions of this paragraph shall not apply to the issue of pistols to members of the Armed Forces of the United States, active or reserve, State Militia or ROTC, when on duty or training, or to the temporary loan of pistols for instruction under the immediate supervision of a parent, guardian or adult instructor.
(c) No person shall sell, lease, lend or otherwise transfer a firearm to any person under eighteen years of age except as provided in subsection (b) hereof.

864.03 Removal of Serial Numbers. No person shall receive, possess, sell, lease or otherwise transfer any pistol from which the manufacturer's serial numbers or letters have been removed.

864.05 Sales, transfers ***(a) No manufacturer or dealer, except a manufacturer or dealer having a license issued, under the provisions of this chapter, shall sell any firearm at wholesale or retail.

(b) No person shall sell, lease, lend or otherwise transfer a firearm to any person who he knows or has reasonable cause to believe has been convicted of a felony, or is a fugitive from justice or of unsound mind or a drug addict or an habitual drunkard.

(c) When delivered, all pistols must be securely wrapped and must be unloaded.

*** ** ** **

864.09 Obtaining weapons by theft or fraud. No person shall procure or attempt to procure any firearm, regardless of dollar value, by theft, fraud, violence or threat of violence.

864.10(a) same as 2923.20(A) (4). 864.10(c) same as 2923.20(A) (5). 864.11 same as 2923.21(A).

Alliance

Section 789. It shall be unlawful for any person to buy, purchase or obtain in exchange any revolver, pistol, *** without first having obtained a permit from the chief of police to make such purchase or exchange.

Amberley Village

131.06. Sale of firearms to minors. No person shall sell, barter, furnish, or give to a minor under the age of seventeen years, an air gun, musket, rifle, shotgun, revolver, pistol, or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

Amherst

549.01 same as 2923.11. 549.05 same as 2923.17. 549.07(a) (2) same as 2923.20(A) (4). 549.07(a) (3) same as 2923.20(A) (5). 549.08 same as 2923.21.

Bay Village

549.01 same as 2923.11. 549.05 same as 2923.17. 549.07(a) (2) same as 2923.20(A) (4). 549.07(a) (3) same as 2923.20(A) (5). 549.08 same as 2923.21.

Beachwood

541.01 Definitions. (a) "Chief of Police" means the Chief of Police of the City, or his duly authorized agents.

*** ** ** **

(c) "Firearm" means any weapon, including a handgun, by whatever name known, or the barrel, receiver or any part of the firing mechanism of such weapon, which is designed to eject or propel a projectile by the action of an explosive or combustible propellant; but does not include inoperable firearms which cannot be rendered operable.

(d) "Handgun" means any pistol, revolver or other firearm, having a barrel not exceeding twelve inches in length, measured by the insertion therein of a rod with the receiver or slide closed, but does not include handguns designed and safe only for use with black powder.

(f) "Fugitive from justice" means a person who flees, escapes from custody, conceals or attempts to use any other unlawful means to avoid prosecution or punishment for a felony under the laws of this or any other state, the United States or any of its territories or possessions, the District of Columbia or any foreign country with which the United States has a treaty of extradition in effect.

(g) "Resident" means any person who has a place of residence within the limits of the City.

(h) "Nonresident" means any person who does not have a place of residence within the limits of the City.

(i) "Minor" means any person under the age of twenty-one years.

541.03 Prohibitions. (a) No person shall purchase, own, possess, receive, have on or about his person or use any firearm or ammunition, if such person is a fugitive from justice or is, at that time, under court adjudication for mental incompetence, or has been committed to a mental institution, hospitalized or has received hospital treatment for any mental disorder, alcoholism or narcotic addiction within the previous ten years, unless a doctor indicates, in writing, that such person is completely recovered and sufficiently stable to own or possess a firearm or ammunition.

(b) No person shall purchase, receive, have on or about his person or use any firearm or ammunition while under the influence of alcohol, any narcotic drug, hallucinogen or other dangerous drug or stimulants as defined by Title 21 of the United States Code, Section 321 (v), known as the Drug Abuse Control Amendments of 1965 effective February 1, 1966.

(c) No person shall purchase, own, possess, receive, have on or about his person or use any firearm or ammunition if such person has been convicted of a felony involving the
use or threat of use of force or violence against the person of another under the laws of this City, the State of Ohio or any other state, the United States or any of its territories or possessions, the District of Columbia or any foreign country with which the United States has a treaty of extradition in effect, provided, however, such person shall be eligible to possess, purchase, own, receive or have on or about his person or use a handgun or handgun ammunition after ten years have elapsed from the date of completion of any sentence, probationary period or parole imposed upon such person so convicted.

(d) No person shall knowingly sell, transfer, give, deliver or furnish any firearms or ammunition to any person prohibited by this section from purchasing, owning, possessing, receiving, having on or about his person or using such firearms or ammunition.

541.05 Identification card required. (a) No person shall purchase, own, possess, receive, have on or about his person or use any handgun unless such person has a handgun owner's identification card issued to him and in effect pursuant to this section, or unless such person has been issued a dealer's license pursuant to Section 541.07, or unless such person is exempt from the requirements of an identification card pursuant to Section 541.06.

541.06 Exemptions. (a) The requirements of a handgun owner's identification card contained in Section 541.05 do not apply to the purchase, ownership, possession, receipt, having on or about the person or use of any handgun or handgun ammunition by:

1. Any state or the United States, or any political subdivision, department or agency of either.
2. Officers or agents of any state or the United States, or any political subdivision, department or agency of either; members of the organized militia of any state, or the Armed Forces of the United States; or law enforcement officers of any political subdivision to the extent that the official duties of such persons require them to purchase, own, possess, receive, carry or use handguns.
3. L.icensed dealers of handguns, and their agents and servants, to the extent that the purchase, ownership, possession, receipt or use of handguns is in the ordinary course of business.
4. Nonresidents of the State who are residents of the State, provided that such persons are not prohibited by the provisions of Sections 541.03 and 541.05, and possess and exhibit upon request, such valid permit, authorization or identification issued by the chief of police or the sheriff of their place of residence to purchase, own, possess, receive, carry or use any handgun.

The requirements of a valid permit, authorization or identification as required by this subparagraph shall not apply to a nonresident who enters the City with firearms for the sole and only purpose of exhibiting or trading such firearms at a public firearms display, show, or exhibition, or for the sole and only purpose of participating in an organized and sanctioned pistol match. The permit, authorization or identification provided for in this subparagraph shall be valid for thirty days only from the date thereof.

5. Nonresidents of the City, moving to the City for the purpose of establishing residence herein, during a period not exceeding thirty days from the date of their entry into the City for such purpose, provided that such persons shall possess and exhibit upon request such valid permit, authorization or identification as may be required by the laws of their former domicile to own, possess, receive or have on or about the person any handgun.

6. Executors, administrators, guardians, receivers, trustees in bankruptcy and other fiduciaries duly qualified and appointed by a court of competent jurisdiction, when acting in their fiduciary capacity, and their attorneys.

7. Heirs and legatees acquiring any handgun or handgun ammunition through distribution of any estate, and other persons other than fiduciaries acquiring any handgun through operation of law, during a period not exceeding sixty days from the date of their coming into possession of any handgun.

8. Carriers, warehousemen and others engaged in the business of transporting or storing firearms, handguns and their agents, to the extent that the ownership, possession, receipt or having on or about the person of business and in conformity with the laws of this State or the United States.

9. Residents of the City who acquire, by purchase or otherwise, a handgun or handguns during a period not exceeding thirty days from such purchase or acquisition.

(b) No person shall purchase, or otherwise obtain, or attempt to purchase or otherwise obtain, any handgun by claiming an exemption pursuant to this section from the requirement of a handgun owner's identification card contained in Section 541.05, knowing such claim of exemption to be false.

541.07 Dealer's license. (a) Every firearms dealer in the City shall procure a license to engage in such business. Any firearms dealer engaged in such business at more than one permanent location in the City shall procure a separate license for each separate permanent location. Application for such license shall be made to the Chief of Police.

(c) No person, firm or corporation shall engage in business as a firearms dealer in this City without a license as provided by this section.

541.10 Revocation of license.
first obtaining the information in proper affidavit form as required herein. Failure to comply with these regulations shall be grounds for revocation of the permit license.

Belpre

131.06. Sale of firearms to minors. (A) No person shall sell, barter, furnish or give to a minor under the age of 17 years, an air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition thereof, or, being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

(C) This section is not applicable to a minor under the age of 17 years who is hunting in accordance with sec. 1533.13 of the Revised Code.

Berea

945.01 same as 2923.11.
945.05 same as 2923.17.
945.07(A) (2) same as 2923.20(A) (4).
945.07(A) (3) same as 2923.20(A) (5).
945.08 same as 2923.21.

Bexley

Section 1. License to sell firearms. It shall be unlawful for any person, firm or corporation to engage in the business of selling, or to sell, or give away to any person, within the city, any pistol, revolver, derringer, * * * or other weapon of like character, which can be concealed on the person, nor shall any person, firm or corporation doing business as a pawn broker, sell or give away or permit to be redeemed or removed from deposit or pledge, any of the deadly weapons hereinabove mentioned, without securing a license to do as hereinafter provided, and no person, firm or corporation, having secured such a license, shall sell or give away, or permit to be redeemed or removed from deposit or pledge, any such weapon unless the person so purchasing, acquiring, redeeming or removing such property shall have secured a permit from the Mayor to purchase, acquire, redeem or remove such weapon in the manner hereinafter provided.

Section 5. Permit to purchase. It shall be unlawful for any person to purchase, or redeem, or remove from deposit or pledge, any pistol, revolver, derringer, * * * or other weapon of like character which can be concealed on the person, without first securing from the Mayor a permit so to do. Before any such permit is granted an application in writing shall be made therefor [contact local authorities for required contents] * * * * no recommendation shall be required where the application is by a United States marshal, a sheriff or the chief of police of the city of Bexley, and that in case the application is by a deputy United States marshal, or a deputy sheriff, the approval of his chief officer shall be sufficient recommendation, and in case the application is by a regular or special police officer of the city of Bexley, the approval of the chief of police shall be sufficient recommendation, and in case of any of the officers aforesaid the fee provided by section 6 shall not be required.

13-101 same as 2923.11
13-106(A) (2) same as 2923.20(A) (4)
13-107 same as 2923.21

Bloomdale Village

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(A) (2) same as 2923.20(A) (4).
549.07(A) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Blue Ash

Sec. 91.05 Sale of firearms to minors. No person shall sell, barter, furnish, or give to a minor under the age of seventeen years, an air gun, musket, rifle, shotgun, revolver, pistol, or other firearm, or ammunition therefor, or, being the owner or having charge or control thereof knowingly permit it to be used by a minor under such age. This section is not applicable to a minor under the age of seventeen years who is hunting in accordance with Section 1533.13 of the Revised Code.

Sec. 91.06 Possession of firearms for instruction purposes. Section 91.05 or any other section of the Revised Code does not prohibit or render it unlawful to possess, use, or furnish for use, a rifle or other suitable firearm, together with such ammunition as is necessary, for the purpose of receiving and being given instructions and training in marksmanship and the proper handling, use, and care of firearms on any suitable range, which, at the time of such instruction and use, is under the supervision and control of a competent adult instructor, provided that the giving of such instruction and training is sponsored and supervised by an organization or association, which has been and continues to be, approved for this purpose by the adjutant general or provided that said instructor is the parent of the person receiving such instruction.

* * * * *

Bowling Green

587.06. Sale of firearms to minors. No person shall sell, barter, furnish or give to a minor under the age of seventeen years an air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor.

** *

Brewster

73.1 same as 2923.11

73.5 Failure to secure dangerous ordinance. (A) No person, in acquiring, possessing, carrying, or using any dangerous ordinance shall negligently fail to take proper precautions:

(1) To secure the dangerous ordinance against theft, or against its acquisition or use by any unauthorized or incompetent person;

* * * *

73.6 same as 2923.21(A)

Brooklyn

672.01 same as 2923.11.
672.05 same as 2923.17.
672.07 adopts 2923.18.
672.09(A) (2) same as 2923.20(A) (4).
672.09(A) (3) same as 2923.20(A) (5).
672.10 same as 2923.21.

Brunswick

517.06(A) (1) same as 2923.21(A) (1)
517.06(A) (2) same as 2923.21(A) (2)
517.06(A) (3) same as 2923.21(A) (3)

Bryan

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(A) (2) same as 2923.20(A) (4).
549.07(A) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Burton

512.06(A) (2) same as 2923.20(A) (4).
512.06(A) (3) same as 2923.20(A) (5).
512.07 same as 2923.21.

Cambridge

529.03. Sale of firearms. No person shall sell, barter, furnish, or give to a minor under the age of seventeen years an air gun, musket, rifle, shotgun, revolver, pistol or other firearm or ammunition therefor.

** *

Campbell

131.06. Sale of firearms to minors. No person shall sell, barter, furnish, or give to a minor under the age of seventeen years, an air
gun, musket, rifle, shotgun, revolver, pistol, or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

134.03. Unlawful sale of weapons. (A) No person shall sell to any other person any pistol, revolver or other weapon which may be concealed upon the person without first obtaining a permit from the chief of police to make such purchase or exchange.

Canton

§527.02 Permit required to purchase or exchange. It shall be unlawful for any person to buy, purchase, or obtain in exchange, any revolver, pistol, ** * or other weapon of like character which can be concealed on the person, without first having a permit from the chief of police to make such purchase or exchange.

§527.06. Selling to person without permit to purchase. It shall be unlawful for any person to sell, exchange, or offer for sale or exchange, any revolver, pistol, ** * or other weapon of like character which can be concealed on the person, except to a person who has first obtained a permit therefor from the chief of police.

§527.09. Furnishing or permitting minor under seventeen to use firearms, etc. It shall be unlawful for any person owning or having charge or control of any musket, rifle, shotgun, revolver, pistol or any other firearm, or ammunition therefor, to sell, barter, furnish or give the same to a minor under the age of seventeen years, or knowingly to permit any such weapon to be used by a minor under such age.

Carlisle

§672.01 same as 2923.11.
§672.05 same as 2923.17.
§672.07 adopts 2923.18.
§672.09(a) (2) same as 2923.20(A) (4).
§672.09(a) (3) same as 2923.20(A) (5).
§672.10 same as 2923.21.

Carrolton

§672.01 same as 2923.11.
§672.05 same as 2923.17.
§672.07 adopts 2923.18.
§672.09(a) (2) same as 2923.20(A) (4).
§672.09(a) (3) same as 2923.20(A) (5).
§672.10 same as 2923.21.

Centerville

§549.01 same as 2923.11.
§549.05 same as 2923.17.

Chagrin Falls

§549.01 same as 2923.11.
§549.05 same as 2923.17.
§549.07(a) (2) same as 2923.20(A) (4).
§549.07(a) (3) same as 2923.20(A) (5).
§549.08 same as 2923.21.

Cheviot

134.13 same as 2923.21.

Cincinnati

§708-1. Aliens. No alien shall own or have in his possession or under his control a dangerous weapon.

§708-3. Minor. No person shall sell, barter, lend or give to a minor under the age of sixteen (16) years, an air-gun, musket, rifle, shotgun, revolver, pistol or ammunition therefor, ** * or any other dangerous weapon, and no minor under the age of sixteen (16) years shall buy, barter, hire, borrow, receive or possess an air-gun, musket, rifle, shotgun, revolver, pistol or ammunition therefor, ** * or any other dangerous weapon.

§708-7. Obliterating Identification Marks Prohibited. ** * No person shall keep in his possession or under his control any dangerous weapon upon which the name of the maker, model, manufacturer's number or other mark of identification has been to his knowledge changed, altered, removed or obliterated.

§708-9. Dealers in Weapons; License Fees. Every retail dealer in firearms, ammunition for firearms, or dangerous weapons, shall pay a license fee of two hundred thirty-four dollars and fifty cents ($234.50) per annum, and such license may be granted by the city manager upon written application of any such dealer. Where a dealer deals only in shotguns and rifles of regulation size manufactured for hunting and sporting purposes only, and the ammunition therefor, the annual license fee shall be the sum of twelve dollars and fifty cents ($12.50). ** * 

§708-11. Restriction on Pawnbrokers. If a dealer licensed under the provisions of Section 708-9 carries on the business of pawnbroker or second-hand dealer, he shall not sell any firearms or dangerous weapons except shotguns and rifles of regulation size manufactured for hunting and sporting purposes only.

§708-13. Form of Application to Purchase Dangerous Weapon. The city manager shall prescribe a form of application covering the purchase of dangerous weapons. ** *

§708-15. Restriction on Sale of Weapons. No dealer shall sell a dangerous weapon to any person, unless such person shall fill out in full and sign an application blank as provided for in Section 708-13. No dealer shall sell such weapon to any purchaser with whom he is not personally acquainted, unless such purchaser is identified by a person who is personally known to him. ** *

The provisions of this section and of Section 708-13 shall not apply to sales at wholesale nor to sales of firearms which have a barrel over twelve (12) inches in length.

§708-17. Sale of Pistol Ammunition. No dealer shall sell pistol ammunition to any purchaser with whom he is not personally acquainted, unless such purchaser is identified by a person with whom he is personally acquainted.

§708-31. Ammunition, Sale to Minor. No person shall sell to a minor any cap or other explosive device used in the discharge of toy pistols and torpedo canes, or any blank cartridge, whether for use in pistols, revolvers or cannons. ** *

Cleveland

Section 11.2301. Definitions.
1. "Handgun" means any pistol, revolver, or other firearm, having a barrel not exceeding twelve (12) inches in length, measured by the insertion of a rod with the receiver or slide closed, or the barrel, receiver, or any part of the firing mechanism of such weapon, which is designed to eject or propel a projectile by the action of an explosive or combustible propellant but does not include inoperable handguns which cannot be rendered operable, curios, relics, or antique handguns as presently or hereafter defined in Title 26, Part 178 of the Code of Federal Regulations, Commerce in Firearms.

2. "Dealer" means any person, firm or corporation engaged in the business of selling or trading handguns or handgun ammunition at wholesale or retail within the limits of the City of Cleveland, whether as the principal business of such person, firm, or corporation, or in addition thereto.

3. "Resident" means any person who has a place of residence within the limits of the City of Cleveland.

4. "Non-resident" means any person who does not have a place of residence within the limits of the City of Cleveland. ** *

5. "Identification Card" means a Handgun Owner's Identification Card issued pursuant to Section 11.2304.

7. "Registration Card" means a Handgun Registration Card issued pursuant to Section 11.2305.

Section 11.2302. Prohibitions.
1. No person shall sell, purchase, own, possess, transfer, give, deliver, receive, or
Section 11.2306. Exemptions.

1. The following shall be exempt from the provisions of Section 11.2302 through 11.2310 of this Ordinance except Paragraph 2 of Section 11.2302.

(A) Any state of the United States, the United States or any political subdivision, department or agency of either;

(B) An officer or agent of any state or the United States, or any political subdivision, department, or agency of either, a member of the organized militia of any state or the armed forces of the United States, or a law enforcement officer of any political subdivision, but only to the extent that his official duties require him to purchase, own, possess, receive, carry, or use handguns and not for the personal use of such individuals.

2. The requirement of an Identification Card and Registration Card contained in Sections 11.2304 and 11.2305 shall not apply:

(A) To a holder of a dealer's license issued pursuant to Section 11.2307.

(B) To a nonresident of the City of Cleveland who holds and exhibits upon request a valid permit, authorization, or identification issued by the Chief of Police or the Sheriff of his place of residence to purchase, own, possess, receive, carry, or use any handgun.

(C) To a nonresident of the City of Cleveland, removing to this City for the purpose of establishing residence herein, during a period not exceeding thirty (30) days from the date of his entry into this City for such purpose; provided, that such person shall possess and exhibit upon request such valid permit, authorization, or identification as may be required by the laws of his former domicile to own, possess, receive, or have on or about the person any handgun, or proof of residence in a jurisdiction which does not require the same.

(F) To carriers, warehousemen, and others engaged in the business of transportation and/or storage and their employees to the extent that the possession, receipt, or having on or about the person of any handgun by such persons is in the ordinary course of business and in conformity with the laws of this State or the United States, but not for the personal use of any such person.

(H) To a federally licensed manufacturer of handguns.

Section 11.2307. Dealer's License. 1. Every Dealer in this City shall procure a license to engage in such business. Any Dealer engaged in such business at more than one location in this City shall procure a separate license for each such location.

19.13101 same as 2923.11.

19.13106. Unlawful Transactions in Weapons. (A) No person shall:

(2) When transferring any dangerous ordinance to another, negligently fail to require the transferee to exhibit such identification, license, or permit showing him to be authorized to acquire dangerous ordinance pursuant to Section 19.13105 of the General Offense Code or 2923.17 of the Ohio Revised Code, or negligently fail to take a complete record of the transaction and forthwith forward a copy of such record to the Sheriff of the County or Safety Director or Police Chief of the municipality where the transaction takes place;

(3) Knowingly fail to report to law enforcement authorities forthwith the loss or theft of any firearm or dangerous ordinance in such person's possession or under his control;

(4) Knowingly manufacture, possess, own, receive, purchase, possess for sale, sell, lend, give, acquire or furnish to any person any handgun of a .32 caliber or less and a barrel length less than 3 inches with said measurement in the revolver type weapon being made between the muzzle in the front edge of the cylinder, and in the automatic and other types of handguns, from the muzzle to the face of the bolt with action or slide closed. This subsection shall not apply to a law enforcement agent in this discharge of his duties, or to firearms described in Section 2923.11 (k) (1) and (5) of the Revised Code of the State of Ohio.

(5) Knowingly manufacture, possess for sale, sell, lend, give, acquire, furnish, purchase, own, possess, receive, have on or about his person or use any handgun which does not contain a serial number or other numerical identification, or which has had the serial number or other numerical identification obliterated. In no case shall a person sell, transfer, give, deliver, or furnish to another a handgun which does not contain a serial number or other numerical identification or has had the serial number or other numerical identification obliterated.

19.13107(A) same as 2923.21.

Section 19.13108. Possession of Firearms By Minors. (A) No minor shall purchase, own, possess, receive, have on or about his person, or use any firearm except pursuant to Section 19.13107 (A) (3) of the Codified Ordinances.

Cleveland Heights

Weapons and Explosives

549.01 same as 2923.11.

549.05 same as 2923.17.

549.07(a) (2) same as 2923.20(A) (4).

549.07(a) (3) same as 2923.20(A) (5).

549.08 same as 2923.21.

Regulation of Firearms

551.01 Definitions. (a) "Chief of Police" means the Chief of Police of the City of Cleveland Heights or his duly authorized agents.

(b) "Encased" means enclosed in a case, container or receptacle, designed and constructed specifically for the purpose of enclosing a firearm, but does not include a holster for a pistol or revolver.

(c) "Firearm" same as 2923.11(B)

(d) "Handgun" same as 2923.11(C)

(e) "Firearms dealer" means any person, firm or corporation regularly engaged in the business of selling or trading firearms or ammunition at wholesale or retail within the limits of the City, whether as the principal business of such person, firm or corporation, or in addition thereto.

(f) "Fugitive from justice" means a person who flees, escapes from custody, conceals or attempts to use any other unlawful means to avoid prosecution or punishment for a felony under the laws of this or any other state, the United States or any of its territories or possessions, the District of Columbia, or any foreign country with which the United States has a treaty of extradition in effect.

(g) "Resident" means any person who has a factual place of residence within the limits of the City.

(h) "Nonresident" means any person who does not have a factual place of residence within the limits of the City.

(i) "Minor" means any person under the age of twenty-one years.

551.03 Prohibitions. (a) No person shall purchase, receive, have on or about his person, or use any firearm or ammunition while under the influence of alcohol, any narcotic drug, hallucinogen or other dangerous drug.

(b) No person shall knowingly sell, transfer, give, deliver or furnish any firearms or
ammunition to any person prohibited by this section from purchasing, owning, possessing, receiving, having on or about his person, or using such firearms or ammunition.

551.05 Owner's identification card required; application, fee and issuance. (a) No person shall purchase, own, possess, receive, have on or about his person, or use any handgun except upon a suitable firing range, unless such person has a handgun owner's identification card issued to him and in effect pursuant to this section, or unless such person is exempt from the requirements of an identification card pursuant to Section 551.06. ** *

(c) All identification cards issued pursuant to this section shall be entitled "City of Cleveland Heights, Ohio, Handgun Owner's Identification Card", [contact local authorities for required contents] ** *

551.06 Exemptions. (a) The requirements of a handgun owner's identification card contained in Section 551.05 do not apply to the purchase, ownership, possession, receipt, having on or about the person, or use of any handgun or handgun ammunition by:

(1) Any state or the United States, or any political subdivision, department or agency of either;

(2) Officers or agents of any state or the United States, or any political subdivision, department or agency of either, members of the organized militia of any state, or the armed forces of the United States, or law enforcement officers of any political subdivision to the extent that the official duties of any such person require him to purchase, own, possess, receive, carry or use handguns;

(3) Licensed manufacturers and dealers, and their agents and servants, to the extent that the purchase, ownership, possession, receipt or use of any handgun is in the ordinary course of business;

(4) Nonresidents of the City who are residents of the State of Ohio; provided that such persons are not prohibited by the provisions of Section 551.03 or 551.05, and possess and exhibit upon request such valid permit, authorization, or identification issued by the Chief of Police or the Sheriff of their place of residence to purchase, own, possess, receive, carry or use any handgun. ** *

(5) Nonresidents of the City moving to this City for the purpose of establishing residence herein, during a period not exceeding thirty days from the date of their entry into this City for such purpose; provided that such persons shall possess and exhibit upon request such valid permit, authorization or identification as may be required by the laws of their former domicile to own, possess, receive or have on or about the person any handgun.

(6) Executors, administrators, guardians, receivers, trustees in bankruptcy, and other fiduciaries duly qualified and appointed by a court of competent jurisdiction, when acting in their fiduciary capacity, and their attorneys.

(7) Heirs and legatees acquiring any handgun or handgun ammunition through distribution of any estate, and other persons other than fiduciaries acquiring any handgun through operation of law, during a period not exceeding sixty days from the date of their coming into possession of any handgun.

(8) Carriers, warehousemen and others engaged in the business of transporting or storing firearms, handguns, and their agents, to the extent that the ownership, possession, receipt, or having on or about the person of any handgun by such persons is in the ordinary course of business and in conformity with the laws of this State or the United States. ** *

551.07 Restrictions on sales, purchases and transfers. (a) No person shall, in the City, purchase or otherwise obtain ownership or possession of, or as security for a loan, any handgun from any person, unless the transferee exhibits a handgun owner's identification card valid on its face, issued to the transferee pursuant to Section 551.05, or unless the transferee exhibits evidence that he is exempt from the requirement of an identification card pursuant to Section 551.06.

(b) No person in this City shall sell, deliver, transfer or furnish any handgun to any person in this City unless the transferee exhibits a handgun owner's identification card valid on its face and issued to the transferee pursuant to Section 551.05, or unless the transferee exhibits evidence that he is exempt from the requirement of an identification card pursuant to Section 551.06. ** *

551.08 Dealer's license required; application and issuance. (a) Every firearms dealer in the City shall procure a license to engage in such business. ** *
 session under the provisions of Section 13-102.1 of the General Offense Code.

B. "Possess" means to knowingly carry or have a handgun on the person or ready at hand.

C. "Resident" means any person who has an actual place of residence in The City of Dayton.

D. "Nonresident" means any person who does not have an actual place of residence in The City of Dayton.

Sec. 1055-1. Handgun file. The Director of Finance shall maintain a file of persons issued a Handgun Owner's Identification Card pursuant to the provisions of Section 1055-2 through 1055-6 of the Code of General Ordinances.

Sec. 1055-2. Handguns excepted. Sections 1055 through 1055-6 of the Code of General Ordinances do not apply to the following:

A. Any handgun which, regardless of its actual age, is designed and safe for use only with black powder, and uses a flintlock, percussion cap, or other obsolete ignition system, or with respect to any handgun which uses fixed ammunition of a type in use prior to 1899, which ammunition is no longer commercially manufactured in the United States and is not readily available in the ordinary channels of trade.

B. Any device used exclusively for signaling or safety and recommended by the United States Coast Guard or the Interstate Commerce Commission.

C. Any device used exclusively for firing of stud cartridges, rivets or nails, and is designed for industrial applications.

D. Any device used exclusively as a starter gun for the purpose of firing blank cartridges as a means of controlling sporting events, or for use in theatrical productions, provided that such gun is so constructed as not to be readily convertible to the firing of projectiles.

Sec. 1055-3. A. No person shall possess any handgun, unless such person has a Handgun Owner's Identification Card issued to him and in effect under Section 1055-4 of the Code of General Ordinances, is exempt from the requirement of an Identification Card under Section 1055-6 of the Code of General Ordinances, or is on a suitable firing range.

B. No person shall sell, deliver, transfer, or furnish any handgun to any person, unless the transferee exhibits a Handgun Owner's Identification Card valid on its face and issued to the transferee under Section 1055-4 of the Code of General Ordinances, or unless the transferee exhibits evidence that he is exempt from the requirement of an Identification Card under Section 1055-6 of the Code of General Ordinances.

C. No person shall sell, deliver, transfer, or furnish any handgun to any person without first having notified the Director of Finance of his intention so to do not less than five days prior thereto. Such notification shall be in writing [contact local authorities for required contents].

Sec. 1055-4. Application. [Contact local authorities for information on applying for a Handgun Owner's Identification Card]

Sec. 1055-6. Persons exempt. The requirements of a Handgun Owner's Identification Card contained in Sections 1055 through 1055-5 of the Code of General Ordinances, do not apply to the following:

A. The United States or any state or any political subdivision, department, or agency of either;

B. Officers or agents of the United States or any state or any political subdivision, department, or agency or either, members of the organized militia of any state or the Armed Forces of the United States, or any law enforcement officer, to the extent that the official duties of any such person require him to obtain, possess, carry, or use handguns;

C. Importers, manufacturers, and dealers licensed under Federal law, to the extent that the acquisition, possession, carriage, or use of any handgun is in the ordinary course of business.

D. Carriers, warehousemen, and others engaged in the business of transporting or storing handguns, and their agents or employees, to the extent that possessing any handgun by such persons is in the ordinary course of business and in conformity with the laws of the State of Ohio or the United States.

E. Executors, administrators, guardians, receivers, trustees in bankruptcy, and other fiduciaries duly qualified and appointed by a court of competent jurisdiction, when acting in their official capacity; and their attorneys.

F. Heirs and legatees coming into possession of any handgun through distribution of an estate and other persons other than those persons named in paragraph E above, acquiring any handgun through operation of law, during a period not exceeding thirty days from the date of their coming into possession of such handgun.

G. Nonresident of The City of Dayton removing to the City for the purpose of establishing residence therein, during a period not to exceed thirty days of their entry into the City for such purpose.

H. Nonresidents of The City of Dayton who enter the City for a period not to exceed thirty days with a handgun or handguns for the purpose of exhibiting or trading a handgun or handguns at a public handgun display, show, or exhibition, provided that such handgun or handguns shall be unloaded and encased except when at such display, show, or exhibition and unloaded.

I. Nonresidents of The City of Dayton who enter the City for a period not to exceed thirty days for the purpose of participating in an organized and sanctioned handgun match, provided that any handgun shall be unloaded and encased except while participating in such handgun match.

Dresden

38.12 Sale of explosives to minors. It shall be unlawful to sell, offer for sale or give away to a minor any explosive cap, cartridge, shell, gun-cotton or other similar article containing explosives.

East Cleveland

545.11. Definitions. (a) "Firearms" means any weapon, including a handgun, by whatever name known, or the barrel, receiver, or any part of the firing mechanism of such weapon, which is designed to project or propel a projectile by the action of an explosive or combustible propellant, but does not include inoperable firearms which cannot be rendered operable.

(b) "Handgun" means any pistol, revolver or other firearm, having a barrel not exceeding twelve (12) inches in length, measured by the insertion therein of a rod with the receiver or slide closed, but does not include handguns designed and safe only for use with black powder.

(c) "Firearms dealer" means any person, firm or corporation regularly engaged in the business of selling or trading firearms or ammunition at wholesale or retail within the limits of the City of East Cleveland, whether as the principal business of such person, firm or corporation, or in addition thereto.

(d) "Fugitive from justice" means a person who flees, escapes from custody, conceals or attempts to use any other unlawful means to avoid prosecution or punishment for a felony under the laws of this or any other state, the United States or any of its territories or possessions, the District of Columbia, or any foreign country with which the United States has a treaty of extradition in effect.

(e) "Resident" means any person who has a factual place of residence within the limits of the City of East Cleveland, Ohio.

(f) "Nonresident" means any person who does not have a factual place of residence within the limits of the City of East Cleveland, Ohio.

(g) "Minor" means any person under the age of twenty-one (21) years.

545.12. Prohibitions. (a) No person shall purchase, own, possess, receive, have on or about his person, or use any firearm or ammunition, if such person is a fugitive from justice or is under adjudication of mental incompetence.

(b) No person shall purchase, receive, have on or about his person, or use any firearm or ammunition while under the influence
of alcohol, any narcotic drug, hallucinogen, or other dangerous drug.

(c) No person shall purchase, own, possess, receive, have on or about his person, or use any handgun or handgun ammunition if such person has been convicted of a felony under the laws of this or any other state, the United States or any of its territories or possessions, the District of Columbia, or any foreign country with which the United States has a treaty of extradition in effect, provided, however, such person shall be eligible to possess, purchase, own, receive or have on or about his person or use a handgun or handgun ammunition after ten (10) years have elapsed from the date or completion of any sentence, probationary period or parole imposed upon such person so convicted.

(d) No person shall knowingly sell, transfer, give, deliver or furnish any firearm or ammunition to any person prohibited by this section from purchasing, owning, possessing, receiving, having on or about his person, or using such firearm or ammunition.

545.14 Identification card required—registration of handguns required. (a) No person shall purchase, own, possess, receive, have on or about his person, or use any handgun except upon a suitable firing range, unless such person has a handgun owner's identification card issued to him and in effect pursuant to this section, or unless such person is exempt from the requirements of an identification card pursuant to Section 545.15 of the Codified Ordinances of the City of East Cleveland, Ohio.

545.15 Exemptions. (a) The requirements of a handgun owner's identification card contained in Section 545.14 of the Codified Ordinances of the City of East Cleveland do not apply to the purchase, ownership, possession, receipt, having on or about the person, or use of any handgun or handgun ammunition by:

(4) Nonresidents of the City of East Cleveland who are residents of the State of Ohio; provided that such persons are not prohibited by the provisions of Sections 545.12 or 545.14 of the Codified Ordinances of the City of East Cleveland, and possess and exhibit upon request such valid permit, authorization, or identification issued by the Chief of Police or the Sheriff or their place of residence to purchase, own, possess, receive, carry, or use any handgun, and provided, further, that handguns in the possession of or under the control of nonresidents shall at all times be unloaded and encased, except while on a suitable firing range, or while being used for lawful hunting, or while unloaded at a public firearms display, show or exhibition. The requirements of a valid permit, authorization or identification as required by this subsection shall not apply to a non-resident who enters the City with firearms for the sole and only purpose of exhibiting or trading said firearms at a public firearms display, show or exhibition, or for the sole and only purpose of participating in an organized and sanctioned pistol match. The permit, authorization or identification provided for in this sub-section shall be valid for thirty (30) days only from the date thereof.

(5) Nonresidents of the City of East Cleveland, Ohio moving to this City for the purpose of establishing residence herein, during a period not exceeding thirty (30) days from the date of their entry into this City for such purpose; provided that such persons shall possess and exhibit upon request such valid permit, authorization, or identification as may be required by the laws of their former domicile to own, possess, receive, or have on or about the person any handgun.

545.16 Further prohibitions—Sales—Purchases—Transfers. (a) No person in this City shall purchase or otherwise obtain ownership or possession of, or as security for a loan, any handgun from any person, unless the transferee exhibits a handgun owner's identification card valid on its face, issued to the transferee pursuant to Section 545.14 of the Codified Ordinances of the City of East Cleveland, Ohio, or unless the transferee exhibits evidence that he is exempt from the requirement of an identification card pursuant to Section 545.15 of the Codified Ordinances of the City of East Cleveland, Ohio.

(b) No person in this City shall sell, deliver, transfer, or furnish any handgun to any person in this City unless the transferee exhibits a handgun owner's identification card valid on its face and issued to the transferee pursuant to Section 545.14, or unless the transferee exhibits evidence that he is exempt from the requirement of an identification card pursuant to Section 545.15 of the Codified Ordinances of the City of East Cleveland, Ohio.

(c) No person in this City shall sell, transfer, give away, or otherwise dispose of a handgun to any other person unless, within five (5) days following said sale, transfer, gift, or other disposition, he shall report same to the Chief of Police of the City of East Cleveland, together with the manufacturer's name of said handgun, the caliber and serial number of said handgun, and if no serial number is contained thereon, an adequate description of the weapon.

545.17. Dealers license. (a) Every firearms dealer in this City shall procure a license to engage in such business. Any firearms dealer engaged in such business at more than one permanent location in this City shall procure a separate license for each such permanent location. Application for such license shall be made to the Chief of Police.

549.01 same as 2923.20(A) (5).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Edgerton

757.01. Permit required for purchases. No person shall purchase in the City any pistol, revolver, * * * or other weapon of like character which can be concealed on the person without first securing from the Chief of Police a permit to do so.

757.05. Sales to persons without permits. No person shall sell to any person within the City any pistol, revolver * * * or other weapon of like character which can be concealed on the person unless the person to whom such weapon is sold presents to such person selling the same a permit properly signed by the Chief of Police, and such sale shall be unlawful unless made within fifteen days from the date of the signing of such permit by the Chief of Police, and such sale shall be unlawful unless such person makes and files a report of such sale with the Chief of Police * * *.

Englewood

11. Firearms sold to minors: It shall be unlawful for any dealer in firearms in said Village to sell any revolver or other pistol of any kind whatever to any minor or minors.

Euclid

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Fairview Park

539.01 same as 2923.11.
539.05 same as 2923.17.
539.07(A) (2) same as 2923.20(A) (4).
539.07(A) (3) same as 2923.20(A) (5).
539.08 same as 2923.21.
543.01 Definitions. As used in this chapter:
(a) Firearm means any deadly weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant. Firearm includes an
unloaded firearm, and any firearm which is inoperable but which can readily be rendered operable.

(b) Handgun means any firearm designed to be fired while being held in one hand.

(d) Firearms dealer means any person, firm or corporation, regularly engaged in the business of selling or trading firearms or ammunition at wholesale or retail within the limits of the City of Fairview Park whether as the principal business of such person, firm or corporation, or in addition thereto.

(e) Fugitive from justice means a person who flees, escapes from custody, conceals or attempts to use any other unlawful means to avoid prosecution or punishment for a felony under the laws of this or any other state, the United States or any of its territories or possessions, the District of Columbia, or any foreign country with which the United States has a treaty or extradition in effect.

(f) Resident means any person who has a factual place of residence within the limits of the City of Fairview Park, Ohio.

(g) Nonresident means any person who does not have a factual place of residence within the limits of the City of Fairview Park, Ohio.

(b) Minor means any person under the age of eighteen years.

543.03. Permit to dispose of concealable weapons. It shall be unlawful for any person, firm or corporation to engage in the business of selling, or to sell or give away to any person, within the city, any pistol, hand gun, revolver, derringer, * * * or other weapon of like character, which can be concealed on the person, without securing a permit to do so, * * * and no person, firm or corporation having secured such a permit, shall sell or give away any such weapon to any person within this city who has not secured a permit from the Chief of Police to purchase such weapon * * *

543.07. Sale of firearms or ammunition to minors. No person, firm or corporation shall sell, barter, furnish or give to a minor under the age of seventeen years of age an air gun, musket, rifle, shotgun, revolver, pistol, hand gun, or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

Nothing in this section shall be deemed to prohibit or render it unlawful to possess, use, or furnish for use any such firearm, together with such ammunition as is necessary, for the purpose of receiving and being given instructions and training in marksmanship and the proper handling, use and care of such firearms on any suitable range, which, at the time of such instruction and use, is under the supervision and control of a competent adult instructor provided that the giving of such instructions and the training is supervised by an organization or association which has been and continues to be approved for this purpose by the Adjutant General or provided that such Instructor is the parent of the person receiving such instruction.

543.08. Sale of ammunition—record required. It shall be unlawful for any person, firm or corporation to sell, give, barter, or otherwise dispose of any ammunition which is capable of use in any pistol, hand gun, revolver, or other weapon of like character which can be concealed on the person, unless every such transaction is entered into a book by the person making such sale, gift, exchange or other disposition, together with the address of the recipient, the date and the description of the ammunition sufficient to identify it; which entry shall be signed by the recipient and witnessed by the person required to make such record. A report shall be made to the Chief of Police within thirty days of each such transaction on such forms as he may prescribe.

Satisfactory proof of identity shall be required of the recipient by the person making such sale, gift or exchange or other disposition of ammunition and the means or method of such identification shall be recorded in the book required to be kept hereunder.

Findlay

49.5. No firearms, etc., for minors under seventeen. It shall be unlawful for any person or persons, in the city, to sell, barter, furnish or give to a minor under the age of seventeen years, a resident of the city, an air-gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

Forest Park

317.01 same as 2923.11.
317.09 same as 2923.20(A), (3), (4), (5); (B).
317.10 Improperly Furnishing Firearms *** to a Minor. (A) No person shall:
(1) Sell any firearm *** to a person under the age of eighteen.
(2) Sell any handgun to a person under age twenty-one;
(3) Furnish any firearm *** to a person under eighteen, except for purposes of a lawful hunting, or for purposes of instruction in firearm *** safety, care, handling, or marksmanship under the supervision or control of a responsible adult.

Franklin

672.01 same as 2923.11.
672.05 same as 2923.17.
672.07 adopts 2923.18.
ing in accordance with Ohio Revised Code 1533.13, or to persons exempted under Ohio Revised Code 2903.07.

Grove City
549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Groveport
2323.05 same as 2923.17.

Hamilton
729.01. Record of sale. It shall be unlawful to sell any firearm, * * * unless at the time of such sale the vendor records in a book to be kept for that purpose:
(a) The name and address of the purchaser;
(b) The purpose for which the purchase is made;
(c) The date of such purchase and the hour when such purchase was made;
(d) An accurate description of the item purchased, the number thereof, and the name of the maker thereof;
(e) A description of the purchaser, which description shall set forth his age, his height, the color of his hair, and the color of his eyes, and any other identifying marks or characteristics;
(f) A description of the clothing worn by the purchaser;
(g) A description of all visible scars or marks on the face and hands of the purchaser, and of any apparent deformity; and
(h) Whether the purchaser is smooth shaven or wears a mustache, a beard, a goatee, or side whiskers.
729.03. Sale to minors. It shall be unlawful to sell any weapon enumerated in Section 729.01 to any person under the age of twenty-one years.
729.04 Dangerous weapons dealers license. A license is hereby required, to be obtained in the manner provided in this code, for every dangerous weapons dealer operating in the City of Hamilton.
1309.01. Identifying marks on weapons. It shall be unlawful to change, alter, remove, or destroy the name of maker, model, manufacturer's number, or other mark of identification or to sell any dangerous weapon, or to keep or have in possession dangerous weapon capable of use, on which any such mark of identification has been changed, altered, removed, or destroyed, to the knowledge of the person having or selling such weapon.
1315.18. Possession of explosive, flammable devices regulated. No person shall make, use, or possess on his person or have under his control, a molotov cocktail or any other explosive device containing flammable, combustible, or explosive material or substance which can be used as a fire bomb either by igniting the fuse and/or breaking the device; provided, however, any person engaged in any lawful activity, business, calling, employment, or occupation requiring him to have such a device or such material or substance in his possession or under his control is hereby exempt from the operation of this section. The report shall contain the date of such sale or gift, the name, age and address of the purchaser or donee, length of time at such address, kind and description of such weapon, and the purpose given by such person for the purchase of such weapon. The report shall be signed by the purchaser.

Highland Heights
549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Hilliard
134.01 same as 2923.11.
134.04 same as 2923.17.

Hillsboro
131.06. Sale of firearms to minors. No person shall sell, barter, furnish, or give to a minor under the age of seventeen years, an air gun, musket, rifle, shotgun, revolver, pistol, or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.
This section is not applicable to a minor under the age of seventeen years who is hunting in accordance with section 1533.13 of the Revised Code.

Independence
781.01 License to dispose of concealable weapons. No person shall engage in the business of selling within the City any pistol, revolver, derringer, * * * or other weapon of like character, which can be concealed on the person, without securing a license to do so as provided in Section 549.14 and no person having secured such a license, shall sell or give away any such weapon to any person within this City who has not secured a permit from the Chief of Police to purchase such weapon in the manner hereinafter provided.
(B) A person licensed or unlicensed commercial enterprise, or individual, engaged in the sale of weapons described in Subsection (A) hereof shall make available for purchase handguns unless said handgun complies with the following three requirements:
(1) the barrel length shall exceed three (3) inches or the handgun is sold at a price exceeding Eighty ($80.00) dollars;
(2) the barrel, cylinder, slide and frame of the handgun shall be entirely machined and/or investment cast;
(3) the barrel, cylinder, slide and frame of the handgun shall neither melt nor deform at a temperature of less than 800° Fahrenheit.
(C) Whoever violates this section is guilty of a misdemeanor of the first degree. A fine of at least five hundred ($500.00) dollars is mandatory for a violation of this section. Each sale of a handgun in violation of this section is a distinct and separate offense.
549.14. Application for license. Any person desiring a license authorizing the sale of any of the deadly weapons mentioned in Section 549.13 shall make application in writing to the Mayor [contact local authorities for required contents] * * *
549.17 Application For Permit To Buy Weapon.
(A) No person shall purchase any deadly weapon, which can be concealed on the person, without first securing from the Chief of
Police or Officer In Charge a permit to do so. Before any such permit is granted an application in writing shall be made therefor, [contact local authorities for required contents] * * *

(B) This section does not apply to persons showing proof that they are officers, agents or employees of this or any other state of the United States, or to any other law enforcement officers authorized to carry deadly weapons capable of being concealed on the person, and acting within the scope of their duties, or federally licensed firearms dealers.

(C) Whoever violates subsection (A) is guilty of a misdemeanor of the fourth degree. 

549.18 Issuance of Permit to Buy Weapon. The Chief of Police or Officer In Charge shall refuse to issue a permit to purchase any deadly weapon which can be concealed on the person to minors and to all persons convicted of any: (1) Crime of violence; (2) Felony; (3) Violation of Chapter 549, Codified Ordinances of the City of Kent.

Kenton
672.01 same as 2923.11.
672.05 same as 2923.17.
672.07 adopts 2923.18(A), (B) (1), (C), (D), (E) and (F).
672.09(a) (2) same as 2923.20(A) (4).
672.09(a) (3) same as 2923.20(A) (5).
672.10 same as 2923.21.

Lakewood
549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.08 same as 2923.21.
549.13. License to sell weapons. (a) No person, firm or corporation shall engage in the business of selling, or sell or give away to any person, within the City, any deadly weapon which can be concealed on the person, without securing a license to do so hereinafter provided, and no person, firm or corporation having secured such a license shall sell or give away any such weapon to any person within this City who has not secured a permit from the Chief of Police to purchase such weapon in the manner hereinafter provided.
549.17. Permit to purchase weapons; application. (a) No person shall purchase any deadly weapon which can be concealed on the person without first securing from the Chief of Police a permit to do so. Before any such permit is granted, an application in writing shall be made therefor, [contact local authorities for required contents] * * *

Lancaster
529.03. Sale of firearms. No person shall sell, barter, furnish or give to a minor under the age of seventeen years an air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor, or being the owner or having charge or control thereof knowingly permit it to be used by a minor under such age.

Lima
672.01 same as 2923.11.
672.05 same as 2923.17.
672.07 adopts 2923.18.
672.09(a) (2) same as 2923.20(A) (4).
672.09(a) (3) same as 2923.20(A) (5).
672.10 same as 2923.21.

Linndale
549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Lockbourne
2323.01 same as 2923.11.
2323.05 same as 2923.17.

Lockland
Sec. 136.03 Sale of firearms to minors. No person shall sell, barter, furnish or give to a minor under the age of seventeen years an air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.
Sec. 114.04 Firearms trade. No pawnbroker or second-hand dealer shall sell, pawn, take in trade, loan money on or deal in firearms.

Lorain
549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.08 same as 2923.21.

Loudonville
672.05 same as 2923.17.
672.10 same as 2923.21.

Loveland
74.8 Sale of firearms to minors. Whoever shall sell, barter, furnish or give to a minor under the age of seventeen years an air gun, musket, rifle, shotgun, revolver, pistol, or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age shall be fined not more than fifty dollars. This section is not applicable to a minor under the age of seventeen years who is hunting in accordance with RC 1533.13.

Lyndhurst
672.01 same as 2923.11.
672.05 same as 2923.17.
672.07 adopts 2923.18.
672.09(a) (2) same as 2923.20(A) (4).
672.09(a) (3) same as 2923.20(A) (5).
672.10 same as 2923.21.

Magnetic Springs
131.06 Sale of firearms to minors. No person shall sell, barter, furnish, or give to a minor under the age of seventeen years, * * * (a) rifle, shotgun, revolver, pistol, or other firearm, or ammunition thereof, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age. * * * *

Mansfield
13-106. Unlawful transactions in weapons. (A) No person shall: * * *
(2) When transferring any dangerous ordnance to another, negligently fail to require the transferee to exhibit such identification, license, or permit showing him to be authorized to acquire dangerous ordnance pursuant to section 13-105 of the general offense code or 2923.17 of the Ohio revised code, * * *
13-107(A) (1) same as 2923.21(A) (1).
13-107(A) (2) same as 2923.21(A) (2).
13-107(A) (3) same as 2923.21(A) (3).

Marietta
529.03. Sale of firearms. No person shall sell, barter, furnish or give to a minor under the age of seventeen years an air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor, or being the owner or having charge or control thereof knowingly permit it to be used by a minor under such age.

This section is not applicable to a minor under the age of seventeen years who is hunting in accordance with Ohio R. C. 1533.13 or to persons exempted under Ohio R. C. 2903.07.

Marion
546.01 same as 2923.11.
546.06(A) (2) same as 2923.20(A) (4).
546.07 same as 2923.21.
NOTICES

Marysville
131.06 Sale of firearms to minors. No person shall sell, barter, furnish, or give to a minor under the age of seventeen years, an air gun, musket, rifle, shotgun, revolver, pistol, or other firearm, or ammunition therefor.

Mayfield Heights
549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.08 same as 2923.21.

549.12. Sale license, purchase permit required. (a) No person shall sell, offer to sell, exhibit for sale or engage in the business of selling firearms, air guns, B-B guns or similar weapons, ammunition or explosives without first securing a license to do so from the Chief of Police, as provided in Section 549.14.

No person shall sell any weapon or other article as herein defined, which is concealable on the person, to any person within the City who has not secured a permit from the Chief of Police to purchase such weapon, in the manner provided in Section 549.15.

549.14. License application information; fee and renewal. Any person desiring a license to engage in the business of selling firearms, air guns, B-B guns or similar weapons, ammunition or explosives without first securing a license to do so from the Chief of Police, as provided in Section 549.14, shall make application in writing to the Chief of Police, [contact local authorities for required contents.] ***

549.15. Permit application information; fee and disposition. (a) No person shall purchase a particular weapon or other article as specified in Section 549.13, concealable on the person, without first securing a permit to do so.

Before any such permit is granted, an application in writing shall be made to the Chief of Police, [contact local authorities for required contents] ***. Such application shall be accompanied by a fee of one dollar ($1.00) and upon issuance shall be valid for the purchase of one particular weapon therein described. Such permit shall be given to and collected by the seller, and filed with the City in the seller's report of sales of such weapons.

549.16. License or permit refusal. It shall be the duty of the Chief of Police to refuse a license to engage in the business of selling or to permit to purchase any weapon or other article mentioned in Section 549.13 to any person who has been convicted of any crime other than a traffic offense, to any vagrant, any suspicious person, any minor under the age of eighteen years generally or any person who has violated a provision of this chapter during the preceding year.

Middletown
13-101. same as 2923.11.
13-106 same as 2923.20(A) (4) & (5).
13-107 same as 2923.21.

993.06 Sale of explosives to minors. It shall be unlawful for any person to sell to a minor any cap or other explosive device used in the discharge of toy pistols and torpedo canes, or any blank cartridge, whether for use in pistols, revolvers or cannons.

Millville
549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.08(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Montgomery
131.09(A) (1) same as 2923.21(A) (1).
131.09(A) (2) same as 2923.21(A) (2).

Moraine
549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Mount Vernon
549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Newburgh Heights
1. Permit to dispose of concealable weapons. It shall be unlawful for any person, firm or corporation to engage in the business of selling, or to sell or give away to any person, with the Village, any pistol, handgun, revolver, derringer, * * * or other weapon of like character, which can be concealed on the person, without securing a permit to do so, as hereinafter provided, and no person, firm or corporation having secured such a permit, shall sell or give away any such weapon to any person within this Village who has not secured a permit from the Chief of Police to purchase such weapons in the manner hereinafter provided.

5. Sale of firearms or ammunition to minors. No person, firm or corporation shall sell, barter, furnish or give to a minor under the age of seventeen years an air gun, musket, rifle, shotgun, revolver, pistol, hand gun, or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

North Canton
131.06. Sale of firearms to minors. (A) No person shall sell, barter, furnish or give to a minor under the age of seventeen years, an air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

134.14. Sale of explosives to minor. No person shall sell, offer to sell or give away to a minor, any explosive cap, cartridge, shell, guncotton or other similar article containing explosives.

Newport Heights
133.01 same as 2923.20(A) (4) & (5).

North Olmsted
549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.
North Randall

672.01 same as 2923.11.
672.05 same as 2923.17.
672.07 adopts 2923.18.
672.09(a) (2) same as 2923.20(A) (4).
672.09(a) (3) same as 2923.20(A) (5).
672.10 same as 2923.21.

North Royalton

672.15 Sale or gift of concealable firearms. (a) No person shall sell, barter, furnish or give to any other person any pistol, revolver, derringer or other firearm of like character and caliber, which can be concealed on the person, without providing the Chief of Police with a copy of the United States Department of the Treasury Form 4473, at least seventy-two hours prior to such purchaser or donee taking possession of such firearm.

Norwalk

513.01 same as 2923.11.
513.06 same as 2923.20(A) (4) & (5).
513.07 same as 2923.21.

Norwood

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Olmstead Falls

672.07 same as 2923.18(A), (B) (1), (C), (D), (E) and (F).
672.08. Failure to secure dangerous ordnance. (a) No person, in acquiring, possessing, carrying or using any pistol, revolver, derringer or other firearm of like character and caliber, which can be concealed on the person, without providing the Chief of Police with a copy of the United States Department of the Treasury Form 4473, at least seventy-two hours prior to such purchaser or donee taking possession of such firearm.

Orange, Village of

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Orrville

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.08 same as 2923.21.

Perrysburg

553.08. Sale of explosives, firearms and ammunition to minors. (a) No person shall sell, give away or otherwise dispose of or deliver to any person under twenty-one years of age any explosives, as defined in Ohio R.C. 3743.01(A), whether such person is acting for himself or for any other person.
(b) No person shall sell, give, barter or otherwise dispose of any air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therein, to a minor under the age of seventeen years.

Parma

553.08. Sale of explosives, firearms and ammunition to minors. (a) No person shall sell, give away or otherwise dispose of or deliver to any person under twenty-one years of age any explosives, as defined in Ohio R.C. 3743.01(A), whether such person is acting for himself or for any other person.
(b) No person shall sell, give, barter or otherwise dispose of any air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition thereto, to a minor under the age of seventeen years.

Pleasant Hill

Sec. 38.10 Sale of explosives to minors. It shall be unlawful to sell, offer for sale or give away to a minor any explosive cap, cartridge, shell, gunpowder or other similar article containing explosives.

Plymouth

3-74P. * * * * * SECTION 2: The Ohio Criminal Code as set forth in Chapter 29 of the Ohio Revised Code, together with all amendments thereof shall be and are * * * adopted * * *.

Pomeroy

929.06 same as 2923.21.

Portsmouth

529.03. Sale of firearms. No person shall sell, barter, furnish or give to a minor under the age of seventeen years an air gun, musket,
NOTICES

705.32. Dealers in firearms and ammunition; * * * All dealers in guns, revolvers, pistols, firearms, ammunition for firearms or dangerous weapons shall pay a license fee of ten dollars ($10.00) per annum.

Shaker Heights

General Offense Code

753.01 Definitions. As used in this chapter:

(A) "Firearm" means any deadly weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant. "Firearm" includes an unloaded firearm, and any firearm which is inoperable but which can readily be rendered operable.

(B) "Handgun" means any pistol, revolver, or other firearm, a barrel not exceeding twelve (12) inches in length, measured by the insertion of a rod with the receiver or slide closed, or the barrel, receiver, or any part of the firing mechanism of such weapon, which is designed to eject or propel a projectile by the action of an explosive or combustible propellant but does not include inoperable handguns which cannot be rendered operable, curios, relics, or antique handguns as presently or hereafter defined in Title 26, Part 178 of the Code of Federal Regulations, Commerce In Firearms.

(C) "Dealer" means any person, firm or corporation engaged in the business of selling or trading firearms or firearm ammunition at wholesale or retail within the limits of the City of Shaker Heights, Ohio, whether as the principal business of such person, firm, or corporation, or in addition thereto.

(D) "Resident" means any person who has a place of residence within the limits of the City of Shaker Heights, Ohio.

(E) "Non-resident" means any person who does not have a place of residence within the limits of the City of Shaker Heights, Ohio.

(G) "Identification Card" means a Handgun Owner's Identification Card issued pursuant to Section 753.04.

(H) "Registration Card" means a Handgun Registration Card issued pursuant to Section 753.05.

753.02 Prohibitions. (A) No person shall sell, purchase, own, possess, transfer, give, deliver, receive or have on or about his person or use any handgun which does not contain an engraved serial number or other numerical identification which has had the serial number or other numerical identification obliterated; * * *.

(B) No person shall receive, or possess any handgun unless such person has an Identification Card issued to him and in effect, and a Registration Card for each such handgun, except to the extent that he is exempt pursuant to Section 753.06 from such requirement.

(C) No person shall have on or about his person, or use any handgun unless such person has in his possession an Identification Card issued to him and in effect, and a Registration Card for each such handgun, except to the extent that he is exempt pursuant to Section 753.06 from such requirement.

(D) No person shall deliver, transfer or furnish any handgun to any person unless the transferee exhibits at the time of transfer an Identification Card valid on its face and issued to the transferee, and a Registration Card for each such handgun, except to the extent that he is exempt pursuant to Section 753.06 from such requirement.

753.06 Exemptions. (A) The following shall be exempt from the provisions of this Chapter except sub-section (A) of Section 753.02.

(1) Any state of the United States, the United States or any political subdivision, department or agency of either;

(2) An officer or agent of any state or the United States, or any political subdivision, department, or agency of either, a member of the organized militia of any state or the armed forces of the United States, or a law enforcement officer of any political sub-division, but only to the extent that his official duties require him to purchase, own, possess, receive, carry, or use handguns and not for the personal use of such individuals.

(B) The requirement of an Identification Card and Registration Card contained in Sections 753.04 and 753.05 shall not apply:

(1) To a holder of a dealer's license issued pursuant to Section 753.07.

(2) To a non-resident of the City of Shaker Heights who holds and exhibits upon request a valid permit, authorization, or identification issued by the Chief of Police or the Sheriff of his place of residence to purchase, own, possess, receive, carry, or use any handgun; * * *

(3) To a non-resident of the City of Shaker Heights, moving to this City for the purpose of establishing residence herein, during a period not exceeding thirty (30) days from the date of his entry into this City for such purpose; provided that such person shall possess and exhibit upon request such valid permit, authorization, or identification as may be required by the laws of his former domicile to

Ravenna

529.03 Sale of firearms. No person shall sell, barter, furnish or give to a minor under the age of seventeen years an air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor, or being the owner or having charge or control thereof knowingly permit it to be used by a minor under such age. * * *.

753.05. Dealers in firearms and ammunition; * * * All dealers in guns, revolvers, pistols, firearms, ammunition for firearms or dangerous weapons shall pay a license fee of ten dollars ($10.00) per annum.

Reading

10-106 same as 2923.20(A) (4) & (5).

Rittman

549.01 same as 2923.11.

549.05 same as 2923.17.

549.07(a) (2) same as 2923.20(A) (4).

549.07(a) (3) same as 2923.20(A) (5).

549.08 same as 2923.21.

Riverton

549.01 same as 2923.11.

549.05 same as 2923.17.

549.07(a) (2) same as 2923.20(A) (4).

549.07(a) (3) same as 2923.20(A) (5).

549.08 same as 2923.21.

Rocky River

549.01 same as 2923.11.

549.05 same as 2923.17.

549.07(a) (2) same as 2923.20(A) (4).

549.07(a) (3) same as 2923.20(A) (5).

549.08 same as 2923.21.

Sandusky

13-106. Unlawful transactions in weapons. (A) No person shall: * * * (2) When transferring any dangerous ordinance to another, negligently fail to require the transferee to exhibit such identification, license, or permit showing him to be authorized to acquire dangerous ordinance pursuant to Section 13-105 of the General Offense Code or 2923.17 of the Ohio Revised Code; * * *

13-107(A) (1) same as 2923.21(A) (1).

13-107(A) (2) same as 2923.21(A) (2).

13-107(A) (3) same as 2923.21(A) (3).

Sebring

549.01 same as 2923.11.

549.05 same as 2923.17.

549.07(a) (2) same as 2923.20(A) (4).

549.07(a) (3) same as 2923.20(A) (5).

549.08 same as 2923.21.

Sandusky

13-106. Unlawful transactions in weapons. (A) No person shall: * * * (2) When transferring any dangerous ordinance to another, negligently fail to require the transferee to exhibit such identification, license, or permit showing him to be authorized to acquire dangerous ordinance pursuant to Section 13-105 of the General Offense Code or 2923.17 of the Ohio Revised Code; * * *

13-107(A) (1) same as 2923.21(A) (1).

13-107(A) (2) same as 2923.21(A) (2).

13-107(A) (3) same as 2923.21(A) (3).

Sebring

549.01 same as 2923.11.

549.05 same as 2923.17.

549.07(a) (2) same as 2923.20(A) (4).

549.07(a) (3) same as 2923.20(A) (5).

549.08 same as 2923.21.
Sheffield Lake

545.10. Sale and possession of firearms and explosives. (a) Definitions. As used in this section:

(1) "Firearm" means any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; or the frame or receiver of any such weapon; or any firearm muffler or firearm silencer.

(2) "Pistol" means any firearm with a barrel less than twelve inches in length.

(3) "Manufacturer" or "dealer" means any person engaged in the business of manufacturing, repairing or selling firearms at wholesale or retail.

(4) "Fugitive from justice" means any person who has fled or is fleeing from any law enforcement officer to avoid prosecution or incarceration for a felony or to avoid giving testimony in any criminal proceeding.

(e) Sale and transfer regulated. (1) No manufacturer or dealer, except a manufacturer or dealer having a license issued by the Sheffield Lake Division of Police, shall sell any firearm at wholesale or retail.

(2) No person shall sell, lease, lend or otherwise transfer a pistol to any person under seventeen years of age, except as provided in subparagraph (3) hereof.

(3) No person under the age of eighteen shall possess a pistol. The provision of this subparagraph shall not apply to the issue of pistols to members of the Armed Forces of the United States, active or reserve, State Militia or ROTC, when on duty or training, or to the temporary loan of pistols for instruction under the immediate supervision of a parent, guardian or adult instructor.

(4) No person shall sell, lease, lend or otherwise transfer a pistol to any person under seventeen years of age, except as provided in subparagraph (3) hereof.

(d) Nonserialized pistols. No person shall receive, possess, sell, lease or otherwise transfer any pistol from which the manufacturer's serial numbers or letters have been removed.

(e) Sales, transfers and displays regulated. (1) No manufacturer or dealer, except a manufacturer or dealer having a license issued by the Sheffield Lake Division of Police, shall sell any firearm at wholesale or retail.

(2) No person shall sell, lease, lend or otherwise transfer a firearm to any person who he knows or has reasonable cause to believe has been convicted of a felony, or who is a fugitive from justice, of unsound mind, a drug addict, an habitual drunkard or a member of a subversive organization.

(3) When delivered, all pistols shall be securely wrapped and must be unloaded.

(f) False information prohibited. (1) No person in applying for a license as a manufacturer or dealer shall give false information or offer false evidence of his identity.

(2) No person shall give false information concerning the matters referred to in subsections (c) (1) and (c) (2) or concerning his age or his name and address or offer false evidence of his identity when purchasing a pistol.

South Euclid

587.01. License required for sale of weapons. No person shall engage in the business of selling, or sell or give away to any person within the City any pistol, revolver, derringer, * * * or other weapon of like character, which can be concealed on or about the person, without first securing a license to do so as hereinafter provided. No person having secured such a license shall sell or give away any such weapon to any person within the City who has not first secured from the Chief of Police a permit to purchase such weapon in the manner hereinafter provided.

587.02. Application for license. Any person desiring a license authorizing the sale of any of the deadly weapons specified in Section 587.01 shall make application in writing to the Director of Public Safety, [contact local authorities for required information] * * *

587.05. Permit to buy weapon. No person shall purchase or acquire by gift or otherwise any pistol, revolver, derringer, * * * or other weapon of like character, which can be concealed on or about the person, without first securing a permit to do so. Before any such permit is granted, an application in writing shall be made therefor to the Chief of Police [contact local authorities for required information] * * *

Springdale

672.01 same as 2923.11.
672.05 same as 2923.17.
672.07 same as 2923.18(A), (B) (1), (C), (D), (E), and (F).
672.09(a) (2) same as 2923.20(A) (4).
672.10 same as 2923.21.
Springfield

539.03 Sale of firearms. No person shall sell, barter, furnish or give to a minor under the age of seventeen years a ** rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor, or being the owner or having charge or control thereof knowingly permit it to be used by a minor under such age.

545.07 Possession of explosive or flammable devices prohibited; exceptions. No person shall make, use or possess on his person or have under his control, a molotov cocktail or any other explosive device containing flammable, combustible or explosive material, or any substance which can be used as a fire bomb either by igniting the fuse and/or breaking the device. However, any person engaged in any lawful activity, business, calling, employment or occupation requiring him to have such a device or such material or substance in his possession or under his control is hereby exempt from the operation of this section.

St. Bernard

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

St. Clairsville

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Stebenville

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.08 same as 2923.21.

Stow

672.01 same as 2923.11.
672.05 same as 2923.17.
672.07 adopts 2923.18.
672.09(a) (2) same as 2923.20(A) (4).
672.09(a) (3) same as 2923.20(A) (5).
672.10 same as 2923.21.
672.17 Possession and transfer of firearms.
(a) Definitions. As used in this section: (1) "Pistol" means any firearm with a barrel less than twelve inches in length.
(2) "Manufacturer" and "dealer" mean any person engaged in the business of manufac­
turing, repairing or selling firearms at wholesale or retail.
(3) "Fugitive from justice" means any person who has fled or is fleeing from law enforcement officer to avoid prosecution or incarceration for a felony or to avoid giving testimony in any criminal proceeding.
(4) "Subversive organization" means any group, association or combination of individuals, as listed by the United States Government Justice Department.
(b) Unlawful Possession. (1) No person who has been convicted of a felony in any court of the United States, the several states, territories, possessions, commonwealths, countries or the District of Columbia, or who is a fugitive from justice, or of unsound mind, or a drug addict, or an habitual drunkard, shall possess a firearm within the City.
(2) No person who is a member of a sub­versive organization shall possess a firearm in the City.
(3) No person under the age of eighteen shall possess a pistol. The provisions of this subsection shall not apply to the issue of pistols to members of the Armed Forces of the United States, active or reserve, the State Militia, the ROTC, when on duty or training, or to the temporary loan of pistols for instruction under the immediate supervision of a parent or guardian or adult instructor.
(c) Manufacturers and Dealers. (1) No per­son shall receive, possess, sell, lease or other­wise transfer any pistol from which the manu­facturer’s serial numbers or letters have been removed.
(2) No manufacturer or dealer, except a manufacturer or dealer having a license issued under the provisions of this section, shall sell any firearm at wholesale or retail within the City.
(3) No person shall sell, lease, lend or other­wise transfer a firearm to any person whom he knows or has reasonable cause to believe has been convicted of a felony, or is a fugitive from justice, or of unsound mind, or a drug addict, or an habitual drunkard, or a member of a subversive organization.
(4) When delivered all firearms must be un­loaded.
(5) No person shall sell, lease, lend or other­wise transfer a pistol to any person under eighteen years of age except as provided in subparagraph (b)(3) hereof.
(6) Application for a manufacturer’s or dealer’s license required by subparagraph (c)(2) hereof shall be made to the Director of Public Safety on forms prescribed and fur­nished by the City.

Strongsville

672.01 same as 2923.11.
672.05 same as 2923.17.
672.07 adopts 2923.18.
672.09(a) (2) same as 2923.20(A) (4).
672.09(a) (3) same as 2923.20(A) (5).
672.10 same as 2923.21.

Tallmadge

71.2.2 Sale of firearms to minors. 1. No person shall sell, order, furnish or give to a minor under the age of seventeen years, an air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

Tiffin

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Toledo

A. "Deadly Weapon" same as 2923.11(A).
B. "Firearm" means any weapon, including a handgun, by whatever name known, or the barrel, receiver, or any part of the firing mechanism of such weapon, which is designed to eject or propel a projectile by the action of an explosive or combustible propel­lant, but does not include inoperable firearms which cannot be rendered operable.
C. "Handgun" means any pistol, revolver, or other firearm, having a barrel not exceed­ing twelve (12) inches in length, measured by the insertion therein of a rod with the receiver or slide closed, but does not include handguns designed and safe only for use with black powder.
D. "Semi-Automatic Firearm" same as 2923.11(D).
E. "Automatic Firearm" same as 2923.11(E).
F. "Sawed-off Firearm" same as 2923.11(F).
G. "Zip-gun" same as 2923.11(G).
H. "Shotgun" means any weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projec­tile for each single pull of the trigger.
I. "Rifle" means any weapon designed or redesigned, made or remade, and intended to be fired from the shoulder, and designed or redesigned, and made or remade to use the energy of the explosive in a fixed metallic car-
C. No person shall purchase, own, possess, receive, have on or about his person, or use any handgun or handgun ammunition, if such person has been convicted of a felony involving the use or the threat of use of force or violence under the laws of this or any other state, the United States or any of its territories or possessions, the District of Columbia, or any foreign country with which the United States has a treaty of extradition in effect, provided, however, such person shall be eligible to possess, purchase, own, receive or have on or about his person or use a handgun or handgun ammunition after ten years have elapsed from the date of completion of any sentence, probationary period or parole imposed upon such person so convicted.

D. No person shall knowingly sell, transfer, give, deliver, or furnish any firearm or ammunition to any person prohibited by this section from purchasing, owning, possessing, receiving, having on or about his person, or using such firearm or ammunition.

17-13-105. Identification Card Required. A. No person shall purchase, own, possess, receive, have on or about his person, or use any handgun except upon a suitable firing range, unless such person has a handgun owner's identification card issued to him and in effect pursuant to this section, or unless such person is exempt from the requirement of an identification card pursuant to Section 17-13-106 of the Toledo Municipal Code.

17-13-106. Exemptions. A. The requirements of a handgun owner's identification card contained in Section 17-13-105 of the Toledo Municipal Code do not apply to the purchase, ownership, possession, receipt, having on or about the person, or use of any handgun or handgun ammunition by:

1. Any state of the United States, or any political subdivision, department, or agency of either;
2. Officers or agents of any state or the United States or any political subdivision, department, or agency of either, members of the organized militia of any state or the armed forces of the United States, or law enforcement officers of any political subdivision to the extent that the official duties of any such person require him to purchase, own, possess, receive, carry, or use handguns;
3. Licensed manufacturers and dealers, and their agents and servants, to the extent that the purchase, ownership, possession, receipt, or use of any handgun is in the ordinary course of business;
4. Non-residents of the City of Toledo who are residents of the State of Ohio; provided that such persons are not prohibited by the provisions of Section 17-13-103 or 17-13-105 of the Toledo Municipal Code, and possess and exhibit upon request such valid permit, authorization, or identification issued by the Chief of Police or the Sheriff of their place of residence to purchase, own, possess, receive, carry, or use any handgun.

5. Non-residents of the City of Toledo, Ohio, removing to this city for the purpose of establishing residence herein, during a period not exceeding thirty (30) days from the date of their entry into this city for such purpose; provided that such persons shall possess and exhibit upon request such valid permit, authorization or identification as may be required by the laws of their former domicile to own, possess, receive, or have on or about the person any handgun.

6. Executors, administrators, guardians, receivers, trustees in bankruptcy, and other fiduciaries duly qualified and appointed by a court of competent jurisdiction, when acting in their fiduciary capacity, and their attorneys.

7. Heirs and legatees acquiring any handgun or handgun ammunition through distribution of an estate, and other persons other than fiduciaries acquiring any handgun through operation of law, during a period not exceeding sixty (60) days from the date of their coming into possession any handgun.

8. Carriers, warehousemen, and others engaged in the business of transporting or storing firearms, handguns and their agents, servants, to the extent that the ownership, possession, receipt, or having on or about the person of any handgun by such persons is in the ordinary course of business and in conformity with the laws of this state or the United States.

Section 17-13-107. Further Prohibitions. A. No person in this city shall purchase or otherwise obtain ownership or possession of, or as security for a loan, any handgun from any person unless the transferee exhibits a handgun owner's identification card valid on its face, issued to the transferee pursuant to Section 17-13-105 of the Toledo Municipal Code, or unless the transferee exhibits evidence that he is exempt from the requirement of an identification card pursuant to Section 17-13-106 of the Toledo Municipal Code.

B. No person in this City shall sell, deliver, transfer, or furnish any handgun to any person in this City, unless the transferee exhibits a handgun owner's identification card valid on its face and issued to the transferee pursuant to Section 17-13-105, or unless the transferee exhibits evidence that he is exempt from the requirement of an identification card pursuant to Section 17-13-106 of the Toledo Municipal Code.

17-13-108. Dealers License. A. Every firearms dealer in this City shall procure a license to engage in such business.

17-13-120(A) (3) same as 2923.20(A) (5).
cocktail, or any other explosive device containing a flammable, combustible or explosive material or substance which can be used as a firebomb either by igniting a fuse and/or breaking the device.

B. Persons engaged in a lawful activity, business, calling, employment or occupation are hereby exempt from the operation of this section.

** Troctwood **

529.03 Sale of firearms. No person shall sell, barter, furnish or give to a minor under the age of seventeen years an air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor, or being the owner or having charge or control thereof knowingly permit it to be used by a minor under such age. ** *

545.13. Sale license, purchase permit required. No person, firm, or corporation shall give, sell, offer to sell, exhibit for sale or engage in the business of selling firearms, ** * described in Section 545.02 or other weapons, ammunition, explosives or fire­work without first securing a license to do so from the Chief of Police, as ** * provided.

No person, firm or corporation shall sell or give away any weapon, as herein defined, which is concealable on the person, to any person within the Municipality who has not secured a permit from the Chief of Police to purchase such weapon, in the manner ** * provided.

** University Heights **

626.01. Definitions. As used in this chapter: (a) "Firearm" means any weapon, including a handgun, by whatever name known, or the barrel, receiver or any part of the firing mechanism of such weapon, which is designed to eject or propel a projectile by the action of an explosive or combustible propellant, but does not include inoperable firearms which cannot be rendered operable.

(b) "Handgun" means any pistol, revolver or other firearm, having a barrel not exceeding twelve inches in length, measured by the insertion therein of a rod with the receiver or slide closed, but does not include handguns designed and safe only for use with black powder.

(c) "Firearms dealer" means any person, firm or corporation regularly engaged in the business of selling or trading firearms or ammunition at wholesale or retail within the limits of the City, whether as the principal business of such person, firm or corporation, or in addition thereto.

(d) "Fugitive from justice" means a person who flees, escapes from custody, conceals or attempts to use any other unlawful means to avoid prosecution or punishment for a felony under the laws of this or any other state, the United States or any of its territories or possessions, the District of Columbia or any foreign country with which the United States has a treaty of extradition in effect.

(e) "Resident" means any person who has a factual place of residence within the limits of the City.

(f) "Nonresident" means any person who does not have a factual place of residence within the limits of the City.

(g) "Minor" means any person under the age of twenty-one years.

626.02. Prohibitions. (a) No person shall purchase, own, possess, receive, have on or about his person or use any firearm or ammunition if such person is a fugitive from justice or is under adjudication of mental incompetence.

(b) No person shall purchase, receive, have on or about his person or use any firearm or ammunition while under the influence of alcohol, any narcotic drug, hallucinogen or other dangerous drug.

(c) No person shall purchase, own, possess, receive, have on or about his person or use any handgun or handgun ammunition if such person has been convicted of a felony under the laws of this or any other state, the United States or any of its territories or possessions, the District of Columbia or any foreign country with which the United States has a treaty of extradition in effect. However, such person shall be eligible to possess, purchase, own, receive or have on or about his person or use a handgun or handgun ammunition after ten years have elapsed from the date of completion of any sentence, probationary period or parole imposed upon such person so convicted.

(d) No person shall knowingly sell, transfer, give, deliver or furnish any firearm or ammunition to any person prohibited by this section from purchasing, owning, possessing, receiving or having on or about his person or using such firearm or ammunition. ** *

626.04. Identification card required. (a) No person shall purchase, own, possess, receive, have on or about his person or use any handgun, except upon a suitable firing range, unless such person has a handgun owner's identification card issued to him and in effect pursuant to this section, or unless such person is exempt from the requirements of an identification card pursuant to Section 626.05. ** *

626.05 Exemptions. (a) The requirements of a handgun owner's identification card obtained pursuant to Section 626.04 do not apply to the purchase, ownership, possession, receipt, having on or about the person or use of any handgun or handgun ammunition by:

(1) Any state of the United States or any political subdivision, department or agency of either;

(2) Officers or agents of any state of the United States or any political subdivision, department or agency of either, members of the organized militia of any state or the Armed Forces of the United States, or law enforcement officers of any political subdivision, to the extent that the official duties of such person require him to purchase, own, possess, receive, carry or use handguns;

(3) Licensed manufacturers and dealers and their agents and servants, to the extent that the purchase, ownership, possession, receipt or use of any handgun is in the ordinary course of business;

(4) Nonresidents of the City who are residents of the State, provided that such persons are not prohibited by the provisions of Section 626.02 or 626.04 and possess and exhibit upon request such valid permit, authorization or identification issued by the Chief of Police or the Sheriff of their place of residence to purchase, own, possess, receive, carry or use any handgun ** * The requirements of a valid permit, authorization or identification as required by this subsection shall not apply to a nonresident who enters the City with firearms for the sole purpose of exhibiting or trading such firearms at a public firearms display, show or exhibition, or for the sole purpose of participating in an organized and sanctioned pistol match. The permit, authorization or identification provided for in this subsection shall be valid for only thirty days from the date thereof;

(5) Nonresidents of the City moving into the City for the purpose of establishing residence therein, during a period not exceeding thirty days from the date of their entry into the City for such purpose, provided that such persons possess and exhibit upon request such valid permit, authorization or identification as may be required by the laws of their former domicile to own, possess, receive or have on or about the person any handgun;

(6) Executors, administrators, guardians, receivers, trustees in bankruptcy and other fiduciaries duly qualified and appointed by a court of competent jurisdiction, when acting in their fiduciary capacity, and their attorneys;

(7) Heirs and legatees acquiring any handgun or handgun ammunition through distribution of any estate, and other persons other than fiduciaries acquiring any handgun through operation of law, during a period not exceeding sixty days from the date of their coming into possession of any handgun;

(8) Carriers, warehousemen and others engaged in the business of transporting or storing firearms or handguns, and their agents and servants, to the extent that the ownership, possession, receipt or having on or about the person of any handgun by such persons is in the ordinary course of business and in conformity with the laws of this State or the United States. ** *
NOTICES

626.06. Further prohibitions; sales; purchases; transfers. (a) No person in the City shall purchase or otherwise obtain ownership or possession of, or as security for a loan, a handgun from any person, unless the transferee exhibits a handgun owner’s identification card valid on its face, issued to the transferee pursuant to Section 626.04, or unless the transferee exhibits evidence that he is exempt from the requirement of an identification card pursuant to Section 626.05.

(b) No person in the City shall sell, deliver, transfer or furnish any handgun to any person in the City unless the transferee exhibits a handgun owner’s identification card valid on its face and issued to the transferee pursuant to Section 626.04 or unless the transferee exhibits evidence that he is exempt from the requirement of an identification card pursuant to Section 626.05.

626.07. Dealer’s license required. (a) Every firearms dealer in the City shall procure a license to engage in such business. Any firearms dealer engaged in such business at more than one permanent location in the City shall procure a separate license for each such permanent location. Application for such license shall be made under oath to the Chief of Police.

672.09. Improperly furnishing firearms to a minor. (a) No person shall:
(1) Sell any firearm to a person under age of eighteen;
(2) Sell any handgun to a person under the age of twenty-one; ** * *

523.01 same as 2923.11
523.04 same as 2923.17.

Wadsworth

529.02. Sale of firearms. No person shall sell, barter, furnish or give to a minor under the age of seventeen years an air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor, or, being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

Upper Arlington

523.01 same as 2923.11
523.04 same as 2923.17.

Wapakoneta

134.03. Sale of firearms to minors. (A) No person shall sell, barter, furnish or give to a minor under the age of seventeen years an air gun, musket, rifle, shotgun, revolver, pistol or other firearm, or ammunition therefor, or, being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

545.04. Sale of firearms; dealer’s license; purchaser’s permit. No person shall engage in the business of selling or sell or give away to any person within the City any pistol, revolver, derringer, *** or other weapon of like character, which can be concealed on the person, without securing a license to do so ***. No person, having secured such a license, shall sell or give away any such weapon to any person who has not secured a permit from the Chief of Police to purchase such weapon.

545.08. Permit required of purchaser. No person shall purchase any pistol, revolver, derringer, *** or any weapon of like character which can be concealed on the person, without first securing from the Police Chief a permit to do so.

523.01 same as 2923.11
523.04 same as 2923.17
523.07 same as 2923.18,
523.08 same as 2923.20(A) (4) & (5).
523.09 same as 2923.21.

Warren Heights

672.01 same as 2923.11.
672.05 same as 2923.17.
672.07 same as 2923.18,
672.08. Failure to secure dangerous ord­
nance. (a) No person, in acquiring, possessing, carrying or using any dangerous ordnance shall negligently fail to take proper precautions:
(1) To secure the dangerous ordnance against theft or against its acquisition or use by any unauthorized or incompetent person;

672.09(a) (2) same as 2923.20(A) (4).
672.10 same as 2923.21.

Waterville

510.06. Unlawful transactions in weapons. (A) No person shall: (2) When transferring any dangerous ordnance to another, negligently fail to require the transferee to exhibit such identification, license, or permit showing him to be authorized to acquire dangerous ordnance pursuant to Article XIV, Section 5 of the General Offense Code or 2923.17 of The Ohio Revised Code, or negligently fail to take a complete record of the transaction and forthwith forward a copy of such record to the sheriff of the county or safety director or police chief of the municipality where the transaction takes place;

3) Knowingly fail to report to law enforce­m ent authorities forthwith the loss or theft of any firearm or dangerous ordnance in such person’s possession or under his control.

SECTION 7 same as 2923.21.

Wellston

131.06. Sale of firearms to minors. (A) No person shall sell, barter, furnish, or give to a minor under the age of seventeen years, an air gun, musket, rifle, shotgun, revolver, pistol, or other firearm, or ammunition therefor, or being the owner or having charge or control thereof, knowingly permit it to be used by a minor under such age.

West Alexandria

519.01 same as 2923.11.
519.06 same as 2923.20(A) (4) & (5).
519.07 same as 2923.21.

West Carrollton

519.01 same as 2923.11.
519.06 same as 2923.20(A) (4) & (5).
519.07 same as 2923.21.

Westerville

523.01 same as 2923.11.
523.06 same as 2923.17.
523.08 same as 2923.20(A) (4) & (5).
523.09 same as 2923.21.

West Milton

131.06 - Sale of Firearms to Minors. (A) No person shall sell, barter, furnish, or give to a minor under the age of seventeen, an *** rifle, shotgun, revolver, pistol, or other fire­arm, or ammunition therefor, or being the owner or having charge or control thereof,

523.01 same as 2923.11.
523.06 same as 2923.17.
523.08 same as 2923.20(A) (4) & (5).
523.09 same as 2923.21.
NOTICES

Whitehall

549.01 same as 2923.11
549.05 same as 2923.17
549.07. Unlawful transactions in weapons. (a) No person shall: (2) When transferring any dangerous ordinance to another, negligently fail to require the transferee to exhibit such identification, license or permit showing him to be authorized to acquire dangerous ordinance pursuant to Section 549.05, * * *
549.08(a) (1) same as 2923.21(A) (1).
549.08(a) (2) same as 2923.21(A) (2).
549.08(a) (3) same as 2923.21(A) (3).
549.16. Sale or gift of deadly weapons; license required. (a) No person shall sell or give away to any person within the City any pistol, revolver, derringer, * * * or other weapon of like character which can be concealed on the person, nor shall any person doing business as a pawnbroker sell or give away or permit to be redeemed or removed from deposit or pledge, any of the deadly weapons hereinabove mentioned without securing a license to do so from the Chief of Police; and no person having secured such a license shall sell or give away, or permit to be redeemed or removed from deposit or pledge, any such weapon unless the person so purchasing, acquiring, redeeming or removing such property shall have secured a permit as required by Section 549.17.
549.17. Purchase of deadly weapons; permit required. (A) No person shall purchase, redeem or remove from deposit or pledge any pistol, revolver, derringer, bowie knife, dirk or other weapon of like character which can be concealed on the person without first securing from the Chief of Police a permit to do so.

Willoughby

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(c) (2) same as 2923.20(A) (4).
549.07(c) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

785.01 License to dispose of concealable weapons. No person shall engage in the business of selling, or sell or give away to any person within the City, any pistol, revolver, derringer * * * or other weapon of like character, which can be concealed on the person, without securing a license to do so * * *.

785.05 Permit to purchase concealable weapons. No person shall purchase any pistol, revolver, derringer, * * * or other weapon of like character, which can be concealed on the person, without first securing from the Chief of Police a permit to do so.

Willoughby Hills

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Windham

549.07 same as 2923.20 (A) (4) & (5).
549.08 same as 2923.21.

Wintersville

771-1: It shall be unlawful for any person to engage in the business of selling, or to sell or give away to any person within the Village of Wintersville, any pistol, revolver, derringer * * * or other weapon of like character, which can be concealed on the person, without securing a license to do so * * *.

771-2: It shall be unlawful for any person to purchase any pistol, revolver, derringer * * * or other weapon of like character, which can be concealed on the person, without first securing from the Chief of Police a permit to do so.

Yorkville

774-1. License required. It shall be unlawful for any person, firm, or corporation, to engage in the business of selling, or to sell or give away to any person within the Village of Yorkville, any pistol, revolver, derringer * * * or other weapon of like character, which can be concealed on the person, without securing a license to do so * * *, and no person, firm, or corporation having secured such a license, shall sell or give away any such weapon to any person within this Village who has not secured a permit from the Chief of Police to purchase or receive the weapon * * *.

774-5. Application for permit by individual to purchase. It shall be unlawful for any person to purchase any pistol, revolver, derringer * * * or other weapon of like character, which can be concealed on the person, without first securing from the Chief of Police a permit to do so.
American citizenship required for sale or purchase of firearms. It shall be unlawful for any person other than a citizen of the United States to own or possess firearms within the limits of the Village and no permit shall be issued under the provisions of this chapter either for sale or to purchase firearms by any person not a citizen of the United States.

Youngstown

Sec. 133.04 Possession of firearms by aliens. It shall be unlawful for any person other than a citizen of the United States to own or possess firearms within the city. **

Sec. 133.05 License to sell weapons required. (a) It shall be unlawful for any person to engage in the business of selling, or to sell or give away to any person, within the city any pistol, revolver, * * * machine gun, bomb, or other weapon of like character, which can be concealed, without securing a license **.

(b) It shall be unlawful for any person whether or not licensed under the provisions of this section, to sell or give away or loan to any person under the age of twenty-one years any pistol, revolver, derringer * * * or other weapon of like character, which can be concealed.

Sec. 133.09 Weapon purchaser. It shall be unlawful for any person to purchase any weapon mentioned in section 133.05 unless he furnishes to the dealer the information required by section 133.08 (the name of the purchaser or donee with his address and age, and the purpose given by such person for the purchase of the weapon). It shall be unlawful for any person to purchase any weapon for a person under the age of twenty-one or to otherwise give, sell or loan such weapon to a person under the age of twenty-one years.

Zanesville

549.01 same as 2923.11.
549.05 same as 2923.17.
549.07(a) (2) same as 2923.20(A) (4).
549.07(a) (3) same as 2923.20(A) (5).
549.08 same as 2923.21.

Oklahoma

State Law


§1272. Carrying weapons—Exceptions. It shall be unlawful for any person to carry upon or about his person, or in his portfolio or purse, any pistol, revolver * * * or any other offensive weapon, except as in this article provided. Provided further, that this Section shall not prohibit the proper use of guns and knives for hunting, fishing or recreational purposes, nor shall this Section be construed to prohibit any use of weapons in a manner otherwise permitted by statute. Any person convicted of violating the foregoing provision shall be guilty of a misdemeanor.

§1273. Selling weapons to minors. It shall be unlawful for any person within this State, to sell or give to any minor any of the arms or weapons designated, in the two preceding sections.

§1288. Purchases of firearms, ammunition and equipment in contiguous states by Oklahoma residents—Purchases in Oklahoma by residents of contiguous states. (a) Residents of the State of Oklahoma may purchase rifles, shotguns, ammunition, cartridge and shotgun shell handloading components and equipment in a state contiguous to the State of Oklahoma, provided that such residents conform to the applicable provisions of the Federal Gun Control Act of 1968, and regulations thereunder, as administered by the United States Secretary of the Treasury, and provided further that such residents conform to the provisions of law applicable to such purchase in the State of Oklahoma and in the contiguous state in which the purchase is made.

(b) Residents of a state contiguous to the State of Oklahoma may purchase rifles, shotguns, ammunition, cartridge and shotgun shell handloading components and equipment in the State of Oklahoma, provided that such residents conform to the applicable provisions of the Gun Control Act of 1968, and regulations thereunder, as administered by the United States Secretary of the Treasury and provided further that such residents conform to the provisions of law applicable to such purchase in the State of Oklahoma and in the state in which such persons reside.

§1289.3 “Pistols” defined. “Pistols” as used herein shall mean any firearm capable of discharging a projectile composed of any material which may reasonably be expected to be able to cause lethal injury, with a barrel or barrels more than sixteen (16) inches in length, and using either gunpowder, gas or any means of rocket propulsion, but not to include archery equipment, flare guns or underwater fishing guns. In addition, any rifle capable of firing “shot” but primarily designed to fire single projectiles will be regarded as a “rifle”.

§1289.5 “Shotguns” defined. “Shotguns” as used herein shall mean any firearm capable of discharging a series of projectiles of any material which may reasonably be expected to be able to cause lethal injury, with a barrel or barrels more than eighteen (18) inches in length, and using either gunpowder, gas or any means of rocket propulsion, but not to include any weapon so designed with a barrel less than eighteen (18) inches in length. In addition, any “shotgun” capable of firing single projectiles but primarily designed to fire multiple projectiles such as “shot” will be regarded as a “shotgun”.

§1289.10 Furnishing firearms to mentally incompetent or insane persons. It shall be unlawful for any person to knowingly transmit, transfer, sell, lend or furnish any shotgun, rifle or pistol to any person who is under an adjudication of mental incompetency, or to any person who is a moron, idiot or is insane.

§1289.12 Selling or transferring of firearms to convicted felons, disturbed persons or persons under influence of alcohol or drugs—Displaying notice. It shall be unlawful for any person within this state to knowingly sell, trade, give, transmit or otherwise cause the transfer of rifles, shotguns or pistols to any convicted felon, nor shall it be lawful for any person within this state to knowingly sell, trade, give, transmit or otherwise cause the transfer of any shotgun, rifle or pistol to any individual who is under the influence of alcohol or drugs or is mentally or emotionally unbalanced or disturbed. All persons who engage in selling, trading or otherwise transferring firearms will display this section prominently in full view at or near the point of normal firearms sale, trade or transfer.

Ada

§395.60. Weapons prohibited to certain persons. **. It shall be unlawful for any Licensee under this Chapter to sell, loan or give away any firearm, knife or other dangerous weapon to a minor, a known drunkard, or any person known to be under the influence of intoxicating liquors or drugs, or to any person who is known as an habitual user of drugs, or to any person who is commonly known to be a “police court character”, which is defined to be a person who has been convicted of three or more offenses against the ordinances of this City other than traffic offenses in the
police court of this City, or to any person known to have been previously convicted of any felony. Before such firearm, knife or other weapon may be sold, loaned or given to any person, such person's identification shall be determined by such Licensee. * * *

551.B. Furnishing certain weapons to minors unlawful. It shall be unlawful for any person within the City of Ada, Oklahoma, to sell or give to any minor any of the arms or weapons designated in the preceding section.

Healdton

2. It shall be unlawful for any person to sell to a minor any pistol, revolver, * * * or instrument manufactured or sold for the purpose of defense or offense, within the corporate limits of the City of Healdton.

Hominy

14c. Weapons, selling or giving them to minors. The act of selling or giving to any minor any pistol, revolver, device, * * * or any other dangerous weapon is a public offense.

Hugo

Article 3. Firearms

Sec. 14-40. Pistol permit required. It shall be unlawful and an offense for any person to purchase, receive or accept in any manner any revolver, pistol or other like firearm within the City of Hugo, Oklahoma without first having obtained a written permit from the chief of police of the City of Hugo, authorizing such person to receive or accept such revolver, pistol or other like firearm.

Sec. 14-41. Definition. The word "pistol" or "revolver" as used in this article shall be construed as meaning any firearm with a barrel less than twelve (12) inches long.

Sec. 14-42. Sale allowed only to permit holders. No person, firm or corporation shall sell, deliver, barter or give, or otherwise transfer a pistol, revolver or other like firearm within the City of Hugo to any person who is not the holder of a written permit from the chief of police of Hugo authorizing such person to purchase, receive or accept such revolver, pistol or other like firearm; and in no case shall any person, firm or corporation deliver a pistol or revolver or other like firearm to the person to whom it is to be sold or transferred until approved by the chief of police of Hugo in the manner provided hereinafter.

Sec. 14-50. Sale restricted to certain hours. It shall be unlawful and an offense for any person, firm or corporation to purchase, receive or accept in any manner, or to barter or give away any pistol, revolver or other like firearm as defined herein between the hours of five o'clock p.m. and one o'clock a.m.

NOTICES

Lawns

Article 22.

Section 11. Sales Permitted—Rules. All persons, trading, selling or offering for sale, any pistol, revolver, * * * capable of being carried concealed upon the person shall at the time any such weapons are sold or delivered, require such person receiving or purchasing such weapon to sign an application for the purchase of such weapon, upon blanks to be furnished by the City of Jenks to the dealers in weapons of the above description. [contact local authorities for required contents] * * *

The dealer selling such weapon shall also, at the time of sale or delivery, require such person to make and leave with such dealer, a record of such purchaser's finger prints, such prints to be made upon suitable blanks to be furnished to such dealer by the said City of Jenks. It shall be the duty of all dealers handling any of the weapons described in this Section to deliver to the Police Department of Jenks on or before the fifth (5th) day of each month, all such applications and finger print records received by such dealer for all sales and deliveries of such weapons made during the preceding month.

Provided, the provisions of this section shall not apply to the sale or transfer of weapons herein, defined between individuals who are not dealers in such weapons; nor to the sale of weapons usually used in hunting game and which are not capable of being carried concealed upon the body of the person carrying the same.

Sec. 6-54. Purchase of pistol: Permit required. It is unlawful for any person to purchase, receive, or accept in any manner any revolver, pistol, or other like firearm within the City of Lawton, Oklahoma, without first having obtained a written permit from the chief of police of the City of Lawton, Oklahoma, authorizing such person to purchase, receive, or accept such revolver, pistol, or other like firearm. Provided, that regular dealers in such articles may accept such articles without a permit at any time.

Sec. 6-55. No sale to person without permit. No person, firm, or corporation shall sell, deliver, barter, or give, or otherwise transfer a pistol, revolver, or other like firearm within the City of Lawton, Oklahoma, to any person who is not a holder of a written permit from the police department of Lawton, Oklahoma, authorizing such person to purchase, receive, or accept such revolver, pistol, or other like firearm, and in no case shall any person, firm, or corporation deliver a pistol, revolver, or other like firearm to the person to whom it is to be sold or transferred until approved by the police department of Lawton, Oklahoma, in the manner provided hereinafter.

Sec. 6-56. Application for permit. Applications for permits to purchase, receive, or accept any revolver, pistol, or other like firearm shall be made to the police department of Lawton, Oklahoma, upon blank forms to be provided therefor. [contact local authorities for required contents] * * *

Sec. 6-57. Persons ineligible for permit; investigation. It is the duty of the police department of Lawton, Oklahoma, to refuse such permits to all persons having been convicted of a felony under the laws of the State of Oklahoma or of any other state or of the United States, and to all minors, drug addicts, unnaturalized foreign-born persons, and such other persons as he has reasonable cause to believe are not of sound mind and discretion and of good moral character. * * *

Sec. 6-60. Duty of seller. It shall be the duty of any person, firm, or corporation who sells, transfers, or gives away any pistol, revolver, or like firearm, as provided in this article, at the time such sale, gift, or delivery is made, to require the holder of such permit to deliver the permit to such person, firm, or corporation who sells, transfers, or gives away any pistol, revolver, or like firearm; and it shall be the duty of any person, firm, or corporation who sells, transfers, or gives away any pistol, revolver, or like firearm to deliver such permit to the police department of Lawton, Oklahoma, at the time the report of such sale or gift is made, as provided in this article.

Sec. 6-61. Purchaser not authorized to carry pistol. Nothing contained in this article shall in any manner be construed as a permit to carry such revolver, pistol, or like firearm contrary to any ordinance of the City of Lawton, Oklahoma, or the laws of the State of Oklahoma.

Sec. 6-62. Antiques. Nothing contained in this article shall be deemed to apply to antique pistols or revolvers which are incapable of being fired at the time of sale.

Sec. 6-63. Regular dealers. The provisions of this article pertaining to permits for transactions involving revolvers, pistols, or other like firearms shall not apply to nor be applicable to transactions solely involving regular dealers in such articles.

Midwest City

Ordinance 258

Section 1. Pistol and Revolver Defined. The word "pistol" or "revolver," as used in this ordinance, shall be construed as meaning any
firearm with a barrel less than twelve (12) inches long.

Section 2. Purchase of Pistol—Permit Required. It shall be unlawful and an offense for any person to purchase, receive, or accept in any manner any revolver, pistol or other like firearm without first having obtained a written permit from the Chief of Police of the City of Midwest City without first having obtained a written permit from the Chief of Police of the City of Midwest City, authorizing such person to receive or accept such revolver, pistol or other like firearm.

Section 3. Sale to Person Without Permit—Exception. No person, firm or corporation shall sell, deliver, barter or give, or otherwise transfer a pistol, revolver or other like firearm within the City of Midwest City to any person who is not the holder of a written permit from the Chief of Police of Midwest City authorizing such person to receive, purchase, deliver, or give away any such weapon, and in no case shall any person, firm or corporation deliver a pistol or revolver or other like firearm to the person to whom it is to be sold or transferred until approved by the Chief of Police of Midwest City.

Section 11. Sales After 5:00 O’clock Prohibited. It shall be unlawful and an offense for any person, firm, or corporation to purchase, receive or accept in any manner, or to barter or give away any pistol, revolver, or other like firearm, as defined herein, between the hours of 5:00 o’clock P.M. and 8:00 o’clock A.M.

Moore

Sec. 14-31. Unlawful weapons prohibited. It shall be unlawful for any person to carry upon or about his person any pistol, revolver or any other offensive or defensive weapon, except as herein provided.

Sec. 14-32. Not to sell unlawful weapons to minors. It shall be unlawful for any person to sell or give to any minor any of the arms or weapons designated in section 14-31.

Muskogee

18-7. Application for purchase of weapons. (a) All persons handling, selling or offering for sale, transferring or delivering any pistol, revolver, or any other similar dangerous or deadly weapon capable of being carried or concealed upon the person, shall, at the time of the sale or delivery thereof to any purchaser or other person receiving such a weapon, require the purchaser or other person receiving the same to sign and swear to an application [contact local authorities for required contents] * * *. The dealer or person selling or delivering any such weapon shall, at the time of the sale or delivery to such purchaser, require that the application have shown thereon, for the purpose of identification, the fingerprints of the purchaser.

(b) It shall be the duty of all persons subject to the provisions of this section to deliver to the police department of the city, not later than the day following any delivery or sale of any weapon hereunder, the application containing the information above required and the signature and fingerprints of the purchaser.

(c) The provisions of this section shall not apply to the sale, delivery or transfer of weapons between individuals who are not dealers therein, nor shall the provisions hereof apply to weapons commonly and usually used in hunting game and not capable of being carried concealed about the person.

Oklahoma City

Sec. 21-53. Receipt of pistol; permit required. No person shall purchase, receive, or accept in any manner any pistol without first having obtained a written permit from the Chief of Police authorizing the person to receive or accept the pistol.

Sec. 21-54. Transfer of pistol to person without permit. (a) Transfer without permit. No person shall transfer a pistol to any person who is not a holder of a written permit from the Chief of Police authorizing the person to purchase, receive or accept the pistol.

(b) Delivery of pistol only after Police approval. No person shall deliver a pistol to the person to whom it is to be transferred until approved by the Chief of Police in the manner provided in this Division.

Sec. 21-59. Transfers of pistols. No person shall purchase, receive or accept in any manner, or transfer any pistol between 5:00 P.M. and 8:00 A.M.

21-62. Antique pistols excepted. Nothing contained in this Division shall be deemed to apply to antique pistols which are incapable of being used as pistols.

21-166. Sale to or possession of weapons by minors. (a) No person under the age of twenty-one (21) years shall carry, discharge, use or be in possession of any firearm, * * *

(b) No person shall sell to a minor any of the firearms or weapons named in Subsection (a).

48-3. Sale of weapons to minors prohibited. It shall be unlawful for any person in the city to sell to any minor any of the arms or weapons enumerated in section 48-1. It shall be unlawful for any person, in the city to sell to a minor any rifle, shotgun or any firearm of any character without a written consent of parent or guardian of such minor.

48-6. "Pistol" and "revolver" defined. The words "pistol" and "revolver", as used in this article, shall be construed as meaning any firearm with a barrel less than twenty inches long.

48-7. Applicability of article. Nothing contained in this article shall be in any manner construed as a permit to carry such revolver, pistol or similar firearm contrary to any regulation of the city or the laws of the state.

Nothing contained in this article shall be deemed to apply to antique pistols or revolvers which are incapable of being used as such.

48-8. Permit to purchase, receive, etc.—Required. No person shall purchase, receive or accept in any manner any revolver, pistol or other similar firearm in the city, without first obtaining a written permit from the chief of police authorizing such person to receive or accept such revolver, pistol or other similar firearm.

48-12. Sale of pistols, revolvers, etc. (a) No person shall sell, deliver, barter, give or otherwise transfer a pistol, revolver or other similar firearm within the city to any person who is not the holder of a written permit from the chief of police authorizing such person to receive, purchase, receive or accept such revolver, pistol or other similar firearm; and in no case shall any person deliver a pistol or revolver or other similar firearm to the person to whom it is to be sold or transferred until approved by the chief of police in the manner provided in this chapter.

Tulsa

Section 441. Pistol Defined. The term "pistol" as used herein shall mean and include any firearm with a barrel or barrels less than sixteen (16) inches in length and using either gunpowder, gas or any means of rocket propulsion, capable of discharging a projectile composed of any material which may reasonably be expected to cause lethal injury, but not including flare guns or blank pistols.

Section 442. Rifle Defined. The term "rifle" as used herein shall mean any firearm with a barrel or barrels more than sixteen (16) inches in length and using either gunpowder, gas or any means of rocket propulsion, capable of discharging a projectile composed of any material which may reasonably be expected to be able to cause lethal injury; but shall not include archery equipment, flare guns or under water fishing guns. In addition, any rifle capable of firing "shot" but primar-
Section 443. Shotgun Defined. The term "shotgun" as used herein shall mean and include any firearm with a barrel or barrels more than eighteen (18) inches in length and using either gunpowder, gas or any means of rocket propulsion, capable of discharging a series of projectiles of any material which may reasonably be expected to be able to cause lethal injury. Any "shotgun" capable of firing single projectiles but primarily designed to fire multiple projectiles such as "shot" will be regarded as a 'rifled'.

Section 452. Firearms - Furnishing to Convicted Felons, Incompetents or Persons Under the Influence of Alcohol or Drugs. It shall be unlawful for any person to knowingly sell, trade, give, transmit, or otherwise cause the transfer of rifles, shotguns or pistols to any convicted felon, individual under the influence of alcohol or drugs or who is mentally or emotionally unbalanced or disturbed. All persons who engage in selling, trading or otherwise transferring firearms will display this Section prominently in full view at or near the point of normal firearm sale, trade or transfer.

Section 453. Firearms—Furnishing to Incompetents or Insane Persons. It shall be unlawful for any person to knowingly transmit, transfer, sell, lend or furnish any shotgun, rifle or pistol to any person who is under an adjudication of mental incompetency, or to any person who is a moron, idiot or is insane.

Section 456. Weapons - Selling to Minors. It shall be unlawful for any person to sell or give to any minor any of the arms or weapons designated in Section 455 (pistol, revolver).

Section 460. Weapons - Sale Procedure. All persons trading, selling or offering for sale any pistol, revolver, shotgun or weapon, as defined in this Chapter, capable of being carried concealed upon the person shall, at the time same are sold or delivered require the person receiving or purchasing same to sign an application for such purchase upon blanks to be furnished by the City of Tulsa Police Department to dealers. [contact local authorities for required contents]**. The dealer shall, at the time of sale or delivery, require purchaser to make and leave with such dealer, a record of such purchaser's fingerprints which shall be made on suitable blanks furnished to the dealer by the City of Tulsa Police Department. **

The provisions of this Section shall not apply to the sale or transfer of pistols, revolvers, shotguns or weapons between individuals who are not dealers in same; nor to their sale when used in hunting game and which are not capable of being carried concealed upon the body of the person carrying same.

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**NOTICES**

Oregon State Law

166.210 Definitions for ORS 166.230 to 166.470. As used in ORS 166.230, 166.250 to 166.270, 166.280, 166.290 and 166.410 to 166.470:

1. "Pistol," "revolver" and "firearms capable of being concealed upon the person," apply to and include all firearms having a barrel less than 12 inches in length.

2. "Machine gun" means a weapon of any description by whatever name known, loaded or unloaded, from which two or more shots may be fired by a single pressure on the trigger device.

166.250 Unlawful possession of weapons. (1) Except as otherwise provided in this section, ORS 166.230, 166.250, 166.270, 166.280, 166.290 or 166.410 to 166.470, any person who possesses or has in his possession any machine gun, or carries concealed upon his person, or within any vehicle which is under his control or direction any pistol, revolver or other firearm capable of being concealed upon the person, without having a license to carry such firearm as provided in ORS 166.290, is guilty of a misdemeanor, unless he has been convicted previously of any felony or of any crime made punishable by this section, ORS 166.230, 166.260, 166.270, 166.280, 166.290 or 166.410 to 166.470, in which case he is guilty of a felony.

(2) This section does not prohibit any citizen of the United States over the age of 18 years who resides in or is temporarily sojourning within this state, and who is not within the excepted classes prescribed by ORS 166.270, from owning, possessing or keeping within his place of residence or place of business any pistol, revolver or other firearm capable of being concealed upon the person, and no permit or license to purchase, own, possess or keep any such firearm at his place of residence or place of business is required of any such citizen.

(3) Firearms carried openly in belt holsters are not concealed within the meaning of this section. ORS 166.260 Persons not affected by ORS 166.250. ORS 166.250 does not apply to or affect:

1. Sheriffs, constables, marshals, policemen, whether active or honorably retired, or other duly appointed peace officers.

2. Any person summoned by any such officer to assist in making arrests or preserving the peace, while said person so summoned is actually engaged in assisting the officer.

3. The possession or transportation by any merchant of unloaded firearms as merchandise.

4. Members of the Army, Navy or Marine Corps of the United States, or of the National Guard, when on duty.

5. Organizations which are by law authorized to purchase or receive weapons described in ORS 166.250 from the United States, or from this state.

6. Duly authorized military or civil organizations while parading, or the members thereof when going to and from the places of meeting of their organizations.

7. Members of any club or organization, for the purpose of practicing shooting at targets upon the established target ranges, whether public or private, while such members are using any of the firearms referred to in ORS 166.250 upon such target ranges, or while going to and from such ranges.

8. Licensed hunters or fishermen while engaged in hunting or fishing, or while going to or returning from a hunting or fishing expedition.

166.270 Aliens and convicts forbidden to possess arms. Any unnaturalized foreign-born person or any person who has been convicted of a felony against the person or property of another or against the Government of the United States or of this state, or of any political subdivision of this state, who owns, or has in his possession or under his custody or control any pistol, revolver, or other firearm capable of being concealed upon the person, or machine gun, shall be punished upon conviction by imprisonment in the penitentiary for not more than five years.

166.420 Register of transfers of concealed weapons; form and content of register and by whom to be maintained. *

(2) The purchaser of any firearm capable of being concealed upon the person shall sign, and the dealer shall require him to sign, his name and affix his address to the register in duplicate and the salesman shall affix his signature in duplicate as a witness to the signature of the purchaser. Any person signing a fictitious name or address is guilty of a misdemeanor.

166.430 Licenses to sell at retail. Licensing authorities of any city, county, town or other municipality within this state may grant licenses in form prescribed by the Attorney General, effective for not more than one year from date of issue, permitting the licensee to sell at retail within the municipality, pistols, revolvers and other firearms capable of being concealed upon the person, subject to the following conditions; for breach of any of which the license is subject to forfeiture:
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(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 where it can easily be read by the customer.
(3) Before any pistol or revolver shall be delivered:
   (a) One hundred twenty hours shall have elapsed after application for the purchase and the register entries required by ORS 166.420 have been completed; and
   (b) The purchaser either is personally known to the seller or presents clear evidence of his identity.
(4) No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in or on any part of the premises where it can readily be seen from outside the premises.
(5) When a pistol or revolver is delivered it shall be unloaded and securely wrapped.

166.440 Unlicensed persons selling or advertising for sale concealable firearms. Any person who, without being licensed as provided in ORS 166.430, engages in the business of selling or otherwise transferring, or who advertises for sale or offers or exposes for sale or transfer, any pistol, revolver or other firearm capable of being concealed upon the person, is guilty of a misdemeanor.

166.460. Antique firearms excepted. ORS 166.230, 166.250 to 166.270, 166.280, 166.290, 166.410 to 166.450, and 166.470 do not apply to antique pistols or revolvers incapable of use as such.

166.470 Limitations and conditions for sales of concealable firearms. No person shall sell, deliver or otherwise transfer any pistol, revolver or other firearm capable of being concealed upon the person to any person whom he has cause to believe to be within any of the classes prohibited by ORS 166.270 from owning or possessing such firearms, nor to any minor under the age of 18 years. Such firearm shall not be delivered to the purchaser on the day of the application for its purchase, and when delivered it shall be securely wrapped and unloaded. When neither party to the transaction holds a dealers' license, the vendor shall not sell or otherwise transfer any such firearm to any other person within this state who is not personally known to the vendor. Violation of this section is a misdemeanor.

166.480 Sale or gift of explosives and firearms to children. Any person who sells, exchanges, barters or gives to any child, under the age of 14 years, any explosive article or substance, other than an ordinary firecracker containing 10 grains of gunpowder; or who sells, exchanges, barters or gives to any such child any firearms, or other device of a like kind, ordinarily used or ordinarily capable of being used in discharging gunpowder in a greater quantity than 10 grains; or who sells, exchanges, barters or gives to any such child, any instrument or apparatus, the chief utility of which is the fact that it is used, or is ordinarily capable of being used, as an article or device to increase the force or intensity of any explosive, or to direct or control the discharge of any such explosive, is guilty of a misdemeanor.

166.490 Purchase of firearms in certain other states. (1) As used in this section, unless the context requires otherwise:
   (a) "Contiguous state" means California, Idaho, Nevada or Washington.
   (b) "Resident" includes an individual or a corporation or other business entity that maintains a place of business in this state.
(2) A resident of this state may purchase or otherwise obtain a rifle or shotgun in a contiguous state and receive in this state or transport into this state such rifle or shotgun, unless the purchase or transfer violates the law of this state, the state in which the purchase or transfer is made or the United States.
(3) This section does not apply to the purchase, receipt or transportation of rifles and shotguns by federally licensed firearms manufacturers, importers, dealers or collectors.
(4) This section expires and stands repealed upon the date that section 922(b) (3) of the Gun Control Act of 1968 (18 U.S.C. 922(b) (3)) and regulations pursuant thereto are repealed or rescinded.

480.070 Fire bombs prohibited; exceptions.
(1) No person shall possess a fire bomb. For the purpose of this section a "fire bomb" is a breakable container containing a flammable liquid with a flash point of 150 degrees Fahrenheit or less, having an integral wick or similar device capable of being ignited, but no device commercially manufactured primarily for the purpose of illuminating shall be deemed to be a fire bomb for the purpose of this section.
(2) This section shall not prohibit the authorized use or possession of such fire bomb by a member of the Armed Forces of the United States or by any member of a regularly organized public fire or police department.

Corvallis

41. It shall not be lawful for any person or persons, within the limits of the city of Corvallis, to give or furnish, or sell to any minor or minors, under the age of 18 yrs. any target gun, or airgun, or pistol, or revolver, or shotgun, or any firearms, without the written order of the parent or legal guardian of such minor. * * *

Eugene

3.440 Weapons - Conditions of License. Every license issued to a business dealing in deadly weapons or firearms is issued upon the following terms and conditions:

(b) The licensee will not sell, deliver, or otherwise transfer a pistol, revolver or other firearm capable of being concealed on the person to a person whom he has cause to believe is an alien or who has been convicted of a felony.
(c) The licensee shall not sell, deliver, or otherwise transfer a weapon to a minor under the age of 18 years. * * * *
(f) No pistol or revolver shall be delivered on the day of the application for the purchase, and when delivered, shall be unloaded and securely wrapped, unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.
Klamath Falls

Chapter 47

Article IV. Teargas, etc., Guns.

Sec. 47-13. Sale, offering for sale, etc., prohibited. No person shall sell, offer for sale or give away, either as the owner or the agent of the owner thereof, any gun or device which can be carried on or about a person and used for the purpose of releasing gas, fumes or liquids to blind or impair the eyesight or sicken or disable a human being. Such gun or device is hereby declared to be a dangerous weapon.

Myrtle Creek

5-6.5. (e) Sales to intoxicated persons and minors. No person shall purchase from or sell, loan, or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of 18 years.

Oregon City

6-4-1: Definitions: (A) As used in this Chapter, “firearm” means a pistol, revolver, gun, rifle or other ordnance, including a miniature weapon, which projects a missile or shot by force of gunpowder or any other explosive, by spring or by compressed air.

(C) “Deadly weapon” means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury.

6-4-7: Sale or Distribution of Miniature Firearms and Ammunition: It is unlawful for any person to give, furnish, loan, sell, offer for sale, or distribute any miniature pistol, firearm, or instrument capable of receiving or discharging any cartridge, charge of powder, or other explosive or any ammunition therefor, within the City.

6-4-9: Sale or Distribution of Deadly Weapons or Ammunition to Minors; Possession by Minors: It is unlawful for any person to give, furnish, loan, sell or to any minor under eighteen (18) years of age any deadly weapon as defined in 6-4-1, and it is unlawful for any person to give, furnish, loan or sell any ammunition to any minor to be used or capable of being used in any deadly weapon as defined in 6-4-1, and it is unlawful for any person to give, furnish, loan, sell or to any minor under eighteen (18) years of age any deadly weapon or ammunition to any minor under the age of twenty-one (21) years.

6-4-10: Licenses to Sell At Retail: Licensing authorities of Oregon City may grant licenses in form prescribed by the Attorney General of the State of Oregon, effective for not more than one year from date of issue, permitting the licensee to sell at retail within Oregon City pistols, revolvers and other firearms capable of being concealed upon the person, subject to the following conditions, for breach of any of which the license is subject to forfeiture: * * * *

(B) Before any pistol or revolver shall be delivered:
1. One hundred twenty (120) hours shall have elapsed after application for the purchase and the register entries required by ORS 166.420 have been completed; and
2. The purchaser either is personally known to the seller or presents clear evidence of his identity. * * * *

6-4-11: Unlicensed Persons Selling *** Concealable Firearms: It is unlawful for any person, without being licensed as provided in 6-4-10, to engage in the business of selling or otherwise transferring, *** any pistol, revolver or other firearm capable of being concealed upon the person.

Portland

14.32.030 Gas bombs. (a) As used in this section, “gas” includes all liquid, gaseous or solid substances intended to produce temporary physical discomfort, permanent injury or a noxious odor by being vaporized or otherwise dispersed in the air.

(b) It is unlawful for any person to possess or transport in the city any form of shell, cartridge or bomb containing and capable of emitting gas, or any weapon designed for using such shell, cartridge or bomb.

(c) This section does not apply to police officers or members of the armed forces of this state or of the United States when possessing or transporting such shells, cartridges or bombs for official use.

14.32.040 Explosives and fire bombs. (a) As used in this section:
1. “Explosives” means any substance or material that on ignition by heat, impact, friction or detonation will explode with such force as to injure a person or damage property in the immediate vicinity of the explosion.

2. “Fire bomb” means a breakable container containing a flammable liquid or jelly with a flash point of 150° Fahrenheit or less, that is capable of being ignited by an integral wick or similar device or that is capable of being ignited if the container is broken by impact, but no device commercially manufactured primarily for the purpose of illumination shall be deemed a fire bomb.

(d) It is unlawful for any person, other than a peace officer or a member of the armed forces of this state or of the United States, to use, possess or have under his control an explosive or fire bomb.

Springfield

8-20-1 Definition. A weapons dealer is any person engaged in the business of selling or offering for sale at retail rifles, pistols, revolvers, derringers, or other weapons or firearms of like character.

8-20-2 Licenses. It shall be unlawful for any person to engage in a business as a weapons dealer without first having obtained a license from the city recorder to do so.

8-20-5 Condition of License. Every license issued to a business dealing in weapons is issued upon the following terms and conditions: * * *

(b) The licensee will not sell, deliver, or otherwise transfer a pistol, revolver or other firearm capable of being concealed on the person to a person whom he has cause to believe is an alien or who has been convicted of a felony.

(c) The licensee shall not sell, deliver or otherwise transfer a weapon other than a shotgun or rifle to any person who is under the age of 21 years, nor a shotgun or rifle to any person who is under the age of 18 years, nor any weapon to any person who is intoxicated or under any obvious abnormal mental condition. * * *

(f) No pistol or revolver or other firearms capable of being concealed on the person shall be delivered sooner than 120 hours after the application for the purchase and, when delivered, shall be unloaded and securely wrapped. * * *

Pennsylvania

State Law

Title 18

§908. Prohibited offensive weapons. (a) Offense defined.—A person commits a misdemeanor of the first degree if, except as authorized by law, he makes repairs, sells or otherwise deals in, uses, or possesses any offensive weapon.

(b) Exception.—It is a defense under this section for the defendant to prove by a pre-
ponderance of evidence that he possessed or
dealt with the weapon solely as a curio or in a
dramatic performance, or that he possessed it
briefly in consequence of having found it or
taken it from an aggressor, or under circum-
stances similarly negating any intent or like-
lihood that the weapon would be used unlaw-
fully.

(c) Definition.—As used in this section "of-
fensive weapon" means any bomb, grenade,
machine gun, sawed-off shotgun, firearm spe-
cially made or specially adapted for conceal-
ment or silent discharge * * * or other imple-
ment for the infliction of serious bodily injury
which serves no common lawful purpose.

§6102. Definitions. Subject to additional
definitions contained in subsequent provi-
sions of this subchapter which are applicable
to specific provisions of this subchapter, the
following words and phrases, when used in
this subchapter shall have, unless the context
clearly indicates otherwise, the meanings giv-
en to them in this section:

"Firearm." Any pistol or revolver with a
barrel less than 12 inches, any shotgun with a
barrel less than 24 inches, or any rifle with a
barrel less than 15 inches.

"Crime of violence." Any of the following
crimes, or an attempt to commit any of the
same, namely: murder, rape, aggravated as-
sault, robbery, burglary, entering a building
with intent to commit a crime therein, and
kidnapping.

§6105. Former convict not to own a firearm,
etc. No person who has been convicted in this
Commonwealth or elsewhere of a crime
of violence shall own a firearm, or have one in
his possession or under his control.

§6110. Persons to whom delivery shall not be
made. No person shall deliver a firearm to
any person under the age of 18 years, or to
one he has reasonable cause to believe has
been convicted of a crime of violence, or is a
drug addict, an habitual drunkard, or of un-
sound mind.

§6111. Sale of firearms. (a) Time and man-
ner of delivery.—No seller shall deliver a fire-
arm to the purchaser thereof until 48 hours
shall have elapsed from the time of the applica-
tion for the purchase thereof, and when deliv-
ered, said firearm shall be securely
wrapped and shall be unloaded.

(b) Statement to be signed by purchaser.—
At the time of applying for the purchase of a
firearm, the purchaser shall sign in quadrupli-
cate and deliver to the seller a statement con-
taining his full name, address, occupation,
color, place of birth, the date and hour of ap-
plication, the caliber, length of barrel, make,
model, and manufacturer's number of the
firearm to be purchased, and a statement that
he has never been convicted in this Common-
wealth, or elsewhere, of a crime of violence.
The seller shall, within six hours after such
application, sign and attach his address and
forward by registered or certified mail one
copy of such statement to the chief or head of
the police force or police department of the
city, or the sheriff of the county of the place
of business of the seller, the duplicate, duly
signed by the seller, shall, within seven days,
be sent by him, with his address, to the Com-
misioner of the Pennsylvania State Police,
the triplicate he shall retain for six years, and
the quadruplicate with the proper signature
and address of the seller shall, within six
hours after such application, be forwarded by
registered or certified mail to the chief or
head of the police force or police department
of the city or to the sheriff of the county of
which the buyer is a resident.

(c) Exemption.—This section shall not ap-
ply to sales at wholesale.

§6112. Retail dealer required to be licensed.
No retail dealer shall sell, or otherwise trans-
er or expose for sale or transfer, or have in
his possession with intent to sell or transfer,
any firearm without being licensed as pro-
vided in this subchapter.

§6115. Loans on, or lending or giving fire-
arms prohibited. No person shall make any
loan secured by mortgage, deposit, or pledge
of a firearm; nor shall any person lend or give
a firearm to another or otherwise deliver a
firearm contrary to the provisions of this sub-
chapter.

§6116. False evidence of identity. No per-
son shall, in purchasing or otherwise securing
delivery of a firearm or in applying for a li-
cense to carry the same, give false informa-
tion or offer false evidence of his identity.

§6117. Altering or obliterating marks of
identification. (a) Offense defined.—No per-
son shall change, alter, remove, or obliterate
the name of the maker, model, manufac-
turer's number, or other mark of identifica-
ton any firearm.

(b) Exception.—Possession of any fire-
arm upon which any such mark shall have
been changed, altered, removed, or obliterate-
d, shall be prima facie evidence that the
possessor has changed, altered, removed, or
obliterated the same.

§6118. Antique firearms. This subchapter
shall not apply to antique firearms unsuitable
for use and possessed as curiosities or orna-
ments.

§6141. Purchase of firearms in contiguous
states. (a) General rule.—It is lawful for a
person residing in this Commonwealth, in-
cluding a corporation or other business entity
maintaining a place of business in this Com-
monwealth, to purchase or otherwise obtain a
firearm from another state contiguous to this
Commonwealth and to receive or transport
such firearm within this Commonwealth.

(b) Applicability of section.—(1) This sec-
tion applies to residents of this Common-
wealth who obtain firearms from a state contiguous to this Commonwealth in
compliance with the Gun Control Act of 1968, State laws and local ordinances.

(2) This section shall not apply or be con-
strued to affect in any way the purchase, rec-
ceipt or transportation of rifles and shotguns by Federally licensed firearms manufactur-
ers, importers, dealers or collectors.

(c) Definitions.—(1) As used in this section
the term "a state contiguous to this Common-
wealth" means any state having a common border with this Commonwealth.

(2) The other terms used in this section
shall have the meanings ascribed to them by
Public Law 90-618 known as the "Gun Con-
rol Act of 1968."

§6302. Sale or lease of weapons and explo-
sives. (a) Offense defined.—A person is
guilty of a misdemeanor of the first degree if
he sells or causes to be sold or leased to any
person under 18 years of age any deadly
weapon, cartridge, gunpowder, or other simi-
lar dangerous explosive substance.

(b) Exception.—The provisions of subsec-
tion (a) of this section shall not prohibit hunt-
ing by minors under 18 years of age permitted
under provisions of The Game Law.

§6303. Sale of starter pistols. (a) Offense de-
finied.—A person is guilty of a misdemeanor
of the first degree if he sells, causes to be
sold, gives or furnishes to any person under
the age of 18 years, or if he, being under the
age of 18 years, purchases, accepts, receives
or possesses, any pistol commonly referred to
as "starter pistol" specially designed to re-
ceive and discharge blank cartridges only or
similar pistol.

(b) Exception.—Nothing in this section
shall prohibit the use of starter pistols for the
purpose of starting or officiating at athletic
events, use in dramatic productions, or other
similar events.

7306. Incendiary devices. (a) Offense de-
finied.—A person is guilty of a misdemeanor
of the first degree if he owns, manufactures,
sells, transfers, uses or possesses any incen-
diary device or similar device or parts
thereof, including but not limited to a "mo-
lotov cocktail."

(b) Exception.—The provisions of subsection
(a) of this section shall not apply to au-
thorized personnel of the United States, the
Commonwealth or any political subdivision,
who use incendiary devices as part of their
duties.

(c) Definition.—As used in this section the
phrase "incendiary device," means any in-
flammable liquid enclosed in a readily break-
able container that can be equipped with an
igniter of any type.

Mental Health—Retardation

Title 50

§4605. Penalties. The following acts are
hereby declared to be crimes and anyone
who is convicted thereof shall be guilty of a misde-
meanor and upon conviction thereof shall be
sentenced to pay a fine not exceeding one
thousand dollars ($1,000), or to undergo imprisonment not exceeding one year, or both, except that if such acts shall be committed by a corporation, partnership or association, the officers and directors of such corporation or the members of such partnership or association, its agents and employees who knowingly participated in such acts shall also be guilty of a misdemeanor and upon conviction thereof, shall be punished as hereinbefore provided:

(2) It shall be unlawful for anyone to directly or indirectly, sell, give or furnish to any person admitted, committed or detained in a facility, any weapon or other instrument which may be used to inflict injury unless the instrument is a tool of the activity in which the person has permission to engage.**

Abington Township
Sale or furnishing weapons to persons under the age of eighteen years. 2. Whoever knowingly and willfully sells or causes to be sold, or supplies or furnishes to any person under eighteen (18) years of age any rifle, ** of any description in the Township of Abington, shall upon conviction thereof in a summary proceeding, be sentenced to pay a fine not exceeding fifty dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment in the County Jail not exceeding ten (10) days.

California Borough
4-4. Sales to intoxicated persons and minors. No person in the Borough shall sell, loan, or furnish any weapon in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant or to any person in a condition of agitation and excitability, or to minor under the age of 18 years.

Clifton Heights Borough
1. That it shall be unlawful and it is hereby prohibited for any person, persons, firm or corporation to store, sell, offer or expose for sale at retail, use or discharge, or have in their possession with intent to sell at retail or with intent to use or discharge and/or to use or discharge within the limits of the Borough of Clifton Heights any ** pistol, starter guns, blank guns, **. "At retail" shall mean any sale of less than one dozen such articles, or any sale to anyone not a bona fide dealer therein.

Geistown Borough
B. Handguns to be Stored in a Safe. Any person, proprietor, owner, partner, or officer of any corporation, of any store or place of business located within the Borough of Geis-

town, who sells or has for sale any hand guns of any brand, make or description, shall provide a proper safe for the storage of said hand guns during the hours in which the store or place of business is not open for business; and said persons shall be charged with the duty and responsibility of seeing that said hand guns shall be placed in said safe during the hours when the store or place of business is not opened for business.

Lower Moreland Township
3. Sale of Certain Weapons to Persons Under Age of 18 Prohibited. It shall be unlawful for any person within the Township of Lower Moreland knowingly and willfully to sell or cause to be sold, to any person under the age of eighteen (18) years, any rifle, air rifle or air gun, pistol, or firearm of any description.

4. Persons Under Age of 18 not to Purchase or Possess Certain Ammunition or Pellets; Exception. It shall be unlawful for any person under the age of eighteen years, unless acting under the supervision of and in the presence of his or her parent or guardian, within the Township of Lower Moreland, to purchase or possess any pellets or shot for an air gun or ammunition for a rifle or other firearm.

5. Restrictions on Sale or Furnishing of Ammunition or Pellets to Persons Under Age of 18. It shall be unlawful for any person within the Township of Lower Moreland to sell, furnish or give any *** ammunition for a rifle or other firearm to any person under eighteen years of age, unless such minor receiving such shot, pellets or ammunition shall be accompanied by and shall act under the supervision of his or her parent or guardian.

6. Penalty for Violation of Provisions on Weapons and Ammunition. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars and costs of prosecution and in default of payment of such fine and costs, to imprisonment for not more than thirty days.

Marcus Hook Borough
The Borough Council of the Borough of Marcus Hook does ordain: 1. That it shall be unlawful for any person or persons to use and/or sell *** guns of any nature which expel, shot or projectile a bullet, pellets, shot or any article whatsoever by use of air or otherwise within the limits of the Borough of Marcus Hook.

McKeesport
1. *** it shall be unlawful for any person, persons, firm or corporation to engage in the sale, barter or trade of revolvers or pistols without first obtaining a license from the Mayor of the City of McKeesport to so engage in this business.***

2. It shall be unlawful for any person or persons, firm or corporation to sell to any individual any revolver or pistol without prospective purchaser first having secured a permit from Police Department showing the name of the prospective purchaser, together with said prospective purchaser's address and occupation.

Monongahela
Section 1. *** no license or permit shall be granted to any person or persons for the purchasing transfer or bartering of revolvers and pistols in the City of Monongahela until and unless the purchaser shall have been finger-printed by the Chief of Police or officer designated by the Mayor for that purpose, and shall have furnished to said Chief of Police or designated officer a recent photograph of himself, of a size as prescribed by Chief of Police, and such description of himself as may be necessary adequately to describe said person, which said data and Bertillion measurements shall be kept as a record by the Police Department.

Mt. Lebanon Township
3. No person, firm or corporation shall sell or offer for sale any rifle, shot-gun, revolver, pistol, flubert rifle, or air gun, unless they, or it, shall have first received a written license so to do, signed by the Township Manager of said Township.***

Mt. Oliver Borough
5. No person other than duly authorized personnel of the Borough, City, County, State or Federal law enforcement agencies, shall carry, sell, or display, barter, loan, give away, transfer, transport, discharge, or use any weapon, ammunition or explosive device of any kind or nature whatsoever including firearms, *** bombs, missiles or any other weapon or device designed or intended to inflict bodily harm or injury to property at any place within the Borough.
Philadelphia

10-814. Acquisition or transfer of firearms.

(1) Definition.
(a) Firearm. Any rifle, pistol, revolver, gun or shotgun.
(b) Department. Department of Licenses and Inspections.

(2) Prohibited conduct. No person shall acquire or transfer any firearm in the City, and no person shall acquire a firearm outside of the City, which is brought into the City, unless application has been made to, and license obtained from, the Department.

(3) Prohibitions.
(a) Any person engaged in the business of selling ammunition shall be required to comply with the following: * * *

(b) No person shall sell, give or deliver any ammunition to minors; provided, that this Section shall not apply to ammunition supplied by a parent or guardian to his child or children, for lawful purposes.
(c) No person shall sell any ammunition which can be used in pistols, revolvers or other hand guns unless the purchaser produces satisfactory written identification and registers his name and address.

(4) License.
(a) No person shall sell any ammunition unless he first receives a license from the Department.

Scranton

1. * * * it shall be unlawful for any person, whether as principal or agent, to sell or otherwise dispose of any pistol, revolver, (including those for discharge of blank cartridges) * * * or other deadly weapon readily capable of concealment upon the person, unless a permit for such sale or other disposition has first been obtained from the Superintendent of the Bureau of Police in the manner hereinafter provided.

2. Every person desiring to purchase or acquire any weapon enumerated in Section 1 of this ordinance may make written application therefor * * * to the Superintendent of the Bureau of Police [contact local authorities for required contents] * * *

3. Such permit shall authorize the applicant within thirty days thereafter to purchase or otherwise lawfully acquire a weapon of the class enumerated in Section 1 of this ordinance, upon the surrender of such permit and the signing thereof for the purposes of comparison in the presence of the person selling or otherwise disposing of said weapon.

Shamokin

Sec. 52-4. Purchase, sale or discharge of fireworks, etc., prohibited; exception. From and after the passage of this ordinance, it shall be unlawful for any person or persons to purchase, sell or discharge any *** guns, pistols, or other firearms *** of any kind within the limits of the Borough of Shamokin (now City) unless a license for exhibition is granted for the same by the Chief Burgess (now Mayor) or the Borough Council (now City Council).

Springfield Township

Sec. 48-5. Sales to minors. It shall be unlawful to knowingly and willfully sell or cause to be sold, or supply or furnish to any minor person any rifle *** or ammunition or pellets for the same *** or shotguns, guns or any firearm or weapon from which a shot or other object is discharged, in the Township of Springfield.

Swissvale Borough

1464-3. No person, firm or corporation shall sell or offer for sale any rifle, shot-gun, revolver, pistol, flobert rifle, or air gun, to any person under twenty-one (21) years of age.

1579-2. Every prospective purchaser of any of the foregoing arms shall first apply to the Police Department for a permit, giving such information as to the said Department shall require, and no permit shall be issued until no ten (10) days have elapsed from the date of application. No seller of said arms shall sell such arms or guns without said permit.

Upper Southampton

39.2. Whoever knowingly and willfully sells or causes to be sold or supplies or furnishes to any person under eighteen years of age, any gun, rifle, *** or any firearm of any description in the Township of Upper Southampton, shall upon conviction thereof in a summary proceeding, be sentenced to pay a fine not exceeding One Hundred ($100.) Dollars, and in default of the payment of such fine and costs, shall be sentenced to imprisonment in the County Jail for a period not exceeding thirty (30) days.

West Conshohocken Borough

§54-3. Possession of firearms for sale restricted. It shall be unlawful and it is hereby prohibited for any person, persons, firms or corporations to transfer, store, sell, offer or expose for sale or to have possession with intent to sell any gun, pistol, shotgun, rifle or other firearm within the Borough of West Conshohocken unless duly licensed according to law.

West Pottsgrove Township

Sec. 13-7. Sale of deadly weapons, etc., to minors under sixteen prohibited. It shall be unlawful for any person to knowingly and willfully sell or cause to be sold, to any person under sixteen (16) years of age, any deadly weapon, or knowingly or willfully to sell or cause to be sold to any such minor any cartridge, gun powder or other dangerous and explosive substance.

Williamsburg

3. It shall be unlawful for any person who knowingly and willfully sells or causes to be sold to any person under sixteen years of age, any deadly weapon or knowingly or willfully to sell any cartridge, gun powder or other dangerous and explosive substance.
NOTICES

Wyomissing Borough

§578-1(c) Dealing with Minors and Certain Other Persons. [No person in the Borough shall:] Purchase from, or sell, loan, give, trade, deliver or otherwise furnish any weapon described in sub-section (b) herein, or ammunition therefor, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of 18 years.

Puerto Rico

Chapter 51—Weapons

§413. Sale or transportation of machine guns. Any person who sells or keeps for sale, or offers, gives, leases, or loans, or otherwise disposes of or transports any instrument or weapon of the kind usually known as a machine gun shall be guilty of a felony. This section shall not apply to the manufacture, sale or delivery of machine guns for the use of the police and other peace officers, or for the use by officers or employees of the Government of Puerto Rico or of the United States, prisons, penitentiaries, Commonwealth or municipal jails, or for the use of the armed forces of the United States or of Puerto Rico.

§415. Possession of machine gun or sawed-off shotgun. Any person who possesses or uses a machine gun, or a sawed-off shotgun, shall be guilty of a felony. This section shall not be applicable to the possession or use of machine guns in the discharge of their official duties by members of the police, by wardens, superintendents, or any of their deputies of any prison, penitentiary, district or municipal jail, or other institution for the detention of persons convicted of or charged with any offense or held as witnesses in criminal cases or any other public peace officers; nor shall it apply to the possession or use of machine guns by any person when on duty in the service of the armed forces of the United States or of Puerto Rico, or in the postal, customs, and immigration services of the United States or in any service of the Government of the United States authorized by the law of its creation to use such weapons, nor to the possession by common carriers while the latter transports them directly for delivery at any point for the use of the officers or persons above named.

§416. Possession of pistol or firearm without license. Any person who has or possesses any pistol, revolver, or other firearm without having a license therefor issued as hereinafter provided, shall be guilty of a misdemeanor and, if previously convicted of any violation of this chapter, or of any of the offenses specified in section 427 of this title, or uses the weapon in the commission of any of such offenses, shall be guilty of a felony.

§420. Possession or sale of silencer. Any person who has in his possession, sells, or keeps for sale, loans, offers, gives or disposes of any instrument, attachment, weapon 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 firearm, shall be guilty of a felony. The provisions of this section shall not apply to the members of the Police of Puerto Rico or the National Guard, nor to the members of the armed forces of the United States.

§421. Serial number or name of owner on firearm—Removal or defacement. Every firearm shall bear, so as not to be easily altered or defaced, the name of the gunsmith or the trade-mark under which the firearm shall be sold or the name of the importer, and furthermore a serial number or the full name of the owner engraved thereon. The requirement that every firearm shall have engraved thereon a serial number or the name of the owner thereof shall not apply to guns or rifles whose barrel is 18 inches long or more, nor to rifles .22 caliber or less, whose barrel is 16 inches long or more, manufactured in Puerto Rico to be exported abroad by the gunsmith himself. The gunsmith shall be under obligation to take all reasonable measures and precautions to prevent that such firearms be stolen or otherwise removed from the gunsmith’s warehouses where they are stored pending shipment and that same be offered, held for sale, sold, leased, or delivered to any person within Puerto Rico.

Any person shall be guilty of a felony who:
(a) Wilfully removes, defaces, covers, alters, or destroys the serial number or the name of the owner thereof; or who:
(b) Knowingly buys, sells, receives, alienates, transfers, carries or has in his possession any firearm from which the serial number or name of the owner thereof has been removed, defaced, altered, or destroyed; or who:
(c) Being a dealer in firearms or a gunsmith, or an agent or representative of such dealer or gunsmith, knowingly purchases, sells, receives, delivers, alienates, transfers, carries, or has in his possession any firearm on which the serial number or name of the owner thereof has been removed, defaced, covered, altered, or destroyed.

§425. License to possess firearms; weapons for farmers. The Chief of Police of Puerto Rico may, when an application therefor is presented to him by any householder, merchant, or farmer, and provided the requirements hereinafter provided for are complied with, issue to such applicant a license to have and possess a pistol or revolver, and authorizing him, if a householder, to have and possess such weapon in his residence, or if a merchant, to have and possess a weapon in his place of business, or, if a farmer, a weapon in his farm. The license provided for by this section shall not authorize to carry such weapon outside the residence, place of business or farm, as the case may be.

The Chief of Police of Puerto Rico may also issue a license to any person to have and possess a shotgun on a farm of which such person may be the owner, possessor, or administrator.

The provisions of this paragraph shall not be construed in the sense of authorizing the Chief of Police of Puerto Rico to issue licenses to have and possess in the same farm more than one short weapon (revolver or pistol) and a long weapon (shotgun).

§427. Grounds for refusing to issue license. The Chief of Police of Puerto Rico shall not issue a license to have and possess a firearm to any person convicted in or outside Puerto Rico of any of the following offenses or of the attempt to commit the same: murder in any degree, voluntary manslaughter, kidnapping, rape, mayhem, assault with the intent to commit murder or manslaughter, aggravated assault and battery, when such offense was committed with a cutting, piercing or fire weapon, robbery, burglary, larceny, arson, incest, or violation of sections 1247-1257 of Title 33, or violation of section 1442 of Title 33; nor to any person who is mentally unbalanced, or a habitual drunkard or a narcotic or drug addict; nor to any person convicted for the violation of the provisions hereof.

§428. Qualifications of applicant; character, fingerprints. The Chief of Police of Puerto Rico shall not issue licenses to have and possess a firearm unless the said officer is satisfied that the applicant is a person of irreproachable conduct, of good moral repute, that his fingerprints have been duly taken and/or checked with the archives of the police, and unless, in the judgment of the said officer, no reason exists to deny such application.

§430. Persons who may lawfully carry weapons. (a) The following may lawfully have, possess, bear, transport and carry weapons: 
1. Members of the Armed Forces of the United States and of Puerto Rico in the discharge of their duties as such and under the provisions of the laws and regulations of their respective organizations.
2. The members of the Police of Puerto Rico under the provisions of the regulations of the said organization.

3. The Superintendent of Prisons, heads of Commonwealth penitentiaries and jail war­
dens, under the regulations provided by the Secretary of Justice.

4. Penal guards and convict guards, under the regulations provided by the Secretary of Justice.

5. United States customs and immigration officials, while in the discharge of their duties.

(b) A revolver or pistol may be lawfully owned, possessed, borne, transported, and carried by:

1. The judges and prosecuting attorneys of the courts of justice.

2. Any officer of the Government of Puerto Rico when a permit to carry firearms should, in the opinion of the Chief of Police of Puerto Rico, be issued to the said officer by reason of the duties of his position and the said permit is issued to him by the Chief of Police of Puerto Rico.

3. Mail carriers in the performance of their duties.

4. The marshals and deputy marshals of any tribunal or court.

5. Carriers of public funds while such funds are in their custody.

6. Carriers of private funds and custodians of private funds in banking institutions while such funds are in their custody, upon issuance to them of a permit by the Superior Court of Puerto Rico, before which such carriers or custodians, or their employers, shall have jus­
tified their need for such permit.

7. Internal-revenue collectors and agents while in the performance of their duties and provided they have been so authorized by the Chief of Police of Puerto Rico at the request of the Secretary of the Treasury of Puerto Rico to carry a revolver or a pistol.

(c) No person shall be authorized to carry firearms under subdivision (b) of this section if such person is not authorized to own and possess firearms under sections 425, 426, 427, 428 and 429 of this title.

(d) The provisions of this section shall not be interpreted as authorizing the use of fire­
arms in violation of the law.

§432. License to sell or deal in firearms and ammunition; report of transactions. (a) No person may engage in the business of gun­smith or dealer in firearms and ammunition without holding a license therefor issued by the Secretary of the Treasury upon favorable report of the Chief of Police of Puerto Rico.

(b) The provisions of subdivision (a) above shall likewise be applicable to dealers who in­

troduce firearms and ammunition into Puerto Rico.

(c) Each transaction referring to the intro­duction, or to the sale of firearms and ammu­
nition between dealers, shall be reported to the Secretary of Justice and to the Chief of Police of Puerto Rico in blanks which the latter shall provide, and the name, domicile, place of business, and the particulars of the license, both of the vendor and vendee, as well as the quantities and descriptions of the weapons or ammunition the object of each transaction, shall be set forth therein, as re­
quired by the Chief of Police of Puerto Rico.

(d) Any dealer in firearms and ammunition who holds a license issued in accordance with this chapter may acquire a firearm registered in the Weapons Register under the provisions of subdivisions (a), (b), and (d) of section 439 of this title, by purchase from the person who has it registered in his name, provided such person has a license to have and possess said firearms, issued in accordance with this chap­
ter. Before a firearm is sold under the provi­sions of this subdivision, both the vendor and the vendee shall give notice thereof in writing to the Chief of Police, and the former shall deliver to said officer his license to have and possess a firearm. The sale of a firearm under the provisions of this subdivision shall not prevent the vendor from obtaining a new li­
cense to have and possess a firearm in accord­
ance with this chapter.

§434. Qualifications of dealer applicant. No license as gunsmith or dealer in firearms and ammunition shall be issued to a person not over 21 years of age, and not a citizen of Puerto Rico and of the United States.

§436. Conditions for dealers' operations; rec­ords of transactions. Any person, partner­ship or corporation, to whom or to which a license has been issued under the foregoing sections may engage in the retail sale of fire­arms and ammunition or in the gunsmith busi­ness, under the following conditions:

1. Under no circumstance shall a weapon or shall ammunition be sold unless the vendor is personally acquainted with the buyer, or the latter clearly establishes his identity. This requirement shall not apply to gunsmith busi­nesses as regards firearms and/or ammunition for export.

§437. Acquisition of weapons by persons au­thorized in section 430. The officials and per­sons lawfully authorized to have, possess, carry, convey and transport firearms under the provisions of subdivision (a) and para­graphs 4, 5 and 7 of subdivision (b) of section 430 of this title, shall obtain such weapons and the ammunition therefor through the heads of their respective departments or services.

§438. Sales of weapons and ammunition without licenses prohibited; sales slips. No dealer in firearms or ammunition shall deliver a firearm to a purchaser without the latter's handing over to him a license to have and pos­sess a firearm, duly issued in accordance with the provisions of this chapter, and unless said license contains an authorization for the pur­chase of such firearm, and said dealer shall not sell to such purchaser [any] other weapon than the one described in said license. The dealer in firearms and ammunition shall sepa­rate from such license and keep the sales slip, and shall return the license to the purchaser. No weapon shall be sold to the holder of a license from which the sales slip has been re­moved, and in no case shall a pistol, revolver, or other firearm be delivered to the purchaser thereof until after forty-eight (48) hours have elapsed from the time he applies for the pur­chase, and the same shall be delivered to him unloaded and securely wrapped.

No dealer in firearms or ammunition shall sell any quantity of ammunition to any person failing to present a license to carry, or a li­cense to have and possess a firearm.

§444. Hunting and target shooting arms ex­cepted. The provisions of this chapter shall not apply to the possession, bearing, carrying, transportation and use of hunting and target shooting arms to all of which the acts in force on the matter shall apply.

§446. Collections of antique weapons; certifi­cates of uselessness. No provision hereof shall prevent that private collections of an­tique weapons, which may not be used as weapons, be preserved and maintained and that their owners possess them as or­naments or as matters of curiosity, nor the collections of weapons kept as relics, but for the preser­vation of any weapon of those included in this section the prior inspection thereof and ap­proval therefor by the Chief of Police of Puerto Rico shall be necessary and the latter shall render such weapons useless, so that the same may not be used as such. The Chief of Police of Puerto Rico shall issue a certificate of uselessness of all the weapons possessed under the provisions of this section, and the possession of any weapon not included in said certificate shall be subject to all the provi­sions hereof.

§454. Definitions. For the purposes of this chapter, the phrases and terms hereinafter listed shall have the following meaning and definition:

(a) "Machine gun" is a weapon of any de­scription, irrespective of size, by whatever name designated or known, loaded or un­loaded, from which may be repeatedly or au­tomatically discharged a number of bullets contained in a magazine, ribbon or other re­movable receptacle by one continued pull of the trigger. The term machine gun also in­cludes a submachine gun.

(b) "Firearm" means any weapon by what­ever name known, capable of discharging one or more ammunition through the expanding action of gases.

(c) "Ammunition" means any bullet, car­tridge, projectile, buckshot, or any load placed or which may be placed in a firearm to be discharged.

(f) "Gunsmith" means any person, firm, partnership, or corporation engaging in the
NOTICES

Rhode Island

State Law
Gen. Laws of R.I.

11-47-2. Definition of terms. When used in §§11-47-1 to 11-47-56, inclusive, the following words and phrases shall be construed as follows:

"Pistol" shall include any pistol or revolver, and any shotgun, rifle or similar weapon with overall length less than twenty-six (26) inches, but shall not include any pistol or revolver designed for the use of blank cartridges only.

"Machine gun" means any weapon 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 shall also include the frame or receiver of any such weapon, any combination of parts designed and intended for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.

"Firearm" shall include any machine gun, pistol, rifle, air rifle, air pistol, "blank gun," "BB gun," so-called or other instrument from which steel or metal projectiles are propelled, or which may readily be converted to expel a projectile, except such instruments propelling such projectiles which instruments are designed or normally used for a primary purpose other than as a weapon. The frame or receiver of any such weapon shall be construed as a firearm under the provisions of this section.

"Person" shall include individual, partnership, firm, association or corporation. "Licensing authorities" shall mean the board of police commissioners of a city or town where such board has been instituted, the chief of police or superintendent of police of other cities and towns having a regular organized police force, and in towns where there is no chief of police or superintendent of police it shall mean the town clerk who may issue licenses upon the recommendation of the town sergeant, and it shall also mean any other person or body duly authorized by the city or town charter or by state law.

"Crime of violence" shall mean and include any of the following crimes or an attempt to commit any of the same, viz.; murder, manslaughter, rape, mayhem, robbery, burglary, breaking and entering, assault with...
a dangerous weapon, assault or battery involving grave bodily injury, and/or assault with intent to commit any offense punishable as a felony. “Fugitive from justice” shall mean any person who has fled from any state, territory, the District of Columbia, or possession of the United States to avoid prosecution for a crime of violence or to avoid giving testimony in any criminal proceeding.

“Sell” shall include let or hire, give, lend and transfer, and the word “purchase” shall include hire, accept and borrow, and the expression “purchasing” shall be construed accordingly.

“Sawed-off shotgun” shall mean any shotgun with overall length of less than twenty-six (26) inches and/or barrel length of less than eighteen (18) inches.

“Sawed-off rifle” shall mean any rifle with overall length of less than twenty-six (26) inches and/or barrel length of less than sixteen (16) inches.

“Antique firearm” shall be defined as that term is defined under the provisions of Title 18, United States Code, Subsection 921, entitled Definitions.

11-47-5. Possession of arms by person convicted of crime of violence or who is a fugitive from justice. No person who has been convicted in this state or elsewhere of a crime of violence or who is a fugitive from justice shall purchase, own, carry, transport or have in his possession or under his control any firearm. Every person violating the provisions of this section shall be punished by imprisonment for not less than two (2) nor more than ten (10) years, and for penalties provided in this section he shall not be afforded the benefit of suspension or deferment of sentence nor of probation.

11-47-6. Possession of arms by mental incompetents, drug addicts, and persons adjudicated an habitual drunkard. No person who is under guardianship or treatment or confinement by virtue of being a mental incompetent, or who has been adjudicated or is under treatment or confinement as a drug addict, or who has been adjudicated or is under treatment or confinement as an habitual drunkard shall purchase, own, carry, transport or have in his possession or under his control any firearm. Any person affected by the provisions of this section, other than a person who has been pronounced criminally insane by competent medical authority, after the lapse of a period of five (5) years from the date of being pronounced cured by competent medical authority, may, upon presentation of an affidavit issued by competent medical authority to the effect that he is a mentally stable person and a proper person to possess firearms, make application for the purchase of said firearm(s).

Any person affected by the provisions of this section, in making application for the purchase of said firearms and in executing said application thereby voluntarily waives his right to refuse or refrain from disclosing any confidential information, including but not limited to any information arising from the physician-patient relationship, pertinent to a determination by the proper authorities regarding the approval or disapproval of this application. Any person affected by the provisions of this section, in making application for the purchase of said firearms and in executing said application, further agrees to allow the proper authorities to investigate any and all medical records of said applicant pertinent to a determination by said authorities regarding the approval or disapproval of this application. In the event that said application is approved and if said person has no other disqualifying record he will be allowed to purchase and possess firearms.

11-47-7. Possession of pistol or revolver by alien. No naturalized foreign born person who has resided in the United States for less than ten (10) years shall purchase, own, carry, transport or have in his possession or under his control any pistol or revolver. The provisions of this section shall be waived in the case of an unnaturalized foreign born person arriving in or passing through this state for the purpose of competing in a match organized under the auspices of a national shooting organization.

11-47-8. License required for carrying pistol—Possession of machine gun. (a) * * * * * No person shall manufacture, sell, purchase or possess a machine gun except as otherwise provided in this chapter. Every person violating the provision of this section shall, upon conviction, be punished by imprisonment for not less than one (1) nor more than five (5) years and except for a first conviction under this section shall not be afforded the provisions of suspension or deferment of sentence, nor of probation.

(b) No person shall have in his possession or under his control any sawed-off shotgun or sawed-off rifle as defined in section 11-47-2. Any person convicted of violating this subsection shall be punished by imprisonment for up to ten (10) years or by a fine of up to five thousand dollars ($5,000), or both, and for any subsequent conviction.

11-47-9. Persons exempt from restrictions. The provisions of §§11-47-7 and 11-47-8 shall not apply to sheriffs, deputy sheriffs, the superintendent and members of the state police, prison or jail wardens or their deputies, members of the city or town police force, capitol police and railroad police while traveling to and from official assignments or while on assignments, conservation officers, or other duly appointed law enforcement officers, nor to members of the army, navy, air force, marine corps of the United States, the national guard, or organized reserves, when on duty, or to members of organizations by law authorized to purchase or receive firearms from the United States or this state, provided such members are at or are going to or from their places of assembly or target practice, nor to officers or employees of the United States authorized by law to carry a concealed firearm, nor to any civilian guard or criminal investigator carrying sidearms or a concealed firearm in the performance of his official duties under the authority of the commanding officer of the military establishment in the state of Rhode Island where he is employed by the United States; provided, however, that the commanding officer of such military establishment shall have on file with the attorney general of this state a list of the names and addresses of all such civilian guards and criminal investigators so authorized; nor to duly authorized military organizations when on duty, or to members thereof when at or going to or from their customary places of assembly, nor to the regular and ordinary transportation of pistols as merchandise, nor to any person while carrying a pistol unloaded and securely wrapped from the place of purchase to his home or place of business, or in moving goods from one place of abode or business to another. Persons exempted by the provisions of this section from the provisions of §§11-47-8 shall have the right to carry concealed firearms anywhere within this state; provided, however, that this shall not be construed as giving the right to carry concealed firearms to a person transporting concealable firearms as merchandise or as household or business goods.

11-47-14. Permits to banks and carriers. The attorney-general may issue a license or permit to any banking institution doing business in this state or to any public carrier who is in the business of transporting mail, money, securities or other valuables, to possess and use machine guns under such regulations as the attorney-general may prescribe.

11-47-19. Machine gun manufacturers’ permits. The attorney-general may issue to any person, firm or corporation engaged in manufacturing in this state, a license or permit to manufacture and sell machine guns and any or all machine gun parts under such regulations as the attorney-general may prescribe.

11-47-20. Sale or possession of silencers. It shall be unlawful within this state to manufacture, sell, purchase or possess, any muffler, silencer, or device for deadening or muffling the sound of a firearm when discharged. Violations of this section shall be punished by imprisonment for not less than one (1) year and one (1) day.

11-47-21. Restrictions on possession or carrying of explosives or noxious substances. Any person, except a member of the state po-
lice, the sheriff or his deputies, or a member of the police force of any city or town, or a member of the army, navy, air force, or marine corps of the United States, or of the national guard or organized reserves when on duty, who possesses, or carries on or about his person or in a vehicle, a bomb or bombshell, except for blasting or other commercial use, or who, with intent to use the same unlawfully against the person or property of another, possesses or carries any explosive substance, or any noxious liquid, gas, or substance, shall be guilty of a violation of this chapter and punished as hereinafter provided.

11-47-25. Antique firearms and collections. Sections 11-47-1 to 11-47-56, inclusive, shall not apply to antique firearms unsuitable for use nor to collections of firearms utilized and maintained for educational, scientific or any similar purpose without intent to use such firearms.

11-47-30. Sale of firearms to minors. It shall be unlawful within this state for any person to sell any firearm to any person under eighteen (18) years of age-without the prior approval or consent of the parent or legal guardian of said minor.

11-47-31. Sale of ammunition to minors. It shall be unlawful within this state for any person to sell any ammunition, including any priming charge of powder, propelling charge of powder or any form of missile or projectile to be ejected from a firearm to any person under eighteen (18) years of age-without the prior approval or consent of the parent or legal guardian of said minor.

11-47-30. Sale of firearms to minors. It shall be unlawful within this state for any person to sell any firearm to any person under fifteen (15) years of age.

11-47-31. Sale of ammunition to minors. It shall be unlawful within this state for any person to sell any ammunition, including any priming charge of powder, propelling charge of powder or any form of missile or projectile to be ejected from a firearm to any person under fifteen (15) years of age.

11-47-33. Possession of firearms by minors. It shall be unlawful within this state for any person under fifteen (15) years of age to possess and use any firearm unless he shall hold a permit therefor as provided in §11-47-33, and only in the presence of a qualified adult at any regular and recognized camp or rifle range approved by the Rhode Island state police or by the chief of police of the city or town in which such camp or rifle range is located; and provided, further, however, that said person under fifteen (15) years of age may carry such firearm, unloaded, in a suitable case to and from his home and such camp or range and from such camp or range to other such camp or range.

11-47-34. Firearms permits to minors. The Rhode Island state police or the chief of police of the city or town in which such person resides shall issue permits to any person under fifteen (15) years of age only upon satisfactory proof of being engaged in a course of training in the use of firearms at a regular and recognized camp or rifle range, and further provided that such person has the written consent of a parent or guardian. Valid membership cards of junior gun clubs or of junior divisions of senior gun clubs incorporated in the state of Rhode Island shall be prima facie evidence of such person under fifteen (15) years of age being engaged in a course of training in the use of firearms at a regular and recognized camp or rifle range.

11-47-35. Sale of concealable weapons. No seller shall deliver a pistol or revolver to a purchaser thereof until seventy-two (72) hours shall have elapsed from twelve o'clock noon of the day following the day of application for the purchase thereof, and when delivered, said pistol or revolver shall be unloaded and securely wrapped, with the bill of sale thereof to be inclosed within said wrapper with said pistol or revolver. Any loyal law abiding citizen of this state twenty-one (21) years of age or older, and any member of the armed forces of the United States who is stationed in this state and who has the written permission of his commanding officer and who is twenty-one (21) years of age or older, may upon application purchase or acquire a pistol or revolver. At the time of applying for the purchase of a concealable firearm the purchaser shall accomplish and sign in triplicate and deliver to the seller the application form prescribed below, and in no case shall it contain the serial number of the pistol or revolver. (Form deleted)

11-47-37. Sale to minors and others forbidden. No person shall sell a pistol or revolver to any person under the age of twenty-one (21) or to one who he has reasonable cause to believe falls under the provisions of sections 11-47-5, 11-47-6, 11-47-7, or 11-47-23.

11-47-38. Dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol, revolver, or other firearm without being licensed as hereinafter provided.

Central Falls

17-23. Weapons—Possessing, harboring, etc. No person shall own, possess, harbor, carry or in any manner use or exercise control of any so-called actually or inherently dangerous weapon or instrumentality, such as a ** rifle, gun, musket, blunderbuss, fowling piece, pistol, * * * or any contrivance arranged to discharge shot, bullets, arrows, darts, shells or other missiles in the limits of the city, except by special permission of the city council upon the recommendation of the chief of police, who shall prescribe such rules and regulations as each case may require. The city council shall exercise their discretion in each case and shall decide accordingly having in mind the best interests of the populace at large, and more particularly so during any war period.

17-25. Same—Sale to minors. No person shall sell or dispose of to any minor who has no special license to have the same in his possession any of the articles or contrivances mentioned in the two preceding sections. Any person violating this section shall be held responsible for any damage or injury caused as a result of his act.

East Providence

Sec. 20-12. Same—Sale of rifle, pistol, etc., to minors. No person shall sell or offer to sell any rifle, gun, pistol, * * * to any person under the age of eighteen years.

South Carolina

State Law

Code of Laws of S.C.

15-1388. Selling, etc., weapons to minors. If any person shall knowingly sell, offer for sale, give or in any way transfer to a minor any pistol or pistol cartridge, * * * he shall be guilty of a misdemeanor. Any person being the parent or guardian of or attending in loco parentis to any child under the age of twelve years who shall knowingly permit such child to have the possession or custody of or use in any manner whatever any gun, pistol or other dangerous firearm, whether such firearm be loaded or unloaded, or any person who shall knowingly furnish such child any firearm shall be guilty of a misdemeanor and, upon conviction, shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Article 3

Section 16-121. When used in this article:
(a) The words 'machine gun' apply to and
include any weapon 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 shall also include the frame or receiver of any such weapon, any combination or parts designed and intended for use in converting a weapon 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.

(b) ‘Sawed-off shotgun’ means a shotgun having a barrel or barrels of less than eighteen inches in length or a weapon made from a shotgun which as modified has an overall length of less than twenty-six inches or a barrel or barrels of less than sixteen inches in length.

c) ‘Shotgun’ means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each pull of the trigger. The term includes any such weapon which may be readily restored to fire a fixed shotgun shell, but does not include an antique firearm as described in this section.

(d) ‘Sawed-off rifle’ means a rifle having a barrel or barrels of less than sixteen inches in length or a weapon made from a rifle which as modified has an overall length of less than twenty-six inches or a barrel or barrels of less than sixteen inches in length.

e) ‘Rifle’ means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger. The term includes any such weapon which may be readily restored to fire a fixed cartridge, but does not include an antique firearm as described in this section.

(f) ‘Antique firearm’ means any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar type of ignition system or replica thereof, whether actually manufactured before or after the year 1898) and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

Section 16-122. It shall be unlawful for anyone in any manner to transport from one place to another in this State or for any railroad company, express company or other common carrier or any officer, agent or employee of any of them or other person acting in their behalf knowingly to ship or to transport from one place to another in this State in any manner or by any means whatsoever, except as provided in Sections 16-125 and 16-126, any machine gun or firearm commonly known as a machine gun, sawed-off shotgun or sawed-off rifle.

Section 16-123. It shall be unlawful for any person to store, keep, possess or have in possession or permit another to store, keep, possess or have in possession any machine gun or firearm commonly known as a machine gun, sawed-off shotgun, sawed-off rifle, except as provided in Sections 16-125 and 16-126.

Section 16-124. It shall be unlawful for any person to sell, rent, give away or participate in any manner, directly or indirectly, in the sale, renting, giving away or otherwise disposing of any machine gun or firearm commonly known as a machine gun, sawed-off shotgun, sawed-off rifle.

Section 16-125. The provisions of this article shall not apply to the Army, Navy or Air Force of the United States, the National Guard and organizations authorized by law to purchase or receive machine guns, sawed-off shotguns or sawed-off rifles, from the United States or from this State and the members of such organizations. Any peace officer of the State or of any county or other political subdivision thereof, state constable, member of the highway patrol, railway policeman or warden, superintendent, head keeper or deputy of any state prison, penitentiary, workhouse, county jail, city jail or other institution for the detention of persons convicted or accused of crime or held as witnesses in criminal cases or person on duty in the postal service of the United States or any common carrier while transporting direct to any police department, military or naval organization or person authorized by law to possess or use a machine gun, or sawed-off shotgun or sawed-off rifle, may possess machine guns, or sawed-off shotguns or sawed-off rifles, when required in the performance of their duties.

Nor shall the provisions hereof be construed to apply to machine guns, or sawed-off shotguns or sawed-off rifles, kept for display as relics and which are rendered harmless and not usable.

Section 16-126. Every person permitted by Section 16-125 to possess a machine gun, or sawed-off shotgun or sawed-off rifle, and any person elected to or appointed to any office or position which entitles such person to possess a machine gun, or sawed-off shotgun or sawed-off rifle, upon taking office, shall file with the State Law Enforcement Division and shall expire on December thirty-first of the year in which the license is issued.

Section 16-127. Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be fined not more than ten thousand dollars or be imprisoned not more than ten years, or both.”

Article 3.1.

16-129. Definitions. When used in this article:

(a) "Pistol" means any firearm designed to expel a projectile and designed to be fired from the hand, but shall not include any firearm generally recognized or classified as an antique, curiosity, or collector's item, or any that does not fire fixed cartridges.

(b) The term "dealer" means any person regularly engaged in the business of selling firearms at retail.

c) The term "crime of violence" means murder, manslaughter (except negligent manslaughter arising out of traffic accidents), rape, mayhem, kidnapping, burglary, robbery, housebreaking, assault with intent to kill, commit rape, or rob, assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year.

(d) The term "fugitive from justice" means any person who has fled from or is fleeing from any law enforcement officer to avoid prosecution or imprisonment for a crime of violence.

e) The term "subversive organization" means any group, committee, club, league, society, association or combination of individuals the purpose of which, or one of the purposes of which, is the establishment, control, conduct, seizure or overthrow of the government of the United States or any state or political subdivision thereof, by the use of traditional, whether or not ever charged or convicted of any crime, municipal, state or otherwise, and where, if so charged, and when the same was disposed of. The applicant shall also give a description, including the serial number and make, of the machine gun, or sawed-off shotgun or sawed-off rifle, which he possesses or desires to possess. Thereupon, the State Law Enforcement Division shall file such application in its office, registering such applicant together with the information required in the application in a book or index to be kept for that purpose, assign to him a number and issue to him a card which shall bear the signature of the applicant and which he shall keep with him while he has such machine gun or sawed-off shotgun or sawed-off rifle in his possession. Such registration shall be made on the date application is received and filed with the State Law Enforcement Division and shall expire on December thirty-first of the year in which the license is issued.

Section 16-127. Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be fined not more than ten thousand dollars or be imprisoned not more than ten years, or both."
force, violence, espionage, sabotage, or threats or attempts of any of the foregoing.

(f) The term "conviction" as used herein shall include any plea of guilty, a pleas of no contest and forfeiture of bail.

(g) The term 'Division' shall mean the State Law Enforcement Division.

(h) The term 'purchase' shall mean to knowingly buy, offer to buy, receive, lease, rent, barter or exchange.

16-129.2. Sale, etc., of pistol to certain persons unlawful; possession or acquisition of pistol by such persons unlawful; stolen pistols. It shall be unlawful for any person to knowingly sell, offer to sell, deliver, lease, rent, barter, exchange or transport for sale into this State any pistol to:

(a) Any person who has been convicted of a crime of violence in any court of the United States, the several states, commonwealths, territories, possessions or the District of Columbia or who is a fugitive from justice or a habitual drunkard or a drug addict or who has been adjudicated mentally incompetent.

(b) Any person who is a member of a subversive organization.

(c) Any person under the age of twenty-one, but this shall not apply to the issue of pistols to members of Armed Forces of the United States, active or reserve, National Guard, State Militia or R. O. T. C., when on duty or training or the temporary loan of pistols for instruction under the immediate supervision of a parent or adult instructor.

(d) Any person who by order of a circuit judge or county court judge of this State has been adjudged unfit to carry or possess a pistol, such adjudication to be made upon application by any police officer, or by any prosecuting officer of this State, or sua sponte, by the court, but any person who shall be the subject of such an adjudication shall be entitled to a reasonable hearing prior to any such adjudication.

(e) It shall be unlawful for any person covered in (a), (b), (c) or (d) of this section to possess or acquire pistols within this State.

(f) No person shall knowingly buy, sell, transport, pawn, receive or possess any stolen pistol or one from which the original serial number has been removed or obliterated.

16-129.3. Retail dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol without being licensed as hereinafter provided.

16-129.4. Issuance of retail dealer's license; duration; conditions; forfeiture. The Division shall grant a license to any person doing business in the State not ineligible to purchase, acquire or possess a pistol or be licensed as a dealer under the provisions of this act. Licenses shall be issued on a form furnished by the Division and be effective for two years from the date of issuance. Licenses shall be authorized to sell pistols at retail as dealers within this State subject to the following conditions, for breach of any of which the license shall be revoked:

(a) The license or a copy thereof, authenticated by the issuing authority, shall at all times and places of sale be available for inspection or displayed where it can easily be read.

(b) No pistol shall knowingly be sold in violation of any provision of this act nor shall any pistol be sold without clear evidence as to the identity of the purchaser being furnished to the dealer.

(c) A true record shall be made of every pistol sold on a firearm transaction record form. The firearm transaction record form which shall be furnished by the Division shall be signed by the purchaser and by the dealer effecting the sale, each in the presence of the other and shall contain such information as may be required by the Division. A separate firearm transaction form shall be completed for each pistol sold, a copy of which must be submitted to the Division as provided in Section 16-129.4-1. The dealer shall retain the records for a period of three years from the date of sale or transfer to which the records relate.

(d) The fee for issuance of such licenses shall be one hundred dollars.

(e) Each applicant for a license shall post with the Division a bond in favor of the State with security in the amount of ten thousand dollars. No bond shall be accepted for filing unless it is with a surety company authorized to do business in this State and conditioned that the principal named therein shall not do any act or thing tending to impede the execution of his duties or to injure the person or property of others, and that the surety公司 will be liable for all breaches of such bond.

(f) A breach of any of the above conditions or violations of any provisions of this act by a dealer, or the giving of false information by a licensee on an application for purchase or transfer shall result in forfeiture of license, but the licensee shall be entitled to reasonable notice and proper hearing in the circuit court of the county in which he is licensed.

16-129.4-1. Prior to the purchase of a pistol, the purchaser shall complete an application in triplicate in the presence of the dealer. The application to be furnished by the Division shall contain the applicant's (1) name; (2) residence and business address; (3) date and place of birth; (4) social security number; (5) South Carolina driver's license number or South Carolina Highway Department Identification Card Number; (6) physical description; (7) fingerprint card and photograph of applicant if applicant does not have items (4) and (5); (8) a signed sworn statement by the applicant that he is not within any classification set forth in items (a), (b), (c) or (d) of Section 4 of this act, and that he has not purchased a pistol within the previous thirty days; (9) the signatures of applicant and the dealer; (10) and such other personal identifying information as may be required by the Division.

No person shall be allowed to purchase a pistol from a dealer unless he has fully completed the application.

16-129.5. Giving false information in applying for license. No person in applying for any license under this article shall give false information or offer false evidence of his identity, or give false information concerning the matters referred to in this article.

16-129.6. Mortgaging or pledge of pistol. Only a licensed dealer may make a loan secured by a mortgage, deposit or pledge of a pistol and the dealer shall keep such records as are required herein. A licensed dealer may
mortgage any pistol or stock of pistols but shall not deposit the same with any other person.

16-129.61. Certain pistols may not be sold. No licensed retail dealer shall possess in his place of business or sell any pistol or other handgun which has a die-cast frame or receiver which melts at a temperature of less than eight hundred degrees farenheit.

Any pistol or other handgun possessed or sold in violation of this act is declared to be contraband and shall be forfeited to the State. Such weapons shall be destroyed by the State Law Enforcement Division upon order of the circuit court or other court of competent jurisdiction issued upon petition of the Division in a proceeding which may be ex parte if the whereabouts of the owner of such weapon is unknown, but which shall be upon ten days notice to the owner thereof if his whereabouts is known.

16-129.7. Penalty for violation of article; disposition of fines; forfeiture of pistols. Any person including a dealer violating any of the provisions of this article shall be deemed guilty of a felony and upon conviction shall be fined not more than two thousand dollars or be imprisoned for not more than two years, or both.

When a violation occurs within a municipality the fines collected shall be delivered to the municipality by the clerk of court. If the violation occurs outside a municipality, the fines shall be delivered to the county treasurer.

Any person convicted of violating the provisions of this article, in addition to the penalty provided herein, shall have the pistol involved in such violation confiscated. Notwithstanding any other provisions of law, such pistol shall be delivered to the chief of police of the municipality or to the sheriff of the county, if the violation occurred outside the corporate limits of a municipality. The law enforcement agencies that received the confiscated pistols shall use them within their department, transfer them to another law enforcement agency or destroy them. Records shall be kept of all confiscated pistols received by the law enforcement agencies under the provisions of this article.

16-148. Manufacture or possession of article designed to cause damage by fire or other means to person or property. No person shall manufacture, cause to be manufactured, or possess any object or article which is designed to cause damage by fire or other means to person or property either by ignition, detonation or other means, and further, no person shall possess any object or article when such object or article is possessed solely for the purpose of causing damage by fire or other means to person or property either by ignition, detonation or other means. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined or imprisoned at hard labor or both, in the discretion of the court.

66-581. Purchase in contiguous state. Any resident of this State including a corporation or other business entity maintaining a place of business in this State, who may lawfully purchase and receive delivery of a rifle or shotgun in this State, may purchase a rifle or shotgun in a contiguous state and transport or receive the same in this State; provided, that the sale meets the lawful requirements of each such state, meets all lawful requirements of any Federal statute, and is made by a licensed importer, licensed manufacturer, licensed dealer, or licensed collector.

Aiken

Sec. 14A-3. Sale to certain persons unlawful; possession or acquisition by such persons unlawful; stolen pistols. It shall be unlawful for any person to knowingly sell, deliver, lease, rent, barter, exchange or transport for sale into this city any pistol to:

(a) Any person who has been convicted of a crime of violence in any court of the United States, the several states, commonwealths, territories, possessions or the District of Columbia or who is a fugitive from justice or a habitual drunkard or a drug addict or who has been adjudicated mentally incompetent.

(b) Any person who is a member of a subversive organization.

(c) Any person under the age of twenty-one (21), but this shall not apply to the issue of pistols to members of Armed Forces of the United States, active or reserve, National Guard, State Militia or R.O.T.C., when on duty or training or the temporary loan of pistols for instruction under the immediate supervision of a parent or adult instructor.

(d) Any person who by order of a circuit judge or county court judge of this state has been adjudged unfit to carry or possess a pistol, such adjudication to be made upon application by any police officer, or by any prosecuting officer of this State, or sua sponte, by the court, but any person who shall be the subject of such an application shall be entitled to reasonable notice and a proper hearing prior to any such adjudication.

(c) It shall be unlawful for any person covered in (a), (b), (c) or (d) of this section to possess or acquire pistols within this city.

(f) No person shall knowingly buy, sell, transport, pawn, receive or possess any stolen pistol or one from which the original serial number has been removed or obliterated.

Sec. 14A-4. Retail dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol without being licensed as hereinafter provided.

Sec. 14A-7. Mortgage or pledge of pistol. Only a licensed dealer shall make a loan secured by a mortgage, deposit or pledge of a pistol and the dealer shall keep such records as are required herein. A licensed dealer may mortgage any pistol or stock of pistols but shall not deposit the same with any other person.

Anderson

35-7. Definitions. For the purposes of the article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Conviction. The term “conviction” shall include pleas of guilty, pleas of nolo contendere and forfeit of bail.

Crime of violence. Murder, manslaughter, except negligent manslaughter arising out of traffic accidents, rape, mayhem, kidnapping, burglary, robbery, housebreaking, assault with intent to kill, assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year.

Dealer. Any person regularly engaged in the business of selling firearms at retail.

Fugitive from justice. Any person who has fled from or is fleeing from any law enforcement officer to avoid prosecution or imprisonment for a crime of violence.

Pistol. Any firearm designed to expel a projectile from a barrel less than twelve inches in length, but such term shall not include any firearm generally recognized or classified as an antique, curiosity or collector’s item, or any that does not fire fixed cartridges or fixed shotgun shells.

Subversive organization. Any group, committee, club, league, society, association or combination of individuals the purpose of which, or one of the purposes of which, is the establishment, control, conduct, seizure or overthrow of the government of the United States.
States or any state or political subdivision thereof, by the use of force, violence, espionage, sabotage or threats or attempts of any of the foregoing.

35-9. Sale, etc., to certain persons prohibited; possession by such persons. It shall be unlawful for any persons to knowingly sell, offer to sell, deliver, lease, rent, barter, exchange or transport for sale into the city any pistol to:

(a) Any person who has been convicted of a crime of violence in any court of the United States, the several states, commonwealths, territories, possessions or the District of Columbia or who is a fugitive from justice or a habitual drunkard or a drug addict or who has been adjudicated mentally incompetent.

(b) Any person who is a member of a subversive organization.

(c) Any person under the age of twenty-one, but this shall not apply to the issue of pistols to members of armed forces of the United States, active or reserve, National Guard, State militia or R.O.T.C., when on duty or training or the temporary loan of pistols for instruction under the immediate supervision of a parent or adult instructor.

(d) Any person who by order of a circuit judge or county court judge of this state has been adjudged unfit to carry or possess a pistol, such adjudication to be made upon application by any police officer, or by any prosecuting officer of this state or sua sponte, by the court, but any person who shall be the subject of such an application shall be entitled to reasonable notice and a proper hearing prior to any such adjudication.

(e) It shall be unlawful for any person covered in (a), (b), (c) or (d) of this section to possess or acquire pistols within this state.

35-10. Purchase, sale, possession, etc., of stolen, etc., pistol. No person shall knowingly buy, sell, transport, pawn, receive or possess any stolen pistol or one from which the original serial number has been removed or obliterated.

35-11. Retail dealer's license—required. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by this article.

35-13. Same—Giving false information to secure, etc. No person in applying for any license under this article shall give false information or offer false evidence of his identity, or give false information concerning the matters referred to in this article.

Andrews

10-14. Pistols, manufacturing, carrying and selling. It shall be unlawful for any person to possess or carry about the person or about any vehicle owned or controlled by him, whether concealed or not, any pistol less than twenty (20) inches long and three (3) pounds in weight; and, it shall be unlawful for any person to manufacture, sell, offer for sale, lease, rent, barter, exchange or transport any such weapon in the Town; provided however that this does not apply to legally appointed state, county or Town police officers; ** *

Charleston

49-2. Possession, sale, etc., of tear gas bombs, etc. It shall be unlawful for any person to have in his possession, sell or offer for sale in the city, any bomb, tube gun, gun or other device containing or intended to contain or discharge tear gas or other noxious or offensive or harmful gases or fluids.

Cheraw

Sec. 12-45. Same—Pistols. It shall be unlawful for any person within the town to carry about his person, whether concealed or not, any pistol less than twenty inches long and three pounds in weight, and it shall be unlawful for any person, firm or corporation to sell or offer for sale, lease, rent, barter, exchange or transport for sale or import for sale into the town any pistol of less length or weight; provided that this section shall not apply to peace officers in the actual discharge of their duties or to the carrying or keeping of pistols by persons while on their own premises. If upon conviction it shall appear to the satisfaction of the mayor or presiding officer of the municipal court before whom such offense is tried that the defendant had good reasons to fear injury to his person or property and carried such weapon to protect himself or property, he may in his discretion suspend the sentence, and nothing herein contained shall abridge the right of self-defense as established by the laws of the state.

Upon conviction of the violation of this section, in addition to the general penalty, the weapon so carried shall be forfeited to the town.

Chester

Sec. 10-304.2. Sale, etc., of pistol to certain persons unlawful; possession or acquisition of pistol by such persons unlawful; stolen pistols. It shall be unlawful for any person to knowingly sell, offer to sell, deliver, lease, rent, barter, exchange or transport for sale into this State any pistol to:

(a) Any person who has been convicted of a crime of violence in any court of the United States, the several states, commonwealths, territories, possessions or the District of Columbia or who is a fugitive from justice or a habitual drunkard or a drug addict or who has been adjudicated mentally incompetent.

(b) Any person who is a member of a subversive organization.

(c) Any person under the age of twenty-one, but this shall not apply to the issue of pistols to members of Armed Forces of the United States, active or reserve, National Guard, State Militia or R. O. T. C., when on duty or training or the temporary loan of pistols for instruction under the immediate supervision of a parent or adult instructor.

(d) Any person who by order of a circuit judge or county court judge of this State has been adjudged unfit to carry or possess a pistol, such adjudication to be made upon application by any police officer, or by any prosecuting officer of this State, or sua sponte, by the court, but any person who shall be the subject of such an application shall be entitled to reasonable notice and a proper hearing prior to any such adjudication.

(e) It shall be unlawful for any person covered in (a), (b), (c) or (d) of this section to possess or acquire pistols within this State.

(f) No person shall knowingly buy, sell, transport, pawn, receive or possess any stolen pistol or one from which the original serial number has been removed or obliterated.

Sec. 10-304.3. Retail dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol without being licensed as hereinafter provided.

Sec. 10-304.4. Issuance of retail dealer's license; duration; conditions; forfeiture. The clerk of court of the county shall grant a license to any person doing business in the county not ineligible under the provisions of Sections 10-304 to 10-304.7 ** *

Florence

19-55. Weapons—carrying, sale, etc., of pistols of certain size and weight. It shall be unlawful for anyone to carry about the person, whether concealed or not, any pistol less than twenty inches long and three pounds in weight or for any person to manufacture, sell, offer for sale, lease, rent, barter, exchange or transport for sale or into this city any pistol of less length and weight. ** provided, this section shall not apply to peace officers in the actual discharge of their duties or to the carrying or keeping of pistols by persons while on their own premises nor abridge the right of self-defense.

Fort Mill

Sec. 4-22. Pistols—Sale restricted. No person shall sell, deliver, lease, rent, barter, exchange or transport for sale any pistol to any person unless and until he has inquired of and
received a report in writing from the chief of police as to whether or not such person has been convicted of a crime of violence, is a fugitive from justice, an habitual drunkard, a drug addict, a mental incompetent, or is a member of a subversive organization, a minor or a person who has been adjudged unfit to carry or possess a weapon by a circuit or county court judge.

Sec. 4-40 B. Definitions when used in this ordinance. (a) "Pistol" means any firearm designed to expel a projectile from a barrel less than twelve inches in length; but shall not include any firearm generally recognized or classified as an antique, curiosity or collector's item, or any that does not fire fixed cartridges or fixed shotgun shells.

(b) The term "dealer" means any person regularly engaged in the business of selling firearms at retail.

(c) The term "crime of violence" means murder, manslaughter (except negligent manslaughter arising out of traffic accidents), rape, mayhem, kidnapping, burglary, robbery, housebreaking, assault with intent to commit any offense punishable by imprisonment for more than one year.

(d) The term "fugitive from justice" means any person who has fled from or is fleeing from any law enforcement officer to avoid prosecution or imprisonment for a crime of violence.

(e) The term "subversive organization" means any group, committee, club, league, society, association or combination of individuals the purpose of which, or one of the purposes of which, is the establishment, control, conduct, seizure or overthrow of the government of the United States or any state or political subdivision thereof, by the use of force, violence, espionage, sabotage, or threats or attempts of any of the foregoing.

(f) The term "conviction" as used herein shall include pleas of guilty, pleas of nolo contendere and forfeiture of bail.

D. Selling Pistols. It shall be unlawful for any person to knowingly sell, offer to sell, deliver, lease, rent, barter, exchange or transport for sale into this town any pistol to:

(a) Any person who has been convicted of a crime of violence in any court of the United States, the several states, commonwealths, territories, possessions or the District of Columbia or who is a fugitive from justice or a habitual drunkard or a drug addict or who has been adjudicated mentally incompetent.

(b) Any person who is a member of a subversive organization.

(c) Any person under the age of twenty-one, but this shall not apply to the issue of pistols to members of Armed Forces of the United States, active or reserve, National Guard, state militia or R. O. T. C., when on duty or training or the temporary loan of pistols for instruction under the immediate supervision of a parent or adult instructor.

(d) Any person who by order of a circuit judge or county court judge of this State has been adjudged unfit to carry or possess a pistol, such adjudication to be made upon application by any police officer, or by any prosecuting officer of this State or Town, or sua sponte, by the court, but any person who shall be the subject of such an application shall be entitled to reasonable notice and a proper hearing prior to any such adjudication.

(e) It shall be unlawful for any person covered in (a), (b), (c), or (d) of this section to possess or acquire pistols within this town.

(f) No person shall knowingly buy, sell, transport, pawn, receive or possess any stolen pistol or one from which the original serial number has been removed or obliterated.

E. Dealers to be Licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol without being licensed.

F. Dealer Licenses. The clerk of court of the county shall grant a license to any person doing business in the county not ineligible under the provisions of this act in a standard form prescribed by the Attorney General, effective for two years from date of issuance, permitting the licensee to sell pistols at retail within this State subject to the following conditions, for breach of any of which the license shall be forfeited: * * * * *

(b) No pistol shall knowingly be sold in violation of any provision of this act nor shall a pistol be sold without clear evidence to the seller of the identity of the purchaser.

(c) A true record shall be made of every pistol sold, in a book kept for the purpose, the form of which shall be prescribed by the Attorney General and shall be signed personally by the purchaser and by the person effecting the sale [contact local authorities for required contents] * * * * *

Greenville

37-4. Pistols less than twenty inches long and three pounds in weight. It shall be unlawful for anyone to carry about his person, whether concealed or not, any pistol less than twenty (20) inches long and three (3) pounds in weight or for any person to manufacture, sell, offer for sale, lease, rent, barter, exchange or transport for sale or into the city any pistol of less length and weight. This section shall not be construed to apply to peace officers in the actual discharge of their duties or to the carrying or keeping of such pistols by persons while on their own premises nor to abridge the right of self-defense.

37-24. Definitions. For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them:

Conviction: Pleas of guilty, pleas of nolo contendere and forfeiture of bail as well as actual conviction by a court.

Crime of violence: Murder, manslaughter (except negligent manslaughter arising out of traffic accidents), rape, mayhem, kidnapping, burglary, robbery, housebreaking, assault with intent to kill, commit rape or rob, assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one (1) year.

Dealer: Any person regularly engaged in the business of selling firearms at retail.

Fugitive from justice: Any person who has fled from or is fleeing from any law enforcement officer to avoid prosecution or imprisonment for a crime of violence.

Pistol: Any firearm designed to expel a projectile from a barrel less than twelve (12) inches in length; but shall not include any firearm generally recognized or classified as an antique, curiosity or collector's item, or any that does not fire fixed cartridges or fixed shotgun shells.

Subversive organization: Any group, committee, club, league, society, association or combination of individuals the purpose of which, or one of the purposes of which, is the establishment, control, conduct, seizure or overthrow of the government of the United States, or any state or political subdivision thereof, by the use of force, violence, espionage, sabotage or threats or attempts of any of the foregoing.

37-26. Sale, etc., to certain persons unlawful; possession or acquisition by such persons unlawful; stolen pistols. (a) It shall be unlawful for any person to knowingly sell, offer to sell, deliver, lease, rent, barter, exchange or transport for sale into this state any pistol to:

(1) Any person who has been convicted of a crime of violence in any court of the United States, the several states, commonwealths, territories, possessions or the District of Columbia or who is a fugitive from justice or a habitual drunkard or a drug addict or who has been adjudicated mentally incompetent.

(2) Any person who is a member of a subversive organization.

(3) Any person under the age of twenty-one (21) but this shall not apply to the issue of pistols to members of Armed Forces of the United States, active or reserve, National Guard, state militia or ROTC, when on duty or training or the temporary loan of pistols for instruction under the immediate supervision of a parent or adult instructor.

(4) Any person who, by order of a circuit judge or county court judge of this state, has been adjudged unfit to carry or possess a pistol, such adjudication to be made upon application by any police officer, or by any prosecuting officer of this state, or sua sponte, by the court, but any person who shall be the subject of such an application shall be entitled to reasonable notice and a proper hearing prior to any such adjudication.

(b) It shall be unlawful for any person covered in subsection (a) to possess or acquire pistols within this state.
(c) No person shall knowingly buy, sell, transport, pawn, receive or possess any stolen pistol or one from which the original serial number has been removed or obliterated. 

37-27. Retail dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol without being licensed.**

Greer

29-7. Sale, etc., of pistols to certain persons unlawful; possession or acquisition of pistols by certain persons unlawful; stolen pistols. It shall be unlawful for any person to knowingly sell, offer to sell, deliver, lease, rent, barter, exchange or transport for sale into this state any pistol to:

(a) Any person who has been convicted of a crime of violence in any court of the United States, the several states, commonwealths, territories, possessions or the District of Columbia or who is fugitive from justice or a habitual drunkard or a drug addict or who has been adjudicated mentally incompetent.

(b) Any person who is a member of a subversive organization.

(c) Any person under the age of twenty-one, but this shall not apply to the issue of pistols to members of Armed Forces of the United States, active or reserve, National Guard, state Militia or R.O.T.C., when on duty or training or the temporary loan of pistols for instruction under the immediate supervision of a parent or adult instructor.

(d) Any person who by order of a circuit judge or county court judge of this state has been adjudged unfit to carry or possess a pistol, such adjudication to be made upon application by any police officer, or by any pros­ecuting officer of this state, or sua sponte, by the court, but any person who shall be the subject of such an application shall be entitled to reasonable notice and a proper hearing prior to any such adjudication.

(e) It shall be unlawful for any person covered in (a), (b), (c) or (d) of this section to possess or acquire pistols within this state.

(f) No person shall knowingly buy, sell, transport, pawn, receive or possess any stolen pistol or one from which the original serial number has been removed or obliterated.

Inman

Section 12: ** it shall be unlawful for any person, firm or corporation to manufacture, sell or offer for sale, lease, rent, barter, exchange or transport for sale in the corporate limits any pistol [less than 20 inches in length and three pounds in weight].

Jackson

3-10(h) ** sale, etc., of pistols. It shall be unlawful ** for any person to manufacture, sell, offer for sale, lease, rent, barter, exchange or transport for sale in the State any pistol [less than twenty inches long and three pounds in weight].

NOTICES

Jonesville

Section 1. ** it shall be unlawful for any person or persons, firm, corporation or association to sell, barter, exchange, or give away to induce trade; or to offer for sale, exchange, barter or giving away to induce any firearm or weapon as is usually designated and known as a "pistol".

Lake City

11. Firearms—carrying and sale generally. It shall be unlawful for any person to carry about the person or about any vehicle any firearm of less length or weight than herein stated; provided, however that this section shall not apply to peace officers in the actual discharge of their duty, nor to keeping and carrying pistols by persons while on their own premises.

Laurens

10-25. (A) Manufacture, carriage, sale. It shall be unlawful in the city for anyone to carry about the person, whether concealed or not, any firearm less than twenty inches long or less than three pounds in weight. It shall also be unlawful for any person to sell or offer for sale any firearm of less length or weight than herein stated; provided, however, that this section shall not apply to peace officers in the actual discharge of their duty, nor to keeping and carrying pistols by persons while on their own premises.

Myrtle Beach

Sec. 3-13. Carrying, manufacturing, selling, etc., of certain pistols prohibited; exceptions. It shall be unlawful for any person to possess or carry about the person or about any vehicle belonging or controlled by him, whether concealed or not, any pistol less than twenty inches long and three pounds in weight or for any person to manufacture, sell, offer for sale, lease, rent, barter, exchange or transport for sale or into this city any pistol of less length and weight; **

Newberry

10-74. Same—Sale of pistols, rifles, etc. It shall be unlawful for any person, or any agent of any person in the city, to sell to any person any pistol, rifle or other species or kind of firearms, except shotguns, unless the person purchasing the same, if a citizen of the city, has a permit in writing from the chief of police to purchase the same, or if not a citizen of the city, has a permit in writing from the sheriff of the county to purchase the same, such permit to specify the kind and amount of firearms allowed to be purchased thereunder and to be filed with the person from whom the same is purchased, who shall within ten days after any sale file the permit with the officer issuing the same.

10-75. Same—Purchasing or receiving pistol, rifle, etc., without permit. It shall be unlawful for any person to purchase or receive in the city any firearm enumerated in the preceding section, without first having obtained the permit as provided in the preceding section.

Pacolet

Section 3-12. ** from and after the passage of this ordinance ** it shall be unlawful for any person, firm or corporation to manufacture, sell or offer for sale, lease, rent, barter, exchange or transport for sale in the corporate limits any pistol [less than 20 inches in length and three pounds in weight].

Pageland

Sec. 10-41. Adoption of Criminal Law of State of South Carolina. All acts and conduct that constitute violation of the common law and the statutory law of the State of South Carolina are hereby declared unlawful in the Town of Pageland and when such acts, conduct or violations occur within the town, as such provisions and violations can have application within the town and the punishment of which is within the jurisdiction of the town.

Rock Hill

Sec. 25-36. ** (Pistols)—Sale restricted. No person shall sell, deliver, lease, rent, barter, exchange or transport for sale any pistol to any person unless and until he has enquired of and received a report in writing from the chief of police as to whether or not such person has been convicted of a crime of violence, is a fugitive from justice, an habitual drunkard, a drug addict, a mental incompetent, or is a member of a subversive organization, a minor or a person who has been adjudged unfit to carry or possess a weapon by a circuit or county court judge.
South Dakota

State Law

S.D. Compiled Laws

22-14A-1. Destructive device defined. The term "destructive device" shall be limited to the following: (1) Any projectile containing any explosive or incendiary material or any other chemical substance, including but not limited to, that which is commonly known as tracer or incendiary material or any other chemical substance, including but not limited to, that which is commonly known as tracer or incendiary ammunition, except tracer ammunition manufactured for use in shotguns.

(2) Any bomb, grenade, explosive missile, or similar device, or any launching device therefor.

(3) Any weapon of a caliber greater than .60 caliber which fires fixed ammunition, or any ammunition therefor, other than a shotgun or shotgun ammunition.

(4) Any rocket, rocket-propelled projectile, or similar device of a diameter greater than .60 inch, or any launching device therefor, and any rocket, rocket-propelled projectile, or similar device containing any explosive or incendiary material or any other chemical substance, other than the propellant for such device, except such devices as are designated primarily for emergency, distress signaling or hobby purposes.

(5) Any breakable container which contains a flammable liquid with a flashpoint of one hundred and fifty degrees Fahrenheit or less and has a Wick or similar device capable of being ignited.

(6) Any other thing that is designed for the purpose of harming any person or property and contains any flammable material, or explosive as defined by §22-14A-2.

22-14A-4. Possession of destructive device as felony—punishment. Any person, firm, or corporation who, within this state, possesses any destructive device, other than fixed ammunition of a caliber greater than .60 caliber, except as provided by this chapter, is guilty of a felony and may be punished by imprisonment in the county jail for a term not to exceed one year, or in the state penitentiary for a term not to exceed five years, or by a fine not to exceed five thousand dollars or by both such fine and imprisonment.

23-7-1. Definition of terms. "Pistol," as used in this chapter, means any firearm with a barrel less than sixteen inches in length and designed to expel a projectile or projectiles by the action of an explosive.

"Machine gun" applies to and includes a weapon of any description by whatever name known, loaded or unloaded, from which more than five shots or bullets may be rapidly, or automatically, or semiautomatically discharged from a magazine, by a single function of the firing device.

"Crime of violence" as used in this chapter, means any of the following crimes or an attempt to commit or a conspiracy to commit any of the same, namely: murder, manslaughter, rape, mayhem, any assault-prohibited by SDCL 22-18-9, 22-18-10, 22-18-11, 22-18-12 or 22-18-14, riot while armed, robbery, burglary, possession of burglary tools, housebreaking, breaking and entering, kidnaping, extortion by force or fear, or any other crime in the commission of which the perpetrator used force, or was armed with a deadly, dangerous or sharp weapon, or used any bomb, explosive or destructive device.

"Person," as used in this chapter, includes firm, partnership, association, or corporation.

23-7-3. Person convicted of crime of violence not to own or possess pistol—Felony—Punishment. No person who has been convicted in this state or elsewhere of a crime of violence shall own a pistol or have one in his possession or under his control. Violation of this section is a felony, and upon conviction thereof, such person shall be sentenced to the penitentiary for a term not to exceed three years, and in addition may be fined not to exceed two thousand dollars.

23-7-3.1. Delivery of pistol to person convicted of crime of violence—Misdemeanor. Any person who gives, loans or sells a pistol to a person convicted of a crime of violence in this state or elsewhere, and knows that said person has been so convicted, is guilty of a misdemeanor.

23-7-4. Delivery of pistol to incapacitated person prohibited. No person shall deliver a pistol to any person under the age of eighteen or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.
(1) The manufacture for and sale of machine guns to the military forces or the peace officers of the United States or of any political subdivision thereof, or the transportation required for that purpose;

(2) The possession of a machine gun for scientific purpose, or the possession of a machine gun not usable as a weapon and possessed as a curiosity, ornament, or keepsake; or

(3) The possession of a machine gun other than one adapted to use pistol cartridges of 30 (.30 in. or 7.63 mm.) or larger caliber for purposes manifestly not aggressive or offensive.

23-7-27. Register of machine guns kept by manufacturer—Required contents. Every manufacturer shall keep a register of all machine guns manufactured or handled by him. This register shall show the model and serial number, date of manufacture, sale, loan, gift, delivery, or receipt of every machine gun, the name, address, and occupation of the person to whom the machine gun was sold, loaned, given, or delivered from whom it was received; and the purpose for which it was acquired by the person to whom the machine gun was sold, loaned, given, or delivered from whom received.

23-7-30. Registration by owners of guns—Office of secretary of state—Time. Every machine gun in this state adapted to use cartridges of any caliber shall be registered in the office of the secretary of state within twenty-four hours after its acquisition, and annually thereafter on July first.

23-7-31. Registration blanks—Data required—Not subject to public inspection. Blanks for registration shall be prepared by the secretary of state and furnished upon application. To comply with §23-7-30 the application as filed must show the model and serial number of the gun, the name, address, and occupation of the person in possession, and from whom and the purpose for which the gun was acquired. The registration data shall not be subject to inspection by the public.

23-7-32. Failure to register gun—Possession for offensive or aggressive purpose presumed. Any person failing to register any gun as required by §23-7-30 shall be presumed to possess the same for offensive or aggressive purpose.

23-7-33. Conditions raising presumption of possession of gun for offensive or aggressive purpose. Possession or use of a machine gun shall be presumed to be for offensive or aggressive purpose:

(1) When the machine gun is on premises not owned or rented for bona fide permanent residence or business occupancy by the person in whose possession the machine gun may be found; or

(2) When in the possession of or used by an unnaturalized foreign-born person or a person who has been convicted of a crime of violence in any court of record, state or federal, of the United States of America, its territories or insular possessions; or

(3) When the machine gun is of the kind described in §23-7-30 and has not been registered as in said section required; or

(4) When empty or loaded pistol shells of 30 (.30 in. or 7.63 mm.) or larger caliber which have been or are susceptible of use in the machine gun are found in the immediate vicinity thereof.

23-7-34. Possession or use of gun for offensive or aggressive purpose—Punishment. Possession or use of a machine gun for offensive or aggressive purpose is hereby declared to be a crime punishable by imprisonment in the state penitentiary for a term of not more than fifteen years.

23-7-40. Purchase of rifles and shotguns by residents of South Dakota and contiguous states—Implementation of federal provisions. The state of South Dakota herewith permits residents of contiguous states and residents of this state, not otherwise precluded by any applicable laws, to purchase, sell, trade, convey, deliver, or transport rifles, shotguns, ammunition, reloading components or firearms accessories in South Dakota and in states contiguous to South Dakota. This authorization is enacted to implement for this state the permanent firearms sales and delivery provisions in section 922 (b), (3) (A) of Public Law 90-618 of the 90th United States Congress, second session.

23-7-41. Effect of repeal of federal restrictions on purchase of firearms accessories. In the event that presently enacted federal restrictions on the purchase, sale, trade, delivery, transportation or conveyance of firearms accessories are repealed by the United States Congress or set aside by courts of competent jurisdiction, §23-7-40 shall in no way be interpreted to prohibit or restrict the purchase, sale, trade, delivery, transportation or conveyance of shotguns, rifles, ammunition, reloading components, or firearms accessories by residents of this state or of contiguous states, or of any other states who are otherwise competent to purchase, sell, trade, deliver, transport or convey rifles, shotguns, ammunition, reloading components or firearms accessories in this state, in contiguous states or other states.

Tennessee State Law

39-4904. Selling or disposing of dangerous weapons. It is a misdemeanor to sell, or offer to sell, or to bring into this state for the purpose of selling, giving away, or otherwise disposing of any knife or other prohibited weapon. * * * * *

Provided, however, any person licensed by
Nothing in this section shall preclude any person eligible to purchase a pistol or sidearm, as set out above, from making an occasional sale of a used or second hand gun legally purchased by him without being licensed to do business as such; but whenever such sale is made, the same procedure must be followed as is provided above for persons licensed by the state of Tennessee to engage in such business.

Any person violating any of the provisions of this section shall, upon conviction, be fined not less than one hundred dollars ($100) nor more than five hundred dollars ($500), or imprisoned in the county jail not to exceed six (6) months, or both, in the discretion of the court.

Provided however, before any person, firm or corporation shall engage in the business of selling firearms, new or used, or any other person, shall file with the sheriff of the county wherein such sale is to be made, and with the chief of police if the sale be within a municipality, a copy of the certificate as notice to such law enforcement officer of the pending sale. Such certificate must also show the purpose for which the gun is to be used. If, after fifteen (15) days from the time of the receipt of such notice, the sheriff and/or chief of police make no objection tending to show that such proposed purchaser is in fact excluded by law from legal purchase, as set out above, the sale may be consummated and the gun delivered to the purchaser, together with a bill of sale therefor. The fifteen (15) days' notice of pending sale provided for above must be made by registered mail and return receipt requested unless the officer or officers, as the case may be, personally acknowledge receipt of such notice. The said certificate to be filed with the law enforcement officer shall carry the right thumb print of the applicant along with the information as to race, height, weight, age, color of eyes, color of hair and sex of the applicant. Provided, however, the sheriff and/or police chief may issue a written approval of such certificate, after investigation, within the fifteen (15) day period.

The fifteen (15) day waiting period shall not apply to transactions between licensed importers, licensed manufacturers, licensed dealers, or licensed collectors who meet the requirements of the first paragraph above and certify prior to the transaction the legal and licensed status of both parties. The burden shall fall upon the transferee to determine the legality of the transaction in progress. The fifteen (15) day waiting period shall not apply to transactions or transfers between a licensed importer, licensed manufacturer, licensed dealer and a bona fide law enforcement agency or said agency's personnel as defined under §39-4902. However, all other provisions and requirements of the preceding paragraph above must be observed. The burden of proof of the legality of such transactions or transfers shall rest upon the transferee.
NOTICES

single function of the trigger; the frame or receiver of any such weapon; any combination of parts designed and intended for use in converting a weapon 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.

(f) "Antique firearm" means any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar type of ignition system or replica thereof, whether actually manufactured before or after the year 1898) and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(g) "Unserviceable firearm" means a firearm which is incapable of discharging a shot by means of an explosive and incapable of being readily restored to a firing condition.

(h) "Manufactures any weapon" means making, putting together, altering, modifying, any combination of these, or otherwise producing a sawed-off shotgun, sawed-off rifle, or machine gun.

(i) "Sells or disposes of" means sells, offers for sale, assigns, pledges, leases, loans, gives away, transfers or otherwise disposes of.

(j) "Person includes a corporation, firm, company, partnership or association.

39-4918. Manufacture, possession or sale of sawed-off shotgun, sawed-off rifle, or machine gun—Penalty. Any person who manufactures, imports, purchases, possesses, sells or disposes of, in this state, any weapon of the kind commonly known as a sawed-off shotgun, sawed-off rifle, or machine gun shall be punished by a fine of not less than one (1) nor more than five (5) years; or in the county jail or workhouse for a term not to exceed one (1) year, or by fine not exceeding one thousand dollars ($1,000), or by both such fine and jail or workhouse sentence in the discretion of the court.

39-4919. Exceptions to firearms restrictions. The provisions of §39-4918 relating to sawed-off shotguns, sawed-off rifles, and machine guns shall not apply to or affect the following:

(a) The United States or any department, independent establishment or agency thereof; or the state of Tennessee, or any department or agency thereof, or any political subdivision thereof, or any official police organization or law enforcement agency of such government entity charged with enforcement of criminal laws or detention of persons convicted or accused of crime.

(b) The possession in the pursuit of official duty by a law enforcement, peace, police officer, or official or employee of a penitentiary, jail or other institution in the state of Tennessee for the detention of persons accused or convicted of crime, who is regularly employed and paid by the United States, this state or any political subdivision or government entity thereof as set forth in the preceding subsection (a);

(c) The possession by a member of the National Guard or the armed services or reserve forces of the United States while serving therein possesses such weapon in the line of duty;

(d) Persons licensed by the state of Tennessee as manufacturers, importers, or dealers in such weapons provided that the manufacturer, import, purchase, possession, sale or disposition of such weapons is authorized and incident to carrying on the business for which licensed and is for scientific or research purposes or sale or disposition to the classes designated in subsection (a) above;

(e) Any person who acquires or possesses a sawed-off shotgun, sawed-off rifle, or machine gun which is validly registered to such person under federal law in the National Firearms Registration and Transfer Records. A person who acquires or possesses a firearm registered as required by this subsection shall retain proof of registration;

(f) Any person who possesses a sawed-off shotgun, sawed-off rifle, or machine gun which is an unserviceable firearm.

Chatanooga

25-10. Dangerous weapons—Sale. It shall be unlawful for any person to sell or offer for sale in the city any pistol, pistol cartridges, * * * provided, that this section shall not apply to the sale of regular army and navy pistols.

Greeneville

5-101. Sale of firearms. Only persons, firms, or corporations licensed by the State of Tennessee to sell rifles or other firearms may stock and sell pistols and/or sidearms within the corporate limits of the Town of Greeneville. Firearms may be sold to persons desiring them for protection of their home or business; however, sales to aliens, persons who have been convicted of a crime of violence, fugitives from justice, persons of unsound mind, minors, drunks, drug addicts, and persons who have been convicted of the illegal sale of alcoholic beverages, are excluded.

Any person desiring to purchase a pistol or sidearm as above provided shall certify to the seller that he is not one of the persons listed above as excluded from legal sale of such firearms. The person having the gun for sale, whether it be a firearms dealer engaged in the business of selling firearms, new or used, or any other person, shall file with the Chief of Police of the Town of Greeneville, a copy of the certificate as notice to such law enforcement officer of the pending sale.

The certificate must also show the purpose for which the gun is to be used. If, after three (3) days from the time of the receipt of such notice, the Chief of Police makes no objection tending to show that such proposed purchaser is excluded by this section from legal purchase as above set out, the sale may be consummated and the gun delivered to the purchaser, together with a bill of sale therefor. The three (3) day notice of the pending sale provided for above must be made by registered mail, and return receipt requested unless the officer to whom such notice must be given personally acknowledges receipt of such notice.

Nothing in this section shall preclude any person eligible to purchase a pistol or sidearm, as set out above, from making an occasional sale of a used or secondhand gun legally purchased by him even though such person is not licensed to engage in such business. However, when such sale is made, the same procedure must be followed as is described above for persons licensed by the State of Tennessee to engage in such business.

Jackson

19-10.1(c) Any person licensed by the state of Tennessee to sell rifles or other firearms may stock and sell pistols and/or sidearms to persons desiring them for protection of their home, business, or for target practice; however, sales to aliens, persons who have been convicted of a crime of violence, fugitives from justice, persons of unsound mind, minors, drunks, drug addicts, and persons who have been convicted of the illegal sale of alcoholic beverages, are excluded.

Any person desiring to purchase a pistol or sidearm as above provided shall certify to the seller that he is not one of the persons listed above as excluded from legal sale of such firearms, and the person having the gun for sale, whether it be a firearms dealer engaged in the business of selling firearms, new or used, or any other person, shall file with the Chief of Police a copy of the certificate as notice of the pending sale. Such certificate must also show the purpose for which the gun is to be used. If, after fifteen days from the time of the receipt of such notice, the Chief of Police makes no objection tending to show that such proposed purchaser is in fact excluded by law from legal purchase, as set out above, the sale
may be consummated and the gun delivered to the purchaser, together with a bill of sale therefor. The fifteen days’ notice of pending sale provided for above must be made by registered mail and return receipt requested unless the officer or officers, as the case may be, personally acknowledge receipt of such notice. The said certificate to be filed with the law enforcement officer shall carry the right thumb print of the applicant along with the information as to race, height, weight, age, color of eyes, color of hair and sex of the applicant. Provided, however, the Chief of Police may issue a written approval of such certificate, after investigation, within the fifteen day period.

The fifteen day waiting period shall not apply to transactions between licensed importers, licensed manufacturers, licensed dealers, or licensed collectors who meet the requirements of the first paragraph above and certify prior to the transaction the legal and licensed status of both parties. The burden shall fall upon the transferee to determine the legality of the transaction in progress. The fifteen day waiting period shall not apply to transactions or transfers between a licensed importer, licensed manufacturer, or licensed dealer and a bona fide law enforcement agency or said agency’s personnel. However, all other provisions and requirements of the preceding paragraph above must be observed. The burden of proof of the legality of such transactions or transfers shall rest upon the transferee.

**Lawrenceburg**

Section 1—Definitions

(3) “Explosive weapon” means any explosive, incendiary, or poison gas: (A) bomb; (B) grenade; (C) rocket; (D) mine; (E) shell, missile, or projectile that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage.

(4) “Firearm” means any weapon designed, made, or adapted to expel a projectile by the action of an explosive, or any device readily convertible to that use.

(5) “Firearm silencer” means any device designed, made, or adapted to muffle the report of a firearm.

(6) “Handgun” means any firearm with a barrel length of less than twelve (12) inches that is designed, made, or adapted to be fired with one hand.

(9) “Machine gun” means any firearm that is capable of shooting more than two (2) shots automatically, without manual reloading, by a single function of the trigger.

(10) “Rifle” means any firearm designed, made, or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire a projectile through a rifled bore by a single function of the trigger.

(11) “Short barrel” means a barrel length of less than sixteen (16) inches for a rifle and eighteen (18) inches for a shotgun, or an overall firearm length of less than twenty-six (26) inches.

(12) “Shotgun” means any firearm designed, made or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire through a smooth-bore barrel either a number of ball shot or a single projectile by a single function of the trigger.

**Knoxville**

28-103. Firearms—Sale. (b) Any person licensed by the State of Tennessee to sell rifles or other firearms may stock and sell pistols and/or sidearms to persons desiring them for protection of their home, business, or for target practice; however, sales to aliens, persons who have been convicted of a crime of violence, fugitives from justice, persons of unsound mind, minors, drunks, drug addicts, and persons who have been convicted of the illegal sale of alcoholic beverages, are excluded.

(c) Any person desiring to purchase a pistol or sidearm as above provided shall certify to the seller that he is not one of the persons listed above as excluded from legal sale of such firearms, and the person having the gun for sale, whether it be a firearms dealer engaged in the business of selling firearms, new or used, or any other person, shall file with the chief of police a copy of the certificate as notice to such law enforcement officer of the pending sale. Such certificate must also show the purpose for which the gun is to be used. If, after three (3) days from the time of the receipt of such notice, the chief of police makes no objection tending to show that such proposed purchaser is in fact excluded by law from legal purchase, as set out above, the sale may be consummated and the gun delivered to the purchaser, together with a bill of sale therefor.

(d) The three (3) day notice of pending sale provided for above must be made by registered mail and return receipt requested unless the officer personally acknowledges receipt of such notice.

(e) The seller shall deliver to the chief of police a legible true copy of the bill of sale showing the name of the firearm, the caliber, serial number, finish of the firearm, such as nickel.

Section III—Prohibited Weapons. (a) An individual, corporation, or association commits an offense if:

(1) an explosive or an explosive weapon;

(2) a device principally designed, made, or adapted for delivering or shooting an explosive weapon;

(3) a machine gun;

(4) a short-barrel rifle or shotgun;

(5) a firearm silencer;

(b) It is a defense to prosecution under this section that the actor’s conduct:

(1) was incident to the performance of official duty by the armed forces or national guard, a governmental law enforcement agency, or a penal institution;

(2) was incident to engaging in a lawful commercial or business transaction with an organization identified in subdivision (1); or

(3) was incident to using an explosive or an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise; or

(4) was incident to using the weapon in a manner reasonably related to a lawful dramatic performance or scientific research; or

(5) was incident to displaying the weapon in a public museum or exhibition.

(c) It is an affirmative defense to prosecution under this section, which the actor must prove by a preponderance of the evidence:

(1) that his conduct was incident to dealing with the weapon solely as a curio, ornament, or keepsake, and if the weapon is a type described in subsections (a)(1)-(a)(5), that it was in a nonoperating condition and could not readily be made operable; or

(2) that his possession was brief and occurred as a consequence of having found the weapon or taken it from an aggressor.

(d) An offense under subsections (a)(1)-(a)(5) is a felony; and offense under subsection (a)(6) is a misdemeanor.

Section IV—Unlawful Sale of Firearms. (a) An individual, corporation, or association commits an offense if:

(1) he intentionally, knowingly, or recklessly sells, loans, or makes a gift of a firearm to a minor; or

(2) he intentionally, knowingly, or recklessly sells a firearm or ammunition for a firearm to a person who is intoxicated;

(3) he intentionally, knowingly, recklessly, or with criminal negligence violates the provisions of Section V of this Ordinance.

(b) It is a defense to subsection (a)(1) that:

(1) a rifle or shotgun was sold, loaned, or given to a minor for the purposes of hunting; and

(2) the actor is not required to obtain a license under Section V of this Ordinance.

(c) For purposes of this section, “intoxication” means substantial impairment of mental or physical capacity resulting from introduction of any substance into the body.

(d) An offense under this section is a misdemeanor.

Section V—Lawful Sale of Firearms. (a) Only persons, firms or corporations licensed by the State of Tennessee to sell rifles or oth-
er firearms may stock and sell pistols and/or sidearms within the corporate limits of the City of Lawrenceburg. Firearms may be sold to persons desiring same for the protection of their homes or business or for target practice but for no other purpose.

(b) The sale of pistols and/or sidearms within the corporate limits of the City of Lawrenceburg to aliens, persons who have been convicted of a crime of violence, fugitives from justice, persons of unsound mind, minors, drunkards, drug addicts, or persons who have been convicted of illegal sales of alcoholic beverages is prohibited.

(c) Any person desiring to purchase a pistol or sidearm within the corporate limits of the City of Lawrenceburg shall certify to the seller that he is not one of the persons hereinafore designated as being excluded from the legal sale of such firearms. The person having the gun for sale, whether it be a firearm dealer engaged in the business of selling firearms, new or used, or any other person, shall file with the chief of police of the City of Lawrenceburg, a copy of the certificate as notice to such law enforcement officer of the pending sale.

(d) The certificate must also show the purpose for which the gun is to be used. If, after three (3) days from the time of the receipt of such notice, the chief of police makes no objection tending to show that such proposed purchaser is excluded by this section from legal purchase, as above provided shall certify to the seller that he is not one of the persons listed above as excluded from legal sale of such firearms, and the person having the gun for sale, whether it be a firearms dealer engaged in the business of selling firearms, new or used, or any other person, shall file with the chief of police a copy of the certificate as notice to such law enforcement officer of the pending sale. Such certificate must also show the purpose for which the gun is to be used. If, after fifteen (15) days from the time of the receipt of such notice, chief of police makes no objection tending to show that such proposed purchaser is in fact excluded by law from legal purchase, as set out above, the sale may be consummated and the gun delivered to the purchaser, together with a bill of sale therefor.

(e) Nothing in this section shall preclude any person eligible to purchase a pistol or sidearm, as set out above, from making an occasional sale of a used or secondhand gun legally purchased by him even though such person is not licensed to engage in such business. However, when such sale is made, the same procedure must be followed as is described above for persons licensed by the State of Tennessee to engage in such business.

Lebanon

10-212.1. Selling or disposing of dangerous weapons. It shall be unlawful to sell, or offer to sell, or to bring into the City of Lebanon for the purpose of selling, giving away, or otherwise disposing of any prohibited weapon mentioned in section 10-212. Provided, however, any person licensed by the State of Tennessee to sell rifles or other firearms may stock and sell pistols and/or sidearms to persons desiring them for protection of their home, business, or for target practice; however, sales to aliens, persons who have been convicted of a crime of violence, fugitives from justice, persons of unsound mind, minors, drunkards, drug addicts, and persons who have been convicted of the illegal sale of alcoholic beverages are excluded.

Any person desiring to purchase a pistol or sidearm as above provided shall certify to the seller that he is not one of the persons listed above as excluded from legal sale of such firearms, and the person having the gun for sale, whether it be a firearms dealer engaged in the business of selling firearms, new or used, or any other person, shall file with the chief of police a copy of the certificate as notice to such law enforcement officer of the pending sale. Such certificate must also show the purpose for which the gun is to be used. If, after fifteen (15) days from the time of the receipt of such notice, chief of police makes no objection tending to show that such proposed purchaser is in fact excluded by law from legal purchase, as set out above, the sale may be consummated and the gun delivered to the purchaser, together with a bill of sale therefor. * * * * * * * * * * * before any person, firm, or corporation shall engage in the business of selling, offering for sale, giving away or otherwise disposing of any pistol, revolver or other hand gun in the City of Lebanon, such person, firm, or corporation shall first obtain a permit.

McMinville

12-54. Selling, giving weapons to minor. Any person who sells, loans, or gives to any minor a pistol, *** or like dangerous weapon, except a gun for hunting, is guilty of a misdemeanor.

Morristown

34-5. Sale, use, etc., of toy pistols. No person shall sell, keep for sale or use within the town any toy pistol discharged by percussion cap and powder or other means.

Nashville—Davidson, Metro

Sec. 41-2-1. Definitions. For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Crime of violence. Murder; manslaughter; rape; mayhem; kidnapping; burglary; housebreaking; assault with intent to kill, commit rape or rob; assault with a dangerous weapon; or assault with intent to commit any offense punishable by imprisonment.

Firearm. Any weapon by whatever name known, which is designed to expel a projectile by the action of expanding gases.

Sparta

Sec. 41-61. Selling, giving weapons to minor. Any person who sells, loans, or gives to any minor a pistol, *** or like dangerous weapon, except a gun for hunting, is guilty of a misdemeanor.
Section 46.01. Chapter Definitions. In this chapter: * * * * * (2) “Explosive weapon” means any explosive, incendiary, or poison gas bomb, grenade, rocket, or mine, that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, and includes a device principally designed, made, or adapted for delivery or shooting an explosive weapon.

(3) “Firearm” means any device designed, made, or adapted to expel a projectile through the use of explode or burning substance or any device readily convertible to that use. Firearm does not include antique or curio firearms that were manufactured prior to 1899 and that may readily convertible to that use. Firearm does not include any firearm that is designed, made, or adapted to be fired with one hand.

(4) “Firearm silencer” means any device designed, made, or adapted to muffle the report of a firearm.

(5) “Handgun” means any firearm that is designed, made, or adapted to be fired with two hands.

(9) “Machine gun” means any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

(10) “Short-barrel firearm” means a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a shotgun or rifle if, as altered, it has an overall length of less than 26 inches.

§46.05. Unlawful Possession of Firearm by Felon. (a) A person who has been convicted of a felony involving an act of violence or threatened violence to a person or property commits an offense if he possesses a firearm away from the premises where he lives.

(b) An offense under this section is a felony of the third degree.

§46.06. Prohibited Weapons. (a) A person commits an offense if he intentionally or knowingly possesses, manufactures, transports, repairs, or sells:

(1) an explosive weapon;
(2) a machine gun;
(3) a short-barrel firearm;
(4) a firearm silencer;
(5) a switchblade knife; or
(6) knuckles.

(b) It is a defense to prosecution under this section that the actor’s conduct was incident to the performance of official duty by the armed forces or national guard, a governmental law enforcement agency, or a penal institution.

(c) It is a defense to prosecution under this section that the actor’s possession was pursuant to registration pursuant to the National Firearms Act, as amended.

(d) It is an affirmative defense to prosecution under this section that the actor’s conduct was incidental to dealing with a switchblade knife, springblade knife, or short-barrel firearm solely as an antique or curio.

(e) An offense under this section is a felony of the second degree unless it is committed under Subsection (a)(5) or (a)(6) of this section, in which event, it is a Class A misdemeanor.

§46.07. Unlawful Transfer of Firearm. (a) A person commits an offense if he:

(1) sells, rents, leases, loans, or gives a handgun to any person knowing that the person to whom the handgun is to be delivered intends to use it unlawfully or in the commission of an unlawful act;

(2) intentionally or knowingly sells, rents, leases, or gives or offers to sell, rent, lease, or give to any child younger than 18 years any firearm; or

(3) intentionally, knowingly, or recklessly sells a firearm or ammunition for a firearm to any person who is intoxicated.

(b) For purposes of this section, “intoxicated” means substantial impairment of mental or physical capacity resulting from introduction of any substance into the body.

(c) It is an affirmative defense to prosecution under Subsection (a)(2) of this section that the transfer was to a minor whose parent or the person having legal custody of the minor had given written permission for the sale or, if the transfer was other than a sale, the parent or person having legal custody had given effective consent.

(d) An offense under this section is a Class A misdemeanor.

§46.08. Interstate Purchase. A resident of this state may, if not otherwise precluded by law, purchase firearms, ammunition, reloading components, or firearm accessories in contiguous states. This authorization is enacted in conformance with Section 922(b)(3)(A), Public Law 90-618, 90th Congress.

Ballinger

Selling pistol to minor. 48. If any person, within the Corporate limits of the City of Ballinger, Texas, shall knowingly sell, rent, or lease any pistol to a minor or to any other person under the heat of passion, he shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten, nor more than two hundred dollars.

Bellaire

Ordinance No. 1473.

1. No person shall make, carry, possess or use any type of “Molotov Cocktail,” gasoline or petroleum base fire bomb, or other incendiary missile, within the City of Bellaire, Texas.

2. The words “Molotov Cocktail” as used herein shall mean a gasoline or kerosene filled bottle or container with a fuse or wick inserted in the neck.

Carthage

Sec 14-11. Sale, offer for sale of guns, etc. No person, shall exhibit or have in his possession, with intent to give away or sell, or offer for sale within the city, or outside the city limits within a distance of five thousand (5,000) feet, any grenade, gun, revolver, pistol, cap or cartridge, or other combustible fireworks of any kind in the city. However, this section shall not apply to the sale of any such article by wholesalers to each other, or to the sale of any article at wholesale to merchants conducting business entirely without the city, and not within five thousand (5,000) feet of the city limits or to the sale by wholesalers for private or public demonstration.

Deer Park

1. No person shall make, carry, possess or use any type of “Molotov Cocktail,” gasoline or petroleum base fire bomb, or other incendiary missile, within the City of Deer Park, Texas.

2. The words “Molotov Cocktail” as used herein, shall mean a gasoline or kerosene filled bottle or container, with a fuse or wick inserted in the neck.

Falfurrias

2. No person, firm, company, corporation or association shall exhibit or have in his possession, with intent to give away or sell or offer for sale or sell, within the City Limits of the City of Falfurrias, Texas, any ** torpedo, grenade, gun, revolver, pistol, cap or cartridge, in the City of Falfurrias, Texas, provided, however, that this section shall not apply to the sale of any such article or articles at wholesale to merchants conducting business entirely without the City of Falfurrias, Texas, or to the sale by wholesalers for private or public demonstration as hereinafter provided.
NOTICES

Fort Worth

15-423. Small arms ammunition. A. "Small arms ammunition" defined. Small arms ammunition, whenever used in this article, shall mean any shotgun, rifle, pistol or revolver cartridge.

B. Manufacture. No person shall manufacture any small arms ammunition within the city. This provision shall not be construed as prohibiting the hand-loading of small arms ammunition for private use and not for resale.

C. Sale, etc. No person shall store for sale, sell or present for sale any small arms ammunition without a permit.

22-1. Definitions. Secondhand dealer. The term "secondhand dealer" is used in its ordinary and usual trade acceptance meaning, and shall also mean and include any person engaged in any of the following:

Collecting, handling, buying, trading, selling or engaging in the sale of traffic of any of the following:

Used or secondhand *** shotguns, rifles, revolvers and all other kinds of firearms; ***.

San Antonio

26.27. Explosives, etc.; furnishing to minors. It shall be unlawful for any person within the city to sell, give to, or place in the possession of, any person under the age of sixteen years any leaded cartridge, or any explosive of any kind, or explosive gas of any kind.

Wichita Falls

Sec. 24-8. Sale of pistols. **** (B) It shall be unlawful for any retailer to loan, sell, rent or otherwise transfer or to permit or cause to be loaned, sold, rented, or otherwise transferred, a pistol to any person except as set out in this section. ***.

Harlingen

III. It shall hereafter be unlawful for any adult person to deliver to or place in the hands of, any minor under the age of seventeen (17) years any firearm ***.

IV. Firearms as used herein shall be defined to include any pistol, rifle, shot-gun, designed to propel any bullet, pellet, slug or metal object or other solid substance by means of force of an explosion of gunpowder, explosive liquid of any kind, or explosive gas of any kind.

Houston

Houston Code

Sec. 28-9. “Molotov cocktails”, possession in public prohibited. It shall be unlawful for any person to have in his possession on or about his person, upon any public street, alley, sidewalk, or other public place within the corporate limits of the city, any gasoline, kerosene, naphtha or any other volatile, inflammable or explosive liquid or substance and at the same time to have in his possession on or about his person any container, susceptible to being broken, torn, shattered, or disassembled when thrown against or into any building or improvement.

Sec. 44-65. Pistol dealers. (a) There shall be levied and collected from every person engaging in the business of bartering, leasing, selling, exchanging, or otherwise dealing in pistols for profit within the city, whether by wholesale or retail, an annual occupation tax of five dollars ($5.00), to be paid on or before January first of each year, and to be paid before continuing such business. Before engaging in such business, each such dealer shall obtain a license therefor, to be issued by the city assessor and collector of taxes.

(b) The word "pistol", as used in this section, shall include every kind of pistol, revolver, automatic, semi-automatic, magazine pistol, and every other short firearm intended or designed to be aimed or fired from one hand.

(c) No person shall be required to have the license provided for in this section or pay the tax levied herein where such person is engaged exclusively in selling pistols to the military of the United States or other agencies of the federal government authorized by law to purchase the same.

Utah

State Law

76-10-306. “Infernal machine” defined. An infernal machine is any box, package, contrivance, bomb, or apparatus containing or arranged with an explosive or acid or poisonous or inflammable substance, chemical, or compound, or knife, loaded pistol, or gun, or other dangerous or harmful weapon or thing, constructed, contrived, or arranged so as to explode, ignite, or throw forth its contents, or to strike with any of its parts, unexpectedly when moved, handled, or opened, or after the lapse of time or under conditions or in a manner calculated to endanger health, life, limb, or property.

76-10-308. Infernal machine—Construction or possession. Every person who knowingly constructs or contrives any infernal machine, or with intent to injure another in his person or property, has any infernal machine in his possession is guilty of a felony of the third degree.

76-10-501. Definitions. For the purpose of this part: (1) “Dangerous weapon” means any item that in the manner of its use or intended use is capable of causing death or serious bodily injury. In construing whether an item, object, or thing not commonly known as a dangerous weapon is a dangerous weapon, the character of the instrument, object, or thing; the character of the wound produced, if any; and the manner in which the instrument, object, or thing was used shall be determinative.

(2) “Firearms” means pistols, revolvers, sawed-off shotguns, or sawed-off rifles, and/ or any device that could be used as a weapon from which is expelled a projectile by any force.

(3) “Sawed-off shotgun” means a shotgun having a barrel or barrels of less than eighteen inches in length, or in the case of a rifle, having a barrel or barrels of less than sixteen inches in length, or any weapon made from a rifle or shotgun (whether by alteration, modification or otherwise) if the weapon as modified has an overall length of less than 26 inches.

(4) “Prohibited area” means any place where it is unlawful to discharge a weapon.

(5) “Crime of violence” means murder, voluntary manslaughter, rape, mayhem, kidnaping, robbery, burglary, housebreaking, extortion, or blackmail accompanied by threats of violence, assault with a dangerous weapon, assault with intent to commit any of-
fense punishable by imprisonment for more than one year, arson punishable by imprisonment for more than one year, or an attempt to commit any of the foregoing offenses.

(6) "Bureau" means the Utah state bureau of criminal identification.

76-10-503. Possession of dangerous weapon by convicted person, drug addict, or mentally incompetent person prohibited. Any person who is not a citizen of the United States or any person who has been convicted of any crime of violence under the laws of the United States, the state of Utah, or any other state, government, or country, or who is ad­dicted to the use of any narcotic drug, or any person who has been declared mentally incompetent shall not own or have in his pos­session or under his custody or control any dangerous weapon as defined in this part. Any person who violates this section is guilty of a class A misdemeanor, and if the dangerous weapon is a firearm or sawed-off shotgun he shall be guilty of a felony of the third degree.

76-10-509. Possession of dangerous weapon by minor. A minor under the age of eighteen may not possess a dangerous weapon as de­fined herein unless he has the permission of his parent or guardian to have such weapon or is accompanied by parent or guardian while he has such weapon in his possession. In any event, any minor who is under the age of four­teen years must be accompanied by a responsible adult.

76-10-524. Purchase of firearms in contiguous states pursuant to federal law. This part will allow purchases of firearms and ammun­ition by residents in contiguous states pursuant to the Federal Fire Arms Gun Control Act of 1968, section 922, paragraph B, no. 3.

Logan

12-7-10. Revolvers, sale to minors, display prohibited. It shall be unlawful for any per­son, firm or corporation to exchange with, buy from, or sell to any minor under the age of eighteen (18) years any gun, pistol or revolver; or to show or display any pistol or revolver in any window or showcase in this city.

12-12-9. Sales to intoxicated persons and min­ors. No person in Logan City shall pur­chase from, or sell, loan or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or de­pressant or to any person in a condition of agitation and excitability or to a minor under the age of eighteen (18) years of age.

Mount Pleasant

15-6-5. Unlawful to Sell Firearms to Chil­dren under Fourteen. It shall be unlawful for any person, firm or corporation to give, sell or furnish to any minor under the age of fourteen years, any firearm ***

Murray

17-6. Sales of firearms and other weapons prohibited. It shall be unlawful for any per­son to sell, give or furnish to any minor any firearm ***

20-23. Firearms and explosives—Permit for purchase. It shall be unlawful for any per­son, other than a manufacturer or wholesaler thereof to or from a wholesale or retail dealer therein, for the purpose of commerce, di­rectly or indirectly, to buy, sell, borrow, loan, give away, trade, barter, deliver or receive, within the city, any pistol, revolver, gun or similar weapon, or any ammunition, shell, powder, dynamite or other explosive, unless the buyer, borrower or person receiving such weapon, ammunition or explosive shall first obtain and deliver to and the same be de­manded and received by the person selling, loaning or delivering such weapon, ammunition or explosive, within thirty days after the issuance thereof, a permit of the chief of po­lice authorizing such person to acquire such weapon, ammunition or explosive.

Such permit may be issued by the chief of police if he is satisfied that the person applying for the same is of good moral character and of lawful age, and that the purpose for which the same is sought is lawful, and the granting of the same will not endanger public safety. ***

Payson

7-05-040 Minors—Sale to—Prohibited. It shall be unlawful for any person, firm or cor­poration to give or to sell or to furnish to any minor under the age of fourteen years, any pistol, gun, target gun or other firearm ***

12-12-040 Minors—Sale to—Prohibited. It shall be unlawful for any person, firm or cor­poration to give or to sell or to furnish to any minor under the age of fourteen years, any pistol, gun, target gun or other firearm or air gun.

Salt Lake County

Sec. 32-6-5. Unlawful to sell firearms to chil­dren under fourteen. It shall be unlawful for any person, firm or corporation to give, sell or furnish to any minor under the age of fourteen years, any firearm, *** or any other such type instrument designed to propel or throw missiles.

Sec. 32-6-6. Prohibited sale of pistols and revolvers. It shall be unlawful except as hereinafter provided, for any person, firm or corporation, directly or indirectly, to buy, sell, borrow, loan, give away, trade, barter, deliver or receive within the city limits of Salt Lake City, any pistol or revolver using explo­sive ammunition, unless the buyer, borrower, or person receiving such weapon, shall first complete a record [contact local authorities for required contents]

Provo

12-12.040 Minors—Sale to—Prohibited. It shall be unlawful for any person, firm or cor­poration to give or to sell or to furnish to any minor under the age of fourteen years, any pistol, gun, target gun or other firearm or air gun.

Salt Lake City

16-4-1. Unlawful use of weapons. (1) A person commits the offense of unlawful use of weapons when he knowingly:

(a) Sells, manufacturers, purchases, pos­sesses or carries any *** shotgun with a bar­rel less than eighteen inches in length, *** or

(f) Possesses any device or attachment of a kind designed, used or intended for use in sil­encing the report of any firearm.

16-4-3. Record of sale. It shall be unlawful for any person to sell, loan or give away any pistol, revolver, gun or similar weapon, pow­der, dynamite or other explosive without first making a full and complete record in a book kept by him for that purpose. ***

16-4-4. Seller to require permit. It shall be unlawful for any person to sell, trade or other­wise furnish to another any pistol, revolver or concealable gun or weapon unless the person to whom said pistol, revolver, gun or weapon is sold, traded or otherwise furnished exhibits and delivers to the person selling, trading or furnishing such pistol, revolver, gun or weapon a permit issued by the sheriff author­izing and permitting the person to purchase or receive such pistol, revolver, gun or other concealable weapon.

16-4-5. Obtaining weapons without permit illegal. It shall be unlawful for any person to purchase or otherwise obtain a pistol, re­volver, gun or other concealable weapon without first obtaining a permit from the sher­iff.

16-4-6. Possession by minors. It shall be unlawful for any minor to possess or have in

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his or her possession in any place, whether public or private, within the limits of the county, any gun, revolver, or firearm, unless permission for the possession and use of such instrument be given in writing to such minor by his or her parent, or guardian, or person having the charge or control of such minor.

16-4-8. Furnishing to minors. It shall be unlawful for any person, firm or corporation except a parent or guardian, to give, or to sell or to furnish to any minor, any instrumentality named in the above-mentioned provisions.

South Salt Lake

Sec. BB-2-7. Firearms. Any person who sells, gives away, or disposes of, or offers to sell, give away, or dispose of any pistol, gun, target gun, or other firearm to any person under the age of fourteen (14) years is guilty of a misdemeanor.

Vermont

State Law


§4007. Furnishing firearms to children. A person, firm or corporation, other than a parent or guardian, who sells or furnishes to a minor under the age of sixteen years a firearm or other dangerous weapon or ammunition for firearms shall be fined not more than $50.00 nor less than $10.00. This section shall not apply to an instructor or teacher who furnishes firearms to pupils for instruction and drill.

§4008. Possession of firearms by children. A child under the age of sixteen years shall not, without the consent of his parents or guardian, have in his possession or control a pistol or revolver constructed or designed for the use of gunpowder or other explosive substance with leaden ball or shot. A child who violates a provision of this section shall be deemed a delinquent child under the provisions of chapter 11 of Title 33.

§4010. Gun silencers. A person who manufactures, sells or uses or possesses with intent to sell or use, an appliance known as or used for a gun silencer shall be fined $25.00 for each offense. The provisions of this section shall not prevent the use or possession of gun silencers for military purposes when so used or possessed under proper military authority and restriction.

§4013. Zip guns; * * *. A person who possesses, sells or offers for sale a weapon commonly known as a "zip" gun, * * * shall be imprisoned not more than ninety days or fined not more than $100.00.

§4014. Purchase of firearms in contiguous states. Residents of the state of Vermont may purchase rifles and shotguns in a state contiguous to the state of Vermont provided that such residents conform to the applicable provisions of the Gun Control Act of 1968, and regulations thereunder, as administered by the United States Secretary of the Treasury, and provided further that such residents conform to the provisions of law applicable to such purchase in the state of Vermont and in the contiguous state in which the purchase is made.

Virginia

State Law

Code of Va.

Title 15

15.1-522. Pistols and revolvers; license tax on dealers. The governing body of any county may impose a license tax of not more than twenty-five dollars on persons engaged in the business of selling pistols and revolvers to the public.

15.1-525. Same; in certain counties. Chapter 297 of the Acts of 1944, approved March twenty-nine, nineteen hundred forty-four, requiring permits to sell or purchase pistols or revolvers in any county having a density of population of more than one thousand a square mile, is continued in effect.

18.1-344. Furnishing certain weapons to minors. If any person sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, * * *, having good cause to believe him to be a minor under eighteen years of age, * * * such person shall be guilty of a misdemeanor.

18.2-294. Manufacturer's and dealer's register; inspection of stock. Every manufacturer or dealer shall keep a register of all machine guns manufactured or handled by him. This register shall show the model and serial number, date of manufacture, sale, loan, gift, delivery or receipt of every machine gun, the name, address, and occupation of the person to whom the machine gun was sold, loaned, given or delivered, or from whom it was received. Upon demand every manufacturer or dealer shall permit any marshal, sheriff or police officer to inspect his entire stock of machine guns, parts, and supplies therefor, and shall produce the register, herein required, for inspection. A violation of any provisions of this section shall be punishable as a Class 3 misdemeanor.

§18.2-295. Registration of machine guns. Every machine gun in this State shall be registered with the Department of State Police within twenty-four hours after its acquisition. Thereafter it shall be registered annually. Blanks for registration shall be prepared by the Superintendent of State Police, and furnished upon application. To comply with this section the application as filed shall be notarized and shall show the model and serial number of the gun, the name, address and occupation of the person in possession, and from whom and the purpose for which, the gun was acquired. The Superintendent of State Police shall immediately upon registration required in this section furnish the registrant with a certificate of registration, which shall be kept by the registrant and produced by him upon demand by any peace officer. Failure to keep or produce such certificate for inspection shall be a Class 3 misdemeanor, and any peace officer, may without warrant, seize the machine gun and apply for its confiscation as provided in §18.2-296. No registered machine gun shall be transferred without the registrant notifying in writing the Superintendent of State Police the name and address of the transferee. The registration data shall not be subject to inspection by the public. Any person failing to register any gun as required by this section, shall be presumed to possess the same for offensive or aggressive purpose.

§18.2-296. Search warrants for machine guns. Warrant to search any house or place and seize any machine gun possessed in violation of this article may issue in the same manner and under the same restrictions as provided by law for stolen property, and any court of record, upon application of the attorney for the Commonwealth, a police officer or conservator of the peace, may order any machine gun, thus or otherwise legally seized, to be confiscated and either destroyed or delivered to a peace officer of the State or a political subdivision thereof.

§18.2-297. How article construed. This article shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

§18.2-298. Short title of article. This article may be cited as the "Uniform Machine Gun Act."
Article 5.
Uniform Machine Gun Act.

§18.2-288. Definitions. When used in this article:
(1) "Machine gun" applies to any weapon which shoots or is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger.
(2) "Crime of violence" applies to and includes any of the following crimes or an attempt to commit any of the same, namely, murder, manslaughter, kidnapping, rape, mayhem, assault with intent to maim, disable, disfigure or kill, robbery, burglary, housebreaking, breaking and entering and larceny.
(3) "Person" applies to and includes firm, partnership, association or corporation.

§18.2-289. Use of machine gun for crime of violence. Possession or use of a machine gun in the perpetration or attempted perpetration of a crime of violence is hereby declared to be a Class 2 felony.

§18.2-290. Use of machine gun for aggressive purpose. Unlawful possession or use of a machine gun for an offensive or aggressive purpose is hereby declared to be a Class 4 felony.

§18.2-291. What constitutes aggressive purpose. Possession or use of a machine gun shall be presumed to be for an offensive or aggressive purpose:
(1) When the machine gun is on premises not owned or rented for bona fide permanent residence or business occupancy by the person in whose possession the machine gun may be found;
(2) When the machine gun is in the possession of, or used by, a person who has been convicted of a crime of violence in any court of record, state or federal, of the United States of America, its territories or insular possessions;
(3) When the machine gun has not been registered as required in §18.2-295;
(4) When empty or loaded shells which have been or are susceptible of use in the machine gun are found in the immediate vicinity thereof.

§18.2-292. Presence prima facie evidence of use. The presence of a machine gun in any room, boat or vehicle shall be prima facie evidence of the possession or use of the machine gun by each person occupying the room, boat, or vehicle where the weapon is found.

§18.2-293. What article does not apply to. The provisions of this article shall not be applicable to:
(1) The manufacture for, and sale of, machine guns to the armed forces or law-enforcement officers of the United States or of any state or of any political subdivision thereof, or the transportation required for that purpose; and
(2) Machine guns and automatic arms issued to the national guard of Virginia by the United States or such arms used by the United States army or navy or in the hands of troops of the national guards of other states or territories of the United States passing through Virginia, or such arms as may be provided for the officers of the State Police or officers of penal institutions.

§18.2-293.1. What article does not prohibit. Nothing contained in this article shall prohibit or interfere with:
(1) The possession of a machine gun for scientific purposes, or the possession of a machine gun not usable as a weapon and possessed as a curiosity, ornament, or keepsake; and
(2) The possession of a machine gun for a purpose manifestly not aggressive or offensive.
Provided, however, that possession of such machine guns shall be subject to the provisions of §18.2-295.

Article 6.

§18.2-299. Definitions. When used in this article:
(1) "Sawed-off shotgun" applies to any weapon, loaded or unloaded, originally designed as a shoulder weapon, utilizing a self-contained cartridge from which a number of ball shot pellets or projectiles may be fired simultaneously from a smooth or rifled bore by a single function of the firing device and which has a barrel length of less than eighteen inches for smooth bore weapons and sixteen inches for rifled weapons. Weapons of less than .22 caliber shall not be included.
(2) "Crime of violence" applies to and includes any of the following crimes or an attempt to commit any of the same, namely, murder, manslaughter, kidnapping, rape, mayhem, assault with intent to maim, disable, disfigure or kill, robbery, burglary, housebreaking, breaking and entering and larceny.
(3) "Person" applies to and includes firm, partnership, association or corporation.

§18.2-300. Possession or use of "sawed-off" shotgun for crime of violence. Possession or use of a "sawed-off" shotgun in the perpetration or attempted perpetration of a crime of violence is hereby declared to be a Class 2 felony.

§18.2-301. Possession or use of "sawed-off" shotgun for offensive or aggressive purpose. Unlawful possession or use of a "sawed-off" shotgun for an offensive or aggressive purpose is hereby declared to be a Class 4 felony.

§18.2-302. What constitutes offensive or aggressive purpose. Possession or use of a "sawed-off" shotgun shall be presumed to be for an offensive or aggressive purpose:
(1) When the "sawed-off" shotgun is found in the possession of an individual at the scene of a riot or civil disturbance, unless such possession is on premises owned or rented by the individual for residential, recreational or business purposes and obviously for defense of his person, family or property during such riot or civil disturbance;
(2) When the "sawed-off" shotgun is in the possession of, or used by, a person who has been convicted of a crime of violence in any court of record, state or federal, of the United States of America, its territories or insular possessions;
(3) When the "sawed-off" shotgun is of the kind described in §18.2-299 and has not been registered as required in §18.2-305; or
(4) When the "sawed-off" shotgun is found in the possession of an individual under circumstances indicating his preparation to participate in a riot or civil disturbance or his preparation for the commission of a crime of violence.

§18.2-303. What article does not apply to. The provisions of this article shall not be applicable to:
(1) The manufacture for, and sale of, "sawed-off" shotguns to the armed forces or law-enforcement officers of the United States or of any state or of any political subdivision thereof, or the transportation required for that purpose; and
(2) "Sawed-off" shotguns and automatic arms issued to the national guard of Virginia by the United States or such arms used by the United States army or navy or in the hands of troops of the national guards of other states or territories of the United States passing through Virginia, or such arms as may be provided for the officers of the State Police or officers of penal institutions.

§18.2-303.1. What article does not prohibit. Nothing contained in this article shall prohibit or interfere with the possession of a "sawed-off" shotgun for scientific purposes, or the possession of a "sawed-off" shotgun not usable as a firing weapon and possessed as a curiosity, ornament, or keepsake. Provided, however, that possession of such "sawed-off" shotguns shall be subject to the provisions of §18.2-295.

§18.2-304. Manufacturer's and dealer's register; inspection of stock. Every manufacturer or dealer shall keep a register of all "sawed-off" shotguns manufactured or handled by him. This register shall show the model and serial number, date of manufacture, sale, loan, gift, delivery or receipt of every "sawed-off" shotgun, the name, address, and occupation of the person to whom the "sawed-off" shotgun was sold, loaned, given or delivered, or from whom it was received. Upon demand every manufacturer or dealer shall permit any marshal, sheriff or police officer to inspect his entire stock of "sawed-off" shotguns, and "sawed-off" shotgun barrels, and shall produce the register, herein required, for inspection. A violation of any provision of this section shall be punishable as a Class 3 misdemeanor.

§18.2-305. Registration of "sawed-off" shotguns. Every "sawed-off" shotgun in this State shall be registered with the Department.
NOTICES

of State Police within twenty-four hours after its acquisition. Thereafter it shall be registered annually. Blank for registration shall be prepared by the Superintendent of State Police, and furnished upon application. To comply with this section the application as filed shall be notarized and shall show the model and serial number of the gun, the name, address and occupation of the person in possession, and from whom and the purpose for which the gun was acquired. The Superintendent of State Police shall immediately upon registration required in this section furnish the registrant with a certificate of registration, which shall be kept by the registrant and produced by him upon demand by any peace officer. Failure to keep or produce such certificate for inspection shall be a Class 3 misdemeanor, and any peace officer may, without warrant, seize the "sawed-off" shotgun and apply for its confiscation as provided in §18.2-306. No registered "sawed-off" shotgun shall be transferred without the registrant notifying in writing the Superintendent of State Police of the name and address of the transferee. The registration data shall not be subject to inspection by the public. Any person failing to register any gun as required by this section shall be presumed to possess the same for offensive or aggressive purpose.

§18.2-306. Search warrants for "sawed-off" shotguns; confiscation and destruction. Warrant to search any house or place and seize any "sawed-off" shotgun possessed in violation of this article may issue in the same manner and under the same restrictions as provided by law for stolen property, and any court of record, upon application of the attorney for the Commonwealth, a police officer or conservator of the peace, may order any "sawed-off" shotgun thus or otherwise legally seized, to be confiscated and destroyed or delivered to a peace officer of the State or a political subdivision thereof.

§18.2-307. Short title of article. This article may be cited as the "Sawed-Off Shotgun Act."

§58-394. Pistol dealers. Every person, firm or corporation engaged in the business of selling pistols at retail shall pay for such privilege a special license tax of five dollars per annum. Every license issued under this section shall expire on the thirty-first day of December of each year. No license issued under this section shall be prorated.

§59.1-148.1. Purchase of firearms in contiguous state. Any resident of the Commonwealth of Virginia, including a corporation or any other business entity maintaining a place of business in this State, who may lawfully purchase and receive delivery of a rifle or shotgun in this State, may purchase a rifle or shotgun in a contiguous state and transport or receive the same into the Commonwealth of Virginia provided the sale meets the lawful requirements of each such state, meets all lawful requirements of any federal statute, and is made by a licensed importer, licensed manufacturer, licensed dealer, or licensed collector.

Abingdon

Sec. 29-6. Selling pistols, etc., to minors under eighteen years of age. No person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, having good cause to believe him to be a minor under eighteen years of age. Any person violating the foregoing provisions of this section shall, upon conviction, be fined not less than two dollars and fifty cents nor more than one hundred dollars.

Alexandria

Ordinance No. 491

Sec. 31A.-Same—Pistols and revolvers; permits to dealers, etc. Every person, firm or corporation engaged in the business of selling or dealing in pistols and/or revolvers in the City of Alexandria at retail shall before making any such sale or other disposition apply for and receive from the Chief of Police of Alexandria a permit to deal in such weapons.

Every person desiring to purchase or otherwise acquire in the City of Alexandria pistol or revolver shall sign in duplicate and deliver to the seller or person disposing thereof a statement.

No person shall within the City of Alexandria deliver or otherwise dispose of a pistol or revolver until seventy-two hours shall have elapsed from the time of the application aforesaid. No person shall within the city sell or otherwise dispose of a pistol or revolver to a person whom he has reasonable cause to believe is not a fit and proper person to possess the same, is not of sound mind, is under the age of eighteen years, is a drug addict, or is a person who has been convicted of a crime of violence in the State of Virginia or elsewhere.

In addition to the record of purchases required of dealers by this section, and in addition to the written application required by all persons delivering or otherwise disposing of pistols or revolvers to be received, every person so delivering or disposing of such weapons shall make in duplicate a true record of every such weapon sold or otherwise disposed of, which record shall be personally signed by the purchaser or person receiving the weapon and also by the person making the sale or disposition in the presence of each other.

Appomattox

17-4. Sale, etc., of guns, to minors under age of eighteen years. If any person sells, barters, gives or furnishes, or causes to be sold, bartered, given or furnished to any minor under eighteen years of age a gun, rifle, air rifle, pistol, cartridge, having good cause to believe him to be a minor under eighteen years of age, such person shall be guilty of a misdemeanor.

Arlington County

Chapter 297

1. In any county having a density of population of more than one thousand a square mile, as shown by the last preceding United States census, any person, firm or corporation engaged in the business of selling pistols or revolvers at retail shall, before making any such sale, register as such a dealer with the chief of police of the county and obtain from him a permit to sell such weapons to persons entitled to buy them, which permit he shall issue upon his being satisfied with the fitness of the dealer to engage in such business. Such permits shall be issued for a period of one year.

Any person desiring to buy at retail or otherwise acquire a pistol or revolver shall first apply to the chief of police, hereinafter called the Chief, for a permit so to do, and shall at the same time give to the Chief such information as he requires concerning his fitness to own and possess such weapon. The Chief may grant such permit, or refuse same or defer the application until he has made an independent investigation of the applicant; provided no permit shall be granted to any person under the age of eighteen years, nor until the Chief is satisfied that the applicant is a proper person to own and have the weapon in his possession.

No dealer holding a permit issued hereunder shall sell, give, barter, exchange or furnish a pistol or revolver to any person unless he delivers to the dealer the permit of the Chief as required in this act. Upon the delivery of any such weapon to any person by the dealer, he shall endorse on the permit the date of delivery, the name and address of the person to whom delivered, the number, and the make and caliber of the pistol or revolver, and shall return the permit to the Chief not later than the day following that on which the weapon was sold or furnished.

The Chief shall make and preserve in his office a record of all permits issued by him hereunder, showing thereon the dates when and the persons to whom issued. Any person violating any provision of this act shall be guilty of a misdemeanor.

NOTE: Arlington County, Virginia comes within the purview of the aforementioned act.

11-47. Pistol dealers. Every person selling pistols in the county shall pay for the privilege an annual license tax of twenty-five dollars, which-tax shall not be prorated. Before issuing any license under the provisions of this
section the Commissioner of the Revenue shall obtain from the applicant evidence that he has obtained a permit from the Chief of Police in accordance with Acts of Assembly 1944, Chapter 297.

Bedford

Sec. 14-72. (Weapons)—Furnishing pistols, * * * to minors under eighteen years of age. If any person sells, barter, gives or furnishes, or causes to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, * * * having good cause to believe him to be a minor under eighteen years of age, such person shall, upon conviction, be fined not less than two dollars and fifty cents nor more than one hundred dollars.

Sec. 14-73. Same—Sale, etc., of toy firearms. No person shall sell, barter, exchange, furnish, or dispose of by purchase, gift or in any other manner any toy gun, pistol, rifle or other toy firearm, if the same shall, by means of powder or other explosive, discharge blank or ball charges. * * *

Big Stone Gap

10-53. Selling or giving toy firearms. No person shall sell, barter, exchange, furnish, or dispose of by purchase, gift or in any other manner any toy gun, pistol, rifle or other toy firearm, if the same shall, by means of powder or other explosive, discharge blank or ball charges. * * *

Nothing in this section shall be construed as preventing the sale of what are commonly known as cap pistols.

10-56. Furnishing certain weapons to minors. If any person sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor a pistol, * * * having good cause to believe him to be a minor, such person shall be guilty of a class 4 misdemeanor.

Bridgewater

4-37. Prohibiting sales to minors. It shall be unlawful for any person to sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age, any pistol * * * tear gas pen, or gun or other weapon of like kind, having good cause to believe him or her to be a minor under eighteen years of age.

Bristol

9-8. Definition. "Small arms ammunition," wherever used in this division, shall be taken to mean any shotgun, rifle, pistol or revolver cartridges.

9-9. Permit for manufacture, etc. No person shall manufacture or reloadd within the city any small arms ammunition, except pursuant to a permit issued by the bureau of fire prevention. Upon due application therefor, the bureau of fire prevention may issue a permit to a properly qualified person for manufacturing or reloading small arms ammunition in the city. Such permit shall impose such restrictions as in the opinion of the chief of the bureau of fire prevention may be necessary properly to safeguard life and property in each case.

9-10. Permit for sale, etc. No person shall store for sale, or sell or offer for sale any small arms ammunition, except pursuant to a permit issued by the bureau of fire prevention. Upon due application therefor, the bureau of fire prevention may issue a permit to a properly qualified person for storing for sale, selling or offering for sale small arms ammunition in the city. Such permit shall impose such restrictions as in the opinion of the chief of the bureau of fire prevention may be necessary properly to safeguard life and property in each case.

Brunswick County

Sellers to obtain identity of purchaser; * * * In obtaining the name and address of the purchaser, * * * if the purchaser be not personally known to the seller, the seller shall use such means and methods to secure the correct name and address as are generally employed in Brunswick County to obtain the correct identity of a person tendering a check for payment * * *

Purchasers to notify sheriff of intention to purchase pistols and revolvers. Any person intending to purchase a pistol or revolver shall first notify the Sheriff of Brunswick County of his intention so to do at least thirty (30) days before said purchase and shall state the type and calibre or calibres of said weapon or weapons and the name of the intended seller and purchaser. Whereupon, the Sheriff shall execute a writing, signed by him, showing thereon said information and shall deliver a copy thereof to the intended purchaser to exhibit to the seller.

Charlotteville

16A-50. Dealers in firearms *** No person, firm or corporation shall sell firearms, dirks or Bowie knives without having first procured a license therefor. * * *

19-85. Firearms—Sales, etc., to minors. No person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished, to any minor under eighteen years of age, firearms, cartridges, * * * having good cause to believe such minor to be under eighteen years of age.

The term “firearms,” as used in this section, shall be construed to include any gun, rifle or pistol adapted to the use in any form of powder or shot (or balls) or cartridges, whether such firearms be called “toy pistols,” “toy guns,” or otherwise.

Chase City

Sec. 13-20. Minors generally—Furnishing certain weapons *** to minors. If any person sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, * * *, having good cause to believe him to be a minor under eighteen years of age, such person shall be guilty of a misdemeanor and be fined not less than two dollars and fifty cents nor more than one hundred dollars.

Chesapeake

Sec. 12-169. Pistol dealers—License required; tax. Any person engaged in the business of selling pistols and revolvers to the public shall obtain an annual county pistol dealer’s license * * *

Sec. 15-156. Selling or giving toy firearms. No person shall sell, lease, rent, give or otherwise furnish within the city any pistol, * * * or any weapon of like kind, unless and until a permit, granted by the chief of police, shall be presented authorizing the holder of such permit to acquire such weapon, which permit shall be surrendered to the person furnishing such weapon, who shall preserve it for inspection, upon request, by the police of the city.

Chesterfield

Sec. 12-169. Pistol dealers—License required; tax. Any person engaged in the business of selling pistols and revolvers to the public shall obtain an annual county pistol dealer’s license * * *

Sec. 15-162. Furnishing certain weapons to minors. If any person sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor a pistol, * * *, having good cause to believe him to be a minor, such
person shall be guilty of a misdemeanor punishable by a fine of not more than one hundred dollars.

Clifton Forge

13-44. It shall be unlawful for any person to sell, barter, give or furnish, or cause to be sold, bartered, given, or furnished to any minor under eighteen (18) years of age, a pistol, having good cause to believe him to be a minor under eighteen (18) years of age.

Colonial Heights

Sec. 15-53. Sales, etc., to persons under age eighteen. If any person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age, firearms, cartridges, having good cause to believe him to be a minor under eighteen years of age, he shall be fined not less than two dollars nor more than one hundred dollars.

Emporia

Sec. 14-75.—Pistol permit required prior to purchase. It shall be unlawful for any person to purchase a pistol of any calibre or description within the city unless such person shall have obtained a written permit from the chief of police of the city authorizing such purchase.

Sec. 14-76.—Exhibiting pistol permit to seller. It shall be unlawful for any person to sell a pistol of any calibre or description within the city to any person unless such purchaser shall first exhibit to the person selling the pistol, a written permit, executed by the chief of police of the city, authorizing the sale and purchase of a pistol within the city.

Fairfax City

1966-2B. (A) Definitions. The following terms, whenever used in this article shall have the meanings respectively set forth in this section, unless a different meaning is clearly required by the context:

"Applicant." Any person, firm, or corporation applying to the Chief of Police for certificate of registration to sell firearms or for authority to purchase a pistol.

"Chief of Police." The Chief of the City of Fairfax Police Department or his designated agent.

"Crime of Violence." Any of the following crimes or an attempt to commit any of the same, to-wit: Murder, voluntary manslaughter, rape, robbery, burglary, kidnapping, mayhem, and assault.

"Fixed Ammunition." Any ammunition composed of a projectile or projectiles, a casing and a primer, all of which shall be contained as one unit.

"Habitual Drunkard." Any person who has been convicted of being drunk in public three or more times within a period of one year.

"Licenced Dealer." Any person, firm or corporation engaged in the business of selling at retail or renting pistols in the City of Fairfax, who is either licensed, or required to be licensed, as such under State or Federal Law.

"Person." As used in this Ordinance includes individual, firm, association, or corporation.

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Elkton

33-2. Sale of certain weapons to minors under age of eighteen years. It shall be unlawful for any person to sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age any pistol, tear gas, pen or gun, or other weapon of like kind, having good cause to believe him to be a minor under eighteen years of age.

(C) Dealers not to sell, etc., without registration. (1) It shall be unlawful for any person, firm or corporation to engage in the business of selling at retail or renting pistols without having in force a registration approved by the Chief of Police as hereinafter provided.

(E) Dealers not to sell, etc., to minors and other persons. (1) No licensed dealer, or other person, shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under 21 years of age, a pistol, having good cause to believe him to be a minor under 21 years of age nor shall any licensed dealer or other person sell, lend, rent, or otherwise transfer any pistol to any person whom he has reasonable cause to believe has been convicted of a crime of violence or a felony within the past 10 years, or is a drug addict, or is an habitual drunkard or is a fugitive from justice or is of unsound mind, nor to any person who has validly been denied the right to purchase, borrow, rent, or otherwise acquire a pistol by the Chief of Police under the provisions of this article.

(F) Acquisition of pistols from dealers or other persons. (1) Any person desiring to purchase, borrow, rent or otherwise acquire a pistol from a licensed dealer or other person shall make application in writing on forms furnished by the Chief of Police * * *.

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(G) Approval of application. (1) No licensed dealer or other person shall sell, rent, or transfer, any pistol to any purchaser who does not exhibit an application approved by the Chief of Police.

(H) Waiting period for sale of pistols. (1) Except as hereinafter provided the Chief of Police shall approve the application of a purchaser of a pistol within 72 hours of the delivery of the same to the Chief of Police, excluding Saturdays, Sundays, and Holidays, unless he shall find one or more of the enumerated statements on the application to be untrue.

(C) Notices of rejection. (1) If, within the prescribed period, the Chief of Police shall inform in writing the licensed dealer or other person who proposes to sell the pistol that the
application was rejected *** it shall be unlawful for the dealer to deliver the pistol to the applicant.

(2) A copy of the letter of denial of the Chief of Police shall be furnished the applicant by the licensed dealer.

(K) Exemptions. (1) This article shall not apply to: (a) purchases by any licensed dealer registered in accordance with the provisions of this article; (b) rental of pistols by persons eighteen years of age or over while used upon a supervised rifle or pistol range; (c) the delivery of a pistol to its lawful owner by any person with whom such pistol has been left on consignment for safekeeping or for repairs; (d) a wholesale purchase from a licensed dealer by any person, firm or corporation engaged in the business of manufacturing, repairing, or selling pistols at retail.

Fairfax County

Sec. 28-1. Definitions. When used in this article, the following words shall have the following meanings, unless the context clearly requires a different meaning:

Firearm. Any weapon which will, or is designed to, or may be readily converted to, expel a projectile or projectiles by the action of an explosive; provided, that stud nailing guns, rivet guns and similar construction equipment neither designed nor intended as weapons, shall not be deemed firearms.

Gun. Includes rifles, shotguns, pistols or other firearms, and also includes any air gun, air rifle or other similar device designed and intended to expel a projectile through a gun barrel of any length by means of explosive, expansion or release of compressed gas or compressed air.

Pistol. A gun having a barrel of less than sixteen inches in length.

Sec. 28-4. Transfer, etc., of guns to minors prohibited; exceptions. It shall be unlawful for any person to give, sell, rent, lend or otherwise transfer any gun as defined by section 28-1, or any projectile therefor within the county to a minor under the age of eighteen years, except where the relationship of parent and child, guardian and ward or adult instructor and pupil exists between such person and the minor.

Sec. 28-16. Definitions. The following terms, whenever used in this article, shall have the meanings respectively set forth in this section unless a different meaning is clearly required by the context:

Chief of police. The chief of the county police department or his designated agent.

Crime of violence. Any of the following crimes or an attempt to commit any of the same: Murder, voluntary manslaughter, rape, robbery, burglary, kidnapping and assault.

Habitual drunkard. Any person who has been convicted of being drunk in public three or more times within a period of one year.

Fixed ammunition. Any ammunition composed of a projectile or projectiles, a casing and a primer, all of which shall be contained as one unit.

Sec. 28-17. Registration of dealers—Required; application; *** Any person, before engaging in the business of selling at retail or renting pistols in the county who is either licensed or required to be licensed as such under state or federal law.

Pistol. Any firearm with a barrel less than sixteen inches in length that uses fixed ammunition.

Sec. 28-21. Application for acquisition of pistol. Any person desiring to purchase, borrow, rent or otherwise acquire a pistol by the chief of police under the provisions of this article.

Sec. 28-21. Application for acquisition of pistol. Any person desiring to purchase, borrow, rent or otherwise acquire a pistol by the chief of police, which shall be signed in duplicate by such person [contact local authorities for required contents] ***

Sec. 28-22. Waiting period prior to delivery of pistol to purchaser—Required. No licensed dealer shall deliver any pistol to the purchaser thereof until seventy-two hours, excluding Saturdays, Sundays and holidays, have elapsed from the time the application has been received by the chief of police. The chief of police shall cause a postal card to be mailed to the dealer on the same day the application is received in his office stating the time and date the application was received.

Sec. 28-23. Same—Grounds for prohibiting delivery; notice to dealer of prohibition. If, within the seventy-two hour period, the chief of police shall inform, in writing, which shall not be privileged, the licensed dealer who proposes to sell the pistol that the applicant to purchase such pistol is (1) under the age of eighteen years, (2) a person who has been committed to an institution for treatment of mental illness or drug addiction and has not been discharged therefrom for a period of three years preceding the date of such application, (3) has been convicted of a crime of violence or (4) is an habitual drunkard, it shall be unlawful for the dealer to deliver the pistol to the applicant.

Falls Church

Sec. 40-1. Definitions. For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Crime of violence. Any of the following crimes, or any attempt to commit any of the same: Murder, manslaughter; rape; mayhem; maliciously disfiguring another; abduction; kidnapping; burglary; house-breaking; larceny; any assault with intent to kill, commit rape or robbery; assault with a dangerous weapon; or assault with intent to commit any offense punishable by imprisonment in the penitentiary.

Machine gun. Any weapon which shoots, or is designed to shoot, automatically or semi-automatically, more than one shot, without manually reloading, by a single function of the trigger, but not a shotgun or twenty-two caliber rifle.

Pistols. Any firearm with a barrel less than twelve inches in length.

Sec. 28-18. Same—Engaging in business while unregistered prohibited; display of registration certificate. It shall be unlawful for any person to engage in the business of selling at retail or renting pistols without having in force a registration certificate endorsed by the chief of police as hereinafter provided.

Sec. 28-20. Sale of pistols to minors, drug addicts, habitual drunkards, etc., prohibited. No licensed dealer shall sell, barter, give or furnish or cause to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, having good cause to believe him to be a minor under eighteen years of age, nor shall any licensed dealer sell, lend, rent or otherwise transfer any pistol to any person whom such dealer has reasonable cause to believe has been convicted of a crime of violence or is a drug addict or is an habitual drunkard or is a fugitive from justice or is of unsound mind nor to any person who has validly been denied the right to purchase, borrow, rent or otherwise acquire a pistol by the chief of police under the provisions of this article.

Sec. 40-3. Unlawful possession of pistol. (a) No person shall own or keep a pistol, or have a pistol in his possession or under his control, within the city if:

(1) He is a drug addict.

(2) He has been convicted in the city or elsewhere of a felony.

(3) He has been convicted of soliciting for prostitution, vagrancy or keeping a bawdy or disorderly house.

(4) He is not licensed under section 40-10 to sell weapons, and he has been convicted of violating section 40-2.

(5) He is a habitual drunkard.

(b) No person shall keep a pistol for, or intentionally make a pistol available to, such a person, knowing that he has been so convicted or that he is a drug addict or a habitual drunkard. Whoever violates this section shall be punished as provided in this Code, unless the violation occurs after he has been convicted of a violation of this section, in which case he shall be confined for not more than one year in jail.
Sec. 40-7. Sales of pistols to certain persons prohibited. No person shall within the city sell any pistol to a person who has reasonable cause to believe is not of sound mind or is forbidden by section 40-3 to possess a pistol or is under the age of twenty-one years, and (b) unless the purchaser is personally known to the seller or shall present clear evidence of his identity. No machine gun, sawed-off shotgun, or blackjack shall be sold to any person other than the person designated in section 40-14 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 city.

Sec. 40-8. Transfers of firearms regulated. No seller shall within the city deliver a pistol to the purchaser thereof until seventy-two hours shall have elapsed from the time of the application for the purchase thereof, except that the chief of police, in his discretion, may authorize in writing the seller to deliver a pistol to the purchaser during the seventy-two hours period, and, when delivered, the pistol shall be securely wrapped and shall be unloaded. ** The seller shall, within six hours after such application, or not later than 10:00 A.M. on the succeeding day, sign and attach his address and deliver one copy to such person as the chief of police of the city may designate, and shall retain the other copy for six years. The chief of police or his designate shall, upon receipt of an application to purchase a pistol, make such investigation of the applicant and file an information report with the seller stating whether or not the applicant is, in his opinion, prohibited by section 40-3 or 40-7 from purchasing a pistol. No machine gun, sawed-off shotgun or blackjack shall be sold to any person other than the persons designated in section 40-14 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 city. This section shall not apply to sales at wholesale to licensed dealers.

Sec. 40-9. Weapon dealer's license—Required. No retail dealer shall, within the city, sell or expose for sale or have in his possession with intent to sell, any pistol, machine gun, sawed-off shotgun or blackjack without being licensed as provided in section 40-10. No wholesale dealer shall, within the city, sell, or have in his possession with intent to sell, to any person other than a licensed dealer, any pistol, machine gun, sawed-off shotgun, or blackjack.

Sec. 40-10. Same—Issuance; conditions; records. The city council may, in its discretion, grant licenses and may prescribe the form thereof, effective for not more than one year from date of issue, permitting the licensee to sell pistols, machine guns, sawed-off shotguns and blackjacks at retail within the city subject to the following conditions, in addition to those specified in section 40-9 for breach of any of which the license shall be subject to forfeiture and the licensee subject to the punishment as provided in this Code:

(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 section 40-3 to possess a pistol or is under the age of twenty-one years, and (b) unless the purchaser is personally known to the seller or shall present clear evidence of his identity. No machine gun, sawed-off shotgun, or blackjack shall be sold to any person other than the person designated in section 40-14 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 city.

(4) A true record shall be made in a book kept for the purpose [contact local authorities for required contents] **

(5) A true record in duplicate shall be made of every pistol, machine gun, sawed-off shotgun and blackjack sold, such record to be made in a book kept for the purpose [contact local authorities for required contents] **

Sec. 40-11. False information forbidden in sale of weapons. No person shall, in purchasing a pistol or in applying for a license to carry same, or in purchasing a machine gun, sawed-off shotgun or blackjack within the city, give false information or offer false evidence of his identity.

Sec. 40-14. Possession of certain dangerous weapons prohibited. (a) No person shall, within the city, possess any machine gun, sawed-off shotgun ** 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 firearm; provided, that machine guns or sawed-off shotguns, and blackjacks may be possessed by the members of the Army, Navy 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, wholesale dealers and retail dealers licensed under section 40-10.

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Sec. 18-50. Same—Sale to minors. It shall be unlawful for any person to sell, barter, give, furnish or cause to be sold, bartered, given or furnished to any minor less than one year of age a pistol ** having good cause to believe him to be a minor under eighteen years of age.

Franklin

Sec. 31-7. Selling pistols, etc., to minors under eighteen years of age. If any person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, ** having good cause to believe him to be a minor under eighteen years of age, such person shall be guilty of a misdemeanor **.

Fredericksburg

Sec. 17.1-25. Furnishing certain weapons ** to minors. If any person sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, ** having good cause to believe him to be a minor under sixteen years of age such person shall be guilty of a misdemeanor and be fined not less than two dollars and fifty cents nor more than one hundred dollars.

Front Royal

Sec. 32-2. Furnishing pistols, **?, to minors under eighteen years of age. If any person sells, bars, gives or furnishes, or causes to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, ** having good cause to believe him to be a minor under eighteen years of age, such person shall be guilty of a misdemeanor and fined not less than two dollars and fifty cents nor more than one hundred dollars.

Galax

Sec. 11-93. Same—Sales, etc., to persons under age eighteen. If any person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age, firearms, cartridges, ** having good cause to believe such minor to be under eighteen years of age, he shall be fined not less than two dollars nor more than one hundred dollars.

The term "firearms," as used in this section, shall be construed to include any gun,
where the relationship of parent and child, guardian and ward or adult instructor and pupil exists between such person and the minor.

Gun Dealers Generally

Sec. 27-8. Permit—Required. It shall be unlawful for any dealer, except a dealer holding a permit under this article, to sell, lend or otherwise transfer any gun or projectile therefor. It shall be unlawful for any dealer to rent any gun or projectile therefor to another person.

Pistols

Sec. 27-13. Registration of dealers—Required; application. (a) Any person, before engaging in the business of selling at retail or renting pistols within the town to a minor, except otherwise transfer any gun or projectile therefor within the town to a minor, except

Hampton

41-4. Sale of certain weapons to minors under age of eighteen years. If any person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished, to any minor under eighteen years of age, a pistol, *** having good cause to believe him to be under eighteen years of age, such person shall be guilty of a misdemeanor ***.

Harrisonburg

19-53. Same—Furnishing to persons under eighteen years of age. It shall be unlawful for any person to sell, barter, give or furnish or cause to be sold, bartered, given or furnished, to any minor under eighteen years of age any pistol, *** having good cause to believe him to be under eighteen years of age.

Henrico County

Ordinance 80

Section 3. Permits (a) Every person desiring a license *** to sell or offer to sell at retail, pistols or revolvers, or to buy at retail or otherwise acquire a pistol or revolver, shall first apply to the Chief of Police for a permit ***. ***

Herndon

Sec. 27-4. Transfer, etc., of guns to minors prohibited; exceptions. It shall be unlawful for any dealer to give, sell, rent, lend or otherwise transfer any gun or any projectile therefor within the town to a minor, except

Jarratt

Sec. 27-19. Application for acquisition of pistol. Any person desiring to purchase, borrow, rent or otherwise acquire a pistol from a dealer shall make application on forms provided by the town sergeant, [contact local authorities for required contents] ***. Within eight hours after receipt of such application, the dealer who proposes to sell a pistol shall sign and attach his address and mail or deliver one copy of such statement to the town sergeant. A duplicate of the application shall be retained by the dealer for six years.

Sec. 27-20. Waiting period prior to delivery of pistol to purchaser—Required. No dealer shall deliver any pistol to the purchaser thereof until seventy-two hours, excluding Saturdays, Sundays and holidays, shall have elapsed from the time the application has been received by the town sergeant. The town sergeant shall cause a postal card to be mailed to the dealer on the same day the application is received in his office stating the time and date the application was received.

Sec. 27-21. Same—Grounds for prohibiting delivery; notice to dealer of prohibition. If, within the seventy-two hour period, the town sergeant shall inform, in writing, which shall not be privileged, the dealer who proposes to sell the pistol that the applicant to purchase such pistol is [not eligible] *** it shall be unlawful for the dealer to deliver the pistol to the applicant. A copy of the letter of denial of the town sergeant shall be furnished the applicant by the dealer.

Hopewell

Sec. 41-3. Sale of certain weapons to minors under age of eighteen years. If any person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished, to any minor under eighteen years of age, a pistol, *** having good cause to believe him to be under eighteen years of age, such person shall be guilty of a misdemeanor and shall be fined not less than two dollars nor more than one hundred dollars.
Section II. (A) *** it shall be unlawful for any person, firm or organization to offer for sale any pistol of any calibre or description within the Town of Jarratt, Virginia, unless such person, firm or organization shall have obtained a written permit from the Chief of Police of the Town of Jarratt, Virginia, authorizing such person, firm or organization to sell such pistol.

(B) *** it shall be unlawful for any person, firm or organization to offer for sale any rifle of any calibre or description within the Town of Jarratt, Virginia, unless such person, firm or organization shall have obtained a written permit from the Chief of Police of the Town of Jarratt, Virginia, authorizing such person, firm or organization to sell such rifle.

Leesburg

24-7. Selling pistols, etc., to minors under eighteen years of age. If any person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol *** having good cause to believe him to be a minor under eighteen years of age, such person shall be guilty of a misdemeanor ***.

Lexington

Sec. 27-5. Sale, etc., of guns *** to minors under age of eighteen years. If any person sells, barter, gives or furnishes, or causes to be sold, bartered, given or furnished to any minor under eighteen years of age a gun, rifle, *** pistol, cartridge, *** having good cause to believe him to be a minor under eighteen years of age, such person shall be guilty of a misdemeanor.

Luray

28-5. Furnishing pistols, *** to minors under eighteen years of age. If any person sell, barter, give or furnish or cause to be sold, bartered, given or furnished, to any minor under eighteen years of age, a pistol *** having good cause to believe him to be a minor under eighteen years of age, such person shall be guilty of a misdemeanor ***.

Lynchburg

33-2. Selling, etc., dangerous weapons to minors. If any person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished, to any minor under eighteen years of age, any firearms, cartridges, *** having good cause to believe such minor to be under eighteen years of age, such person shall, upon conviction, be fined not less than ten dollars, nor more than one hundred dollars.

Manassas Park

30-4. Possession of pistols, etc., of homemade construction. It shall be unlawful for any person within the town to have in his possession, make or manufacture and sell or trade any pistol, gun or rifle of home-made construction; provided, that this shall in no way apply to pistols, guns and rifles or other like firearms that are manufactured by reputable persons that are engaged in such a manufacturing business.

Middletown

Sec. 16-5. No person shall sell, barter, give or furnish or cause to be sold, bartered, given or furnished, to any minor under eighteen years of age a pistol, *** having good cause to believe him to be a minor under eighteen years of age.

Narrows

45. *** it shall be unlawful for any child under 18 years of age to have in possession within the town of Narrows, any *** small caliber firearm, and that it shall be unlawful for the parent of any child under the age of 18 years to permit such child to possess any such *** small caliber firearm.

Newport News

Sec. 42-1. Sale of firearms and revolvers. It shall be unlawful for any person to sell to any individual under eighteen years of age any firearm of any type or any deadly weapon of whatever nature, or the ammunition thereof. It shall be unlawful for any person to sell to any individual under twenty-one years of age any firearm being a revolver, pistol or handgun, or firearm of similar nature, or the ammunition thereof.

For the purpose of this section, the word “firearm” shall be taken to mean any instrument used in the propulsion of shot, shell, bullet or pellet by the action of gunpowder exploded within it.

Sec. 42-22. Statement of purchases, etc.—Generally. It shall be unlawful for any dealer to sell or otherwise transfer any pistol without first having obtained a signed statement from the purchaser of such pistol or from the transferee thereof [contact local authorities for required statement] ***.

Norfolk

Sec. 51-5. Furnishing certain weapons to minors. If any person sell, barter, give or furnish; or cause to be sold, bartered, given or furnished to any minor a pistol, *** having good cause to believe him to be a minor, such person shall be guilty of a misdemeanor and be punished by a fine not exceeding one hundred dollars.

Sec. 51-7. Permit for purchase of certain weapons. No person shall sell, lease, rent, give or otherwise furnish within the city any pistol, *** unless and until a permit, granted by the judge of the corporation court in term time, shall be presented authorizing the holder of such permit to acquire such weapon, which permit shall surrender to the person furnishing such weapon ***

Petersburg

Sec. 48-11. Sale of certain weapons to minors under age of eighteen years. If any person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished, to any minor under eighteen years of age, a pistol, *** having good cause to believe him to be under eighteen years of age, such person shall be guilty of a misdemeanor and shall be fined not less than two dollars nor more than one hundred dollars.

Portsmouth

Sec. 21-35. Selling or giving toy firearms. No person shall sell, barter, exchange, furnish, or dispose of by purchase, gift or in any other manner any toy gun, pistol, rifle or other toy firearm, if the same shall, by means of powder or other explosive, discharge blank or ball charges. Any person violating the provisions of this section shall be guilty of a class 4 misdemeanor. Each sale of any of the articles hereinbefore specified to any person shall constitute a separate offense.

Sec. 21-39. Furnishing certain weapons to minors. If any person sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor a pistol, *** having good cause to believe him to be a minor, such person shall be guilty of a class 4 misdemeanor.

Sec. 21-42. Permit required to obtain weapon from dealer. Before any person purchases or otherwise acquires from a dealer any pistol, *** or any weapon of a like kind, he shall obtain a permit therefor from the chief of police.
IS pellet, ball, missile or projectile adapted for furnish, or cause to be sold, bartered, given or furnished to any minor a pistol, having good cause to believe him to be a minor, such person shall be guilty of a class 4 misdemeanor.

Section 53. Selling or giving toy firearms. No person shall sell, barter, exchange, furnish, or dispose of by purchase, gift or in any other manner any toy gun, pistol, rifle or other toy firearm, if the same shall, by means of powder or other explosive, discharge blank or ball charges. *

Prince Edward County

(1) No person within the County of Prince Edward shall purchase or otherwise procure as his own property, or for temporary use, any pistol, or any weapon of like kind, unless and until, such person shall procure from the Sheriff of Prince Edward County a permit, in writing, signed by the Sheriff, granting such person permission to make such purchase or procure such weapon, and such permit shall be delivered to and kept on file by the person from whom such purchase is made and from whom such weapon is procured and shall be open to inspection to any police officer. No person shall sell, give or deliver to any person within the County of Prince Edward any pistol, or any other weapon of like kind, unless the person to whom such weapon is sold, given or delivered shall thereupon deliver to the person whom shall sell, give or deliver such weapon a permit as is referred to above.

Richmond

Sec. 22-38 Weapons—Definitions. When used in sections 22-38 to 22-48 the following words shall have the meanings ascribed to them as follows:

Ammunition. An explosive cap, cartridge, pellet, ball, missile or projectile adapted for use in a firearm, toy pistol or toy rifle.

Firearm. A weapon in which ammunition may be used or discharged by explosion, pneumatic pressure or mechanical contrivance, but shall not mean a toy pistol or toy rifle.

Minor. A person under the age of twenty-one years. A person of the age of eighteen years or older may purchase weapons and ammunition other than hand guns or hand gun ammunition.

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NOTICES

Pound

Chapter 10

Section 56. Furnishing certain weapons to minors. If any person sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor a pistol, having good cause to believe him to be a minor, such person shall be guilty of a class 4 misdemeanor.

Pound

Section 53. Selling or giving toy firearms. No person shall sell, barter, exchange, furnish, or dispose of by purchase, gift or in any other manner any toy gun, pistol, rifle or other toy firearm, if the same shall, by means of powder or other explosive, discharge blank or ball charges. *

Rocky Mount

Sec. 12-86. Furnishing pistols, ** to minors under eighteen years of age. No person shall sell, barter, give or furnish or cause to be sold, bartered, given or furnished, to any minor under eighteen years of age, a pistol, having good cause to believe him to be a minor under eighteen years of age. **

Salem

Sec. 31-6. Selling, etc., pistols, etc., to minors under eighteen years of age. No person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age, a pistol, having good cause to believe him to be a minor under eighteen years of age. Any person violating the foregoing provisions of this section shall be fined not less than two dollars and fifty cents nor more than one hundred dollars.

Smithfield

Sec. 12-14. Any person in the town who offers for sale any pistol or revolver, when requested by a prospective purchaser to sell him such a firearm, shall first send the purchaser to the chief of police. * *

Southampton County

12-1. Pistol permit. No person shall purchase a pistol within the county without obtaining a permit from the sheriff to do so. Such pistol shall only be for the use of the purchaser (contact local authorities for additional requirements) *

12-6. Selling pistols, etc., to minors under eighteen years of age. No person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, having good cause to believe him to be a minor under eighteen years of age.

Stanley

31. Prohibiting sales to minors. It shall be unlawful for any person to sell, barter, give or furnish, to any minor under eighteen years of age, **
age, any pistol ***, tear gas pen or gun, or any weapon of like kind having good cause to believe him or her under eighteen years of age.

### Staunton

**30-2. Selling, etc., to minor under eighteen.**

If any person sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, ***, having good cause to believe him to be a minor under eighteen years of age, he shall be guilty of a misdemeanor and fined not less than twenty-five dollars nor more than one hundred dollars.

### Strasburg

**32-5. Furnishing pistols, ***, to minors under eighteen years of age.**

No person shall sell, barter, give or furnish or cause to be sold, bartered, given or furnished, to any minor under eighteen years of age a pistol, ***, having good cause to believe him to be a minor under eighteen years of age. Any person violating the foregoing provisions of this section shall be fined not less than two dollars and fifty cents nor more than one hundred dollars.

### Suffolk

**13-38. Weapons—Permit for purchase of pistols, cartridges, ***.**

No person shall sell, within the city, any pistol, ***, or any weapon of like kind or pistol cartridges unless and until the proposed purchaser shall present to such seller a permit, granted by the Chief of Police of the city or the judge of the circuit court of the city, allowing purchase of such weapon or cartridges ***.

### Virginia Beach

**Chapter 38**

Sec. 38-5. **Permit prerequisite to purchase of certain weapons.**

No person shall sell, lease, rent, give or otherwise furnish to any person within the city any pistol, ***, or any weapon of like kind, unless a permit granted by the chief of police or such other officer of the police department as may be designated in writing by the chief thereof, shall be presented authorizing the holder of such permit to acquire such weapon, which permit shall be surrendered to the person furnishing such weapon, who shall preserve it for inspection, upon request, by the police of the city. Each person filing for a permit shall pay to the city treasurer an application fee of three dollars.

### Notices

**Section 38-6 Possession and discharge of firearms, etc., by minors.**

It shall be unlawful for any person under the age of fifteen to have in his possession or use any firearm, shotgun, ***, provided, that such minor may possess and use the above mentioned weapons, subject, however, to the provisions of Section 38-2 and only under the immediate supervision of an adult. ***

### Warrenton

**Sec. 24-6. Selling pistols, etc., to minors under eighteen years of age.**

If any person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, ***, having good cause to believe him to be a minor under eighteen years of age, such person shall be guilty of a misdemeanor and fined not less than two dollars and fifty cents nor more than one hundred dollars.

### Waverly

***** no person shall be permitted to sell pistols or revolvers within the corporate limits of the Town of Waverly, Virginia, without registration of the sale thereof, together with the name of the seller, name and address of the purchaser, age of purchaser, date of sale, and serial number of the firearm; that the sale of firearms to any person under the age of eighteen years shall be prohibited.

### Waynesboro

Sec. 16-14. No person shall sell, barter, give or furnish or cause to be sold, bartered, given or furnished to any minor under eighteen years of age, firearms ***

### Woodstock

**Sec. 28-6. Furnishing pistols, ***, to minors under eighteen years of age.** It shall be unlawful for any person to sell, barter, give or furnish or cause to be sold, bartered, given or furnished, to any minor under eighteen years of age a pistol, ***, having good cause to believe him to be a minor under eighteen years of age.

### Wytheville

**9-1. Furnishing certain weapons to certain minors.**

No person shall sell, barter, give or furnish, or cause to be sold, bartered, given or furnished to any minor under eighteen years of age a pistol, ***, having good cause to believe him to be a minor under eighteen years of age.

### Virgin Islands

**V.I. Code**

§451. **Definitions.** As used in this chapter, unless the context clearly requires otherwise—

(a) "Ammunition" means any bullet, cartridge, projectile, buckshot, or any load placed or which may be placed in a firearm to be discharged.

(b) "Commissioner" means the Commissioner of Public Safety of the Virgin Islands.

(c) "Department" means the Department of Public Safety of the Virgin Islands.

(d) "Firearm" means any device by whatever name known, capable of discharging ammunition by means of gas generated from an explosive composition, including any air, gas or spring gun or any "BB" pistols or "BB" guns that have been adapted or modified to discharge projectiles as a firearm.

(e) "Crime of violence" means any of the following crimes, or an attempt to commit any of the same, namely: Murder in any degree, voluntary manslaughter, rape, arson, mayhem, kidnapping, assault in the first degree, assault with or by means of a deadly or dangerous weapon, assault to do great bodily harm, robbery, burglary, housebreaking, breaking and entering and larceny.

(f) "Dealer in firearms and/or ammunition" means any person engaged in the business of selling firearms and/or ammunition, for a profit or gain.

(g) "Gunsmith" means any person who engages in the business of repairing, altering, cleaning, polishing, engraving, bluing or performing any mechanical operation on any firearm on an individual order basis.

(h) "Machine gun" means any firearm which shoots automatically or semi-automatically more than 12 shots without reloading.

(i) "Shotgun" means any shotgun with a barrel less than 20 inches in length.

§452. **Applicability of chapter.** No person shall have, possess, bear, transport or carry a firearm within the Virgin Islands, or engage in the business of dealer in firearms and/or ammunition or the business of gunsmith, except in compliance with the provisions of this chapter.

§453. **Persons who may lawfully carry firearms.** (a) The following persons, in the dis-
firearms in the Virgin Islands: 

(1) Members of the Armed Forces of the United States or of the organized reserves.

(2) Officers and employees of the United States duly authorized by Federal law to carry firearms.

(3) Persons employed in fulfilling defense contracts with the United States Government or agencies thereof where possession or use of firearms is necessary under the provisions of such contracts.

(4) Members of the police force of the Virgin Islands, marshals, or other duly authorized peace officers.

(5) Penitentiary and jail wardens and guards.

(b) The persons authorized by subsection (a) of this section lawfully to have, possess, bear, transport and carry firearms shall obtain such weapons and ammunition therefore only through the duly authorized officers or heads of their respective services or departments.

§454. Persons who may be licensed to carry firearms. A firearm may be lawfully had, possessed, borne, transported or carried in the Virgin Islands by the following persons, provided a license for such purpose has been issued by the Commissioner in accordance with the provisions of this chapter:

(1) An officer or employee of the Government of the Virgin Islands in cases where such license, in the judgment of the Commissioner, should be issued to such officer or employee by reason of the duties of his position;

(2) An agent, messenger or other employee of a common carrier, bank or business firm, whose duties require him to protect money, valuables or other property in the discharge of his duties; And provided, That the employer of such person shall have justified to the satisfaction of the Commissioner the need for the issuance of the license;

(3) A person having a bona fide residence or place of business within the Virgin Islands, who established to the satisfaction of the Commissioner that he has good reason to fear death or great injury to his person or property, or who establishes any other proper reason for carrying a firearm, and the circumstances of the case, established by affidavit of the applicant and of at least two credible persons, demonstrate the need for such license;

(4) A person licensed to and actively engaged in the business of manufacturing, repairing or dealing in firearms in the Virgin Islands, or the agents or representatives of any such person, having necessity to handle or use firearms in the usual or ordinary course of business;

(5) With respect to a rifle or a shotgun a person possessing a valid and current Virgin Islands hunting license.

§461. License to sell firearms and/or ammunition; gunsmiths; report of transactions; private transfer sales to minors or aliens. (a) No person may engage in the business of dealer in firearms and/or ammunition as a gunsmith without holding a license therefor issued by the Commissioner of Finance upon favorable report of the Commissioner of Public Safety.

(d) No person licensed or otherwise, may sell or furnish firearms or ammunition to a minor, except that a shotgun or rifle of such type or caliber as the Commissioner may prescribe or ammunition therefor, may be sold or furnished by a licensed dealer to a minor who displays a hunting or sporting license issued him in accordance with the laws of the Virgin Islands, and who further displays the written consent of his parent, guardian, or other responsible person acting in their absence and interest, in which such sale or delivery has been authorized.

§465. Conditions for dealers' operations

(1) Members of the Armed Forces of the United States or of the organized reserves.

(2) Officers and employees of the United States or of the organized reserves.

(3) Penitentiary and jail wardens and guards.

(b) The persons authorized by subsection (a) of this section lawfully to have, possess, bear, transport and carry firearms shall obtain such weapons and ammunition therefore only through the duly authorized officers or heads of their respective services or departments.

§454. Persons who may be licensed to carry firearms. A firearm may be lawfully had, possessed, borne, transported or carried in the Virgin Islands by the following persons, provided a license for such purpose has been issued by the Commissioner in accordance with the provisions of this chapter:

(1) An officer or employee of the Government of the Virgin Islands in cases where such license, in the judgment of the Commissioner, should be issued to such officer or employee by reason of the duties of his position;

(2) An agent, messenger or other employee of a common carrier, bank or business firm, whose duties require him to protect money, valuables or other property in the discharge of his duties; And provided, That the employer of such person shall have justified to the satisfaction of the Commissioner the need for the issuance of the license;

(3) A person having a bona fide residence or place of business within the Virgin Islands, who established to the satisfaction of the Commissioner that he has good reason to fear death or great injury to his person or property, or who establishes any other proper reason for carrying a firearm, and the circumstances of the case, established by affidavit of the applicant and of at least two credible persons, demonstrate the need for such license;

(4) A person licensed to and actively engaged in the business of manufacturing, repairing or dealing in firearms in the Virgin Islands, or the agents or representatives of any such person, having necessity to handle or use firearms in the usual or ordinary course of business;

(5) With respect to a rifle or a shotgun a person possessing a valid and current Virgin Islands hunting license.

Washington

State Law

WASH. REV. CODE ANN.

Title 9

9.40.110 “Fire bombs”—Definitions. For the purposes of RCW 9.40.110 through 9.40.130, as now or hereafter amended, unless the context indicates otherwise:

(1) “Disposes of” means to give, give away, loan, offer, offer for sale, sell, or transfer.

(2) “Incendiary device” means any material, substance, device, or combination thereof which is capable of supplying the initial ignition and/or fuel for a fire and is designed to be used as an instrument of wilful destruction. However, no device commercially manufactured primarily for the purpose of illumination shall be deemed to be an incendiary device for purposes of this section.

9.40.120—Penalty. Every person who possesses, manufactures, or disposes of an incendiary device knowing it to be such is guilty of a felony, and upon conviction, shall be punished by imprisonment in a state prison for a term of not more than twenty-five years.

9.40.130—Exceptions. RCW 9.40.120, as now or hereafter amended, shall not prohibit the authorized use or possession of any material, substance, or device described therein by a member of the armed forces of the United States or by firemen, or peace officers, nor shall these sections prohibit the use or possession of any material, substance, or device described therein when used solely for scientific
research or educational purposes or for any lawful purpose. RCW 9.40.120, as now or hereafter amended, shall not prohibit the manufacture or disposal of an incendiary device for the parties or purposes described in this section.

Chapter 9.41—Firearms and Dangerous Weapons

9.41.010 Terms defined.

"Short firearm" or "pistol" as used in RCW 9.41.010 through 9.41.160 means any firearm with a barrel less than twelve inches in length.

"Crime of violence" as used in RCW 9.41.010 through 9.41.160 means any of the following crimes or an attempt to commit any of the same: Murder, manslaughter, rape, riot, mayhem, first degree assault, second degree assault, robbery, burglary and kidnapping.

9.41.015 Certain persons forbidden to possess arms. No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession or under his control. Such person upon being convicted of a violation of this section shall be guilty of a felony and punished by imprisonment in the state penitentiary for not less than one year nor more than ten years.

9.41.020. Delivery to minors and others forbidden. No person shall deliver a pistol to any person under the age of twenty-one or to one who has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

9.41.090. Sales regulated—Application to purchase—Grounds for denial. In addition to the other requirements of RCW sections 9.41.010 through 9.41.150 as now or hereinafter amended, no seller shall deliver a pistol to the purchaser thereof until seventy-two hours shall have elapsed from the time of the application for the purchase thereof as provided herein, and, when delivered, said pistol shall be securely wrapped and shall be unloaded.

At the time of applying for the purchase of a pistol the purchaser shall sign in duplicate and deliver to the seller an application containing his full name, address, occupation, place of birth, and the date and hour of the application; and a description of the weapon including, the make, model, caliber and manufacturer's number; and a statement that he has never been convicted in this state or elsewhere of a crime of violence, drug addiction or habitual drunkenness, or is legally judged to be of unsound mind. The seller shall, by the end of the business day, sign and attach his address and deliver the original of such application to the chief of police of the municipality or the sheriff of the county of which the seller is a resident. The seller shall deliver the pistol to the purchaser following seventy-two hours thereafter unless the seller is notified in writing by the chief of police of the municipality or the sheriff of the county, whichever is applicable, denying the purchaser's application to purchase and the grounds thereof. The application shall not be denied unless the purchaser has been convicted in this state or elsewhere of a crime of violence, drug addiction, or habitual drunkenness, or is legally judged to be of unsound mind. The chief of police of the municipality or the county sheriff shall maintain a file containing the original of the application to purchase a pistol.

9.41.093. Exemptions. The following shall be exempt from the provisions of section 9.41.090 RCW as now or hereinafter amended: sales by wholesalers to dealers; and the sale of antique pistols exempted by the provisions of RCW 9.41.150, as amended.

9.41.110. Dealer's licenses, by whom granted and conditions thereof—Wholesale sales excepted—Permits prohibited. The duly constituted licensing authorities of any city, town, or political subdivision of this state shall grant licenses in forms prescribed by the director of the form of which may be prescribed by the director of licensing authorities of any city, town, or political subdivision of this state, and the director of licensing authorities of any city, town, or political subdivision of this state shall grant licenses in forms prescribed by the director of licensing authorities of any city, town, or political subdivision of this state, and shall contain the date of sale, the name of the purchaser, and the name of the seller. The licenses shall be displayed on the premises where it can be read.

9.41.140. Alteration of identifying marks—Exceptions. No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any pistol. Possession of any pistol 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. This shall not apply to replacement barrels in old revolvers, which barrels are produced by current manufacturers and therefor do not have the markings on the barrels of the original manufacturers who are no longer in business.

9.41.150. Exemptions. RCW 9.41.010 through 9.41.160 shall not apply to antique pistols and revolvers manufactured prior to 1898 and held as collector's items.

9.41.170. Alien's license to carry firearms. It shall be unlawful for any person who is not a citizen of the United States, or who has not declared his intention to become a citizen of the United States, to carry or have in his possession at any time any shotgun, rifle, or other firearm, without first having obtained a license from the director of motor vehicles, and such license is not to be issued by the director of motor vehicles except upon the certificate of the consul domiciled in the state and representing the country of such alien, that he is a responsible person and upon the payment of the license of the sum of fifteen dollars: PROVIDED, That this section shall not apply to Canadian citizens resident in a province which has an enactment or public policy providing substantially similar privileges to residents of the state of Washington and who are carrying or possessing weapons for the purpose of using them in the hunting of game while such persons are in the act of hunting, or while on a hunting trip, or while such persons are competing in a bona fide trap or skeet shoot or any other organized contest where rifles, pistols, or shotguns are used as to weapons used in such contest. Nothing in this section shall be construed to allow aliens to hunt or fish in this state with-
out first having obtained a regular hunting or fishing license. Any person violating the provisions of this section shall be guilty of a misdemeanor.

9.41.190. Machine guns prohibited. That it shall be unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in possession, or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun: Provided, however, That such limitation shall not apply to any peace officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington.

9.41.200. Machine gun defined. For the purpose of RCW 9.41.190 through 9.41.220 a machine gun is defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into such weapon, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

9.41.240. Use of firearms by minor. No minor under the age of fourteen years shall handle or have in his possession or under his control, except while accompanied by or under the immediate charge of his parent or guardian or other adult approved for the purpose of this section by the parent or guardian, or while under the supervision of a certified safety instructor at an established gun range or firearm training class, any firearm of any kind for hunting or target practice or for other purposes. Every person violating any of the foregoing provisions, or aiding or knowingly permitting any such minor to violate the same, shall be guilty of a misdemeanor.

Wash. Rev. Code Ann. Title 19
19.70.010. Out-of-state purchasing authorized. Residents of Washington may purchase rifles and shotguns in a state other than Washington: Provided, That such residents conform to the applicable provisions of the federal Gun Control Act of 1968, Title IV, Pub. L. 90-351 as administered by the United States Secretary of the Treasury: And provided further, That such residents are eligible to purchase or possess such weapons in Washington and in the state in which such purchase is made.

Wash. Rev. Code Ann. Title 26
Be it enacted by the Legislature of the State of Washington: 1. Sections 1, 3, and 4, chapter 126, Laws of 1895 as last amended by section 37, chapter 292, Laws of 1971 ex. sess. and RCW 26.28.080 are each amended to read as follows:

Every person who: ***
(5) Shall sell, or give, or permit to be sold or given to any person under the age of eighteen years, any revolver or pistol;
Shall be guilty of a gross misdemeanor.
It shall be no defense to a prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another. ***

Aberdeen
4565-4. It shall be unlawful for any person within the City of Aberdeen to sell, give away, loan or cause to be sold, given or loaned, to any minor under the age of 18 years, any gun, revolver, pistol or the cartridges therefor.
4565-8. It shall be unlawful for any person who is not a citizen of the United States or who has not declared his intention to become a citizen of the United States, to carry or have in his possession at any time within the City of Aberdeen any shotgun, rifle, or other firearms without first having obtained a license from the Director of Licenses ***

Arlington
9.28.010 Definitions. (a) “Dangerous weapon” includes but is not limited to mean any weapon or device capable of propelling a missile through the force of compressed air or gas, or through the contraction or expansion of any rubber band or spring, or similar device, and includes compressed air rifles and pistols and slingshots.
(b) “Firearm” includes but is not limited to mean any weapon or device capable of propelling a missile through the force of combustion or explosion of gunpowder or similar substance.

9.28.020 Possession of arms. Every person who has been convicted in this state or elsewhere of a crime of violence, who owns a firearm or has one in his possession under his control, is guilty of a misdemeanor.
9.28.050 Forbidden deliveries. Every person who delivers a pistol to any person under the age of twenty-one years or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind, is guilty of a misdemeanor.

9.28.060 Forbidden transfers. No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit, or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a firearm to another who is known, or with reasonable knowledge believed to have suicidal tendencies, or otherwise deliver a pistol contrary to the provisions of this title. Every person violating this section is guilty of a misdemeanor.
9.28.080 False information forbidden. Every person who, in purchasing or otherwise securing delivery of a pistol, gives false information or offers false evidence of his identity, is guilty of a misdemeanor.
9.28.090 Exceptions. The provisions of this chapter shall not apply to antique pistols and revolvers manufactured prior to 1898 and held as collector’s items.
9.28.100 Machine guns and parts contraband. All machine guns, or parts thereof, illegitimately held or possessed are declared to be contraband, and it shall be the duty of all peace officers, and/or any officer or member of the armed forces of the United States or the state of Washington, to seize said machine guns, or parts thereof, wherever and whenever found.

9.28.110 Dangerous weapons. Every person who uses any contrivance or device for suppressing the noise of any firearm, is guilty of a misdemeanor.

9.28.140 Use of firearms by minor. No minor under the age of fourteen years shall handle or have in his possession or under his control, except while accompanied by or under the immediate charge of his parent or guardian, any firearm of any kind for hunting or target practice or for other purposes. Every person violating any of the foregoing provisions, or aiding or knowingly permitting any such minor to violate the same, is guilty of a misdemeanor.

Auburn
7.04.360 Short firearm defined. “Short firearm” as used in Sections 7.04.370 through 7.04.530 means any firearm with a barrel less than twelve inches in length. ***
7.04.371 Definitions. The following words and phrases shall have the following meanings:
(1) “Pistol” means any firearm or other weapon for the purpose of discharging a projectile by means of compressed air, chemical combustion or otherwise and having a barrel less than twelve inches in length, but shall not include antique pistols or revolvers manufactured prior to 1898 and so held as collector’s items.
(2) “Crime of violence” means any of the following crimes or an attempt to commit any of the same: murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary and kidnapping.
(3) “Fugitive from justice” means a person who, having committed a crime, flees from the jurisdiction where it was committed to evade arrest.
(4) “Law enforcement officer” means any person who by virtue of his office or public
employment is vested by law with a duty to maintain public order or to make arrests for offenses.

7.04.372 Pistol sale—Record sent to police chief. It is unlawful for any merchant, business, or secondhand dealer, or any clerk, agent, representative or employee of any such merchant, business or secondhand dealer, to sell, give away, or dispose of any pistol to any person, unless such person is personally known to the seller or shall present clear evidence of his identity, or without completing a true record, in triplicate, of every pistol sold or disposed of. The written record shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other [contact local authorities for required contents].

One copy of the record shall within six hours after the signing be sent by registered mail to the chief of police, or in the alternative, may be personally delivered to the office of the chief of police within such period of time, and the chief of police, shall, within seventy-two hours, exclusive of Sundays and legal holidays, investigate the information contained in the record, and shall notify the merchant within such time period if the prospective purchaser is a person prohibited to purchase a pistol by the terms of this chapter.

7.04.373 Pistol sale—Waiting period required. It is unlawful for any merchant, business, or secondhand dealer, or any clerk, agent, representative or employee of any merchant, business or secondhand dealer, to deliver any pistol to any purchaser unless the merchant, business or secondhand dealer has mailed or personally delivered a copy of the record to the chief of police as required by Section 7.04.372 and the seventy-two hour waiting period after delivery of the notice as provided in Section 7.04.372 has expired without the receipt of a notice from the chief of police that the prospective purchaser is a person prohibited to purchase a pistol by the terms of this chapter, provided that this section shall not apply to sales at wholesale, and further shall not apply to the sale of antique pistols exempt by the provisions of RCW 9.41.150, as amended, and provided further that when delivered said pistol shall be securely wrapped and shall be unloaded.

7.04.374 Pistol purchase forbidden to convicted persons. It is unlawful for any person who is a fugitive from justice or who has been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness or has been confined to a mental institution to purchase a pistol, in the city, and it is further unlawful for any such person to fail to disclose such information when applying for the purchase of a pistol.

7.04.380 Certain persons forbidden to possess arms. No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession or under his control.

7.04.420 Delivery to minors and others forbidden. No person shall deliver a pistol to any person under the age of twenty-one years or to one whom he has reasonable cause to believe has been convicted of a crime of violence or is a drug addict, a habitual drunkard or of unsound mind.

7.04.430 Dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol without being licensed as hereinafter provided.

7.04.450 Certain transfers forbidden. No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person.

7.04.490 Machine guns prohibited. It shall be unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport or have in possession or under control, any machine gun or any part thereof capable of use or assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the State of Washington.

7.04.500 Machine gun defined. For the purpose of this chapter a machine gun is defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt or other separable mechanical device for storing, carrying or supplying ammunition which can be loaded into such weapon, mechanism or instrument, and fired therefrom at the rate of five or more shots per second.

7.04.510 Machine guns or parts contraband. All machine guns, or parts thereof, illegally held or possessed are hereby declared to be contraband and it shall be the duty of all police officers to seize said machine gun or parts thereof, wherever and whenever found.

Bellevue

7.28.010. Definitions. "Short firearm" or "pistol" as used in this chapter means any firearm with a barrel less than 12 inches in length. "Crime of violence" as used in this chapter means any of the following crimes or an attempt to commit any of the same: murder, manslaughter, rape, riot, mayhem, first-degree assault, second-degree assault, robbery, burglary, and kidnapping.

7.28.040. Certain persons forbidden to possess arms. No person who has been convicted in this state or elsewhere of a crime of violence or of drug addiction or of habitual drunkenness or who has been confined in a mental institution shall own a pistol or have one in his possession or under his control.

7.28.080. Delivery to minors and certain others forbidden. No person shall deliver a pistol to any person under the age of 21 or to one whom he has reasonable cause to believe has been convicted of a crime of violence or of drug addiction or of habitual drunkenness or has been confined to a mental institution.

7.28.090. (2) No seller shall deliver a pistol to the purchaser thereof until 72 hours shall have elapsed from the time of the application for the purchase thereof as provided herein, and when delivered, said pistol shall be securely wrapped and shall be unloaded.

This section shall not apply to sales at wholesale.

7.28.100. Pistol dealers to be licensed. No零售 dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.41.110.

7.28.130. False information in obtaining pistol. No person shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same give false information or offer false evidence of his identity.

7.28.150. Machine guns prohibited. It shall be unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in possession, or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the State of Washington.

7.28.160. Machine gun defined. For the purpose of this chapter a machine gun is defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt or other separable mechanical device for storing, carrying or supplying ammunition which can be loaded into such weapon, mechanism, or instrument and fired therefrom at a rate of five or more shots per second.
7.28.170. Machine guns or parts contraband. All machine guns, or parts thereof, illegally held or possessed are hereby declared to be contraband, and it shall be the duty of all police officers to seize said machine gun, or parts thereof, wherever and whenever found.

Bellingham

17.32.040. Sale to minor prohibited. The sale, giving away or other disposition of any revolver or pistol or any ammunition for same to persons under the age of 18 years in the City of Bellingham, be, and hereby is, prohibited.

Blaine

6-2647: "Short Firearms"; "Crime of Violence" Defined: "Short Firearm" as used in this Chapter means any firearm with a barrel less than twelve inches (12") in length. "Crime of Violence" as used in this Chapter means any of the following crimes or an attempt to commit any of the same: Murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary and kidnapping.

6-2650: Certain persons forbidden to possess arms: No person who has been convicted in this State or elsewhere of a crime of violence, shall own a pistol or have one in his possession under his control.

6-2654: Delivery to minors and others forbidden: No person shall deliver a pistol to any person under the age of twenty one (21) or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, a habitual drunkard, or of unsound mind.

6-2655: Sales regulated: No seller shall deliver a pistol to the purchaser thereof until forty eight (48) hours shall have elapsed from the time of the application for the purchase thereof, and when delivered, said pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol, the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name, address, occupation, birthplace, the date and hour of application, the calibre, make, model and manufacturer's number of the pistol to be purchased and statement that he has never been convicted in this State or elsewhere of a crime of violence. ***

6-2656: Dealers to be licensed: No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of Revised Code of Washington, Section 9.41.110.

6-2657: Certain transfers forbidden: No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge for a loan; shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this Chapter.

6-2661: Machine guns; Prohibition: It shall be unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession, or under control, any machine gun, or any part thereof capable of use; or assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the Armed Forces of the United States or the State of Washington.

6-2662: Machine gun defined: For the purpose of this Chapter a machine gun is defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into such weapon, mechanism, or instrument, and fired therefrom at a rate of five (5) or more shots per second.

Bonney Lake

5.07.010 Certain persons forbidden to possess arms. No person who has been convicted in this state or elsewhere of a crime of violence, shall own a firearm or have one in his possession under his control.

5.07.014 Delivery to minors and others forbidden. No person shall deliver a pistol to any person under the age of 21 or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

5.07.015 Sales regulated. No seller shall deliver a pistol to the purchaser thereof unless said pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol the purchaser shall sign in triplicate and deliver to the seller a statement [contact local authorities for required contents] ***

5.07.016 Dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of Revised Code of Washington Section 9.41.110.

Bothell

10.1. Firearm defined. The word firearm shall include but not be limited to mean any weapon or device capable of propelling a missile through the force of compressed air or gas, or spring, or similar device.

10.2. Dangerous weapon defined. The word dangerous weapon shall include but not be limited to mean any weapon or device capable of propelling a missile through the force of compressed air or gas, or through the contraction or expansion of any rubber band or spring, or similar device, and shall include compressed air rifles and pistols and slingshots.

10.3. Pistol defined. The word pistol as used in this ordinance means any firearm with a barrel less than twelve (12) inches in length.

10.4. Certain persons forbidden to possess firearms. No person who has been convicted in this state or elsewhere of a crime of violence, shall own a firearm or have one in his possession under his control.

10.7. Delivery to minors and certain others forbidden. No person shall deliver a pistol to any person under the age of 21 or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, a habitual drunkard, or of unsound mind.

10.9. Sale of cartridge, ammunition or gunpowder forbidden to certain minors. No person shall give, sell, or otherwise make available to any minor under the age of 16 years any ammunition or firearms or the ingredients thereof: Provided that this section shall not apply to a parent or guardian who provides such minor with ammunition for a use which is lawful.

10.12. Sales regulated. No seller shall deliver a pistol to the purchaser thereof unless said pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol the purchaser shall sign in triplicate and deliver to the seller a statement [contact local authorities for required contents] *** The seller, within 6 hours after such application is made, shall sign and attach his address and forward by registered mail or
9.41.010 through 9.41.150 as now or hereinafter purchase—Grounds for denial. In addition to the other requirements or RCW sections stated, or in case of unsound mind.

1.28.090 Sales regulated—Application to antique firearms unsuitable for use as firearms and possessed as curiosities or ornaments.

Buckley

1.28.040 Certain persons forbidden to possess arms: No person who has been convicted in this state or elsewhere of a crime of violence shall own a pistol or have one in his possession or under his control.

1.28.080 Delivery to minors and certain others forbidden: No person shall deliver a pistol to any person under the age of twenty-one or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

1.28.090 Sales regulated—Application to purchase—Grounds for denial. In addition to the other requirements or RCW sections 9.41.010 through 9.41.150 as now or hereinafter amended, no seller shall deliver a pistol to the purchaser thereof until seventy-two hours shall have elapsed from the time of the application for the purchase thereof and, when delivered, said pistol shall be securely wrapped and shall be unloaded.

1.28.100 Pistol dealers to be licensed: No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of Revised Code of Washington Section 9.41.110, as the same now is or hereafter may be amended.

1.28.110 Certain transfers of pistols forbidden: No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and second-hand dealers in cities of the first class (RCW Chapter 19.60). A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a firearm to another known, or with reasonable knowledge believed, to have suicidal tendencies, or otherwise deliver a pistol contrary to the provision of this ordinance.

1.28.150 Machine guns prohibited: It shall be unlawful for any person, persons, firm or corporation, to sell, barter, exchange, give or otherwise dispose of any firearm or dangerous explosive, to any minor under the age of eighteen (18) years, or to any person in an intoxicated condition within the city limits of the City of Camas, Washington.

Buckley

**NOTICES**

**Centralia**

Ordinance 462

Deal in deadly weapons or fire arms. Sec. 1. License. Any person engaging in the business of selling or offering to sell any pistol, revolver, derringer, * * * or other weapon of like character that can be concealed on the person, shall first obtain a license as a dealer in deadly weapons or firearms, and it shall be unlawful for any person licensed, to sell or give away any such weapon without reporting said sale or gift in the manner elsewhere provided, and it shall be unlawful for any person licensed, to sell or give away any such weapon to any person who has not secured a permit from the Chief of Police to purchase such weapon as herein provided.

Sec. 2. It shall be unlawful for any person to purchase any pistol, revolver, derringer, * * * which can be concealed on the person, without first securing from the Chief of Police a permit so to do. Before any such permit is granted, an application in writing shall be made therefor [contact local authorities for required content] * * *

**Chelan**

27. Minors, * * * selling * * * firearm to. Every person who: 5. Shall sell, or give, or permit to be sold or given to any person under the age of eighteen years, any revolver, or pistol, shall be guilty of a misdemeanor.

**Des Moines**

228-39. "Short Firearm" and "Crime of Violence" Defined: "Short Firearm" or "Pistol" used in this Article means any firearm with a barrel less than twelve inches (12") in length. "Crime of Violence" as used in this Article means any of the following crimes or an attempt to commit any of the same: Murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary, and kidnapping.

228-41. Certain Persons Forbidden to Possess Arms: No person who has been convicted in this State or elsewhere of a crime of violence, shall own a pistol or have one in his possession or under his control.

228-46. Delivery to Minors and Others Forbidden: No person shall deliver a pistol to any person under the age of twenty-one years or to one whom he has reasonable cause to
believe has been convicted of a crime of violence or is a drug addict, a habitual drunkard or of unsound mind.

228-47. Sales Regulated: No seller shall deliver a pistol to the purchaser thereof until 72 hours shall have elapsed from the time of the application for the purchase thereof, and, when delivered, said pistol shall be securely wrapped, and shall be sealed.

228-48. Dealers to be Licensed: No retail dealer shall sell or otherwise transfer, or expose for sale or transfer or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of Revised Code of Washington, Section 9.41.110.

228-49. Certain transfers forbidden: No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawn-brokers and second-hand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this Ordinance.

228-52. Exceptions: This Ordinance shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

228-53. Machine Guns—Prohibition: That it shall be unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession, or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the State of Washington.

228-54. Machine Gun Defined: For the purpose of this Ordinance a machine gun is defined as any firearm or weapon known as a machine gun, mechanical rifle, sub-machine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir, clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into such weapon, mechanism or instrument, and fired therefrom at a rate of five or more shots per second.

Everett

9.76.010 Sale of firearms to minor. It is unlawful for any person or persons to sell or offer for sale any revolver or pistol, within this city, to any person under the age of eighteen years, and every person who sells, gives, furnishes or causes to be furnished to any person under the age of eighteen years, any revolver or pistol or other pocket weapon in which explosives may be used, is guilty of a misdemeanor, and upon conviction shall be fined not to exceed five hundred dollars or shall be imprisoned for six months or both such fine and imprisonment.

9.92.030 Prohibited purchasers. It is unlawful for any person who is a fugitive from justice or who has been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness or who has been confined to a mental institution, to purchase a pistol in this city, and it is further unlawful for any such person to fail to disclose such information when applying for the purchase of a pistol.

Fircrest

Section VI. Firearms. a. "SHORT FIREARM" AND "CRIME OF VIOLENCE" DEFINED. "Short Firearm" as used in this ordinance means any firearm with a barrel less than 12 inches in length.

"Crime of violence" as used in this ordinance means any of the following crimes or an attempt to commit any of the same: Murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary and kidnapping.

d. Certain persons forbidden to possess arms. No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession or under his control.

g. Delivery to minors and others forbidden. No person shall deliver a pistol to any person under the age of 21 or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, or habitual drunkard or of unsound mind.

b. Dealer's licenses. Any person desiring to sell pistols within the Town of Fircrest shall obtain a license in the form prescribed by statute.

3. No pistol shall be sold in violation of state law or this ordinance, nor shall a pistol be sold under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his identity.

5. This section shall not apply to sales at wholesale.

i. Certain transfers forbidden. No person other than a duly licensed dealer shall make any loan secured by mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this ordinance, and the laws of the State of Washington.

Kennewick

10.24.050. Sale to minors prohibited. It is unlawful for any person within the city to sell, give, or permit to be sold or given to any person under the age of twenty-one years, any revolver or pistol.

King County

12.48.010 Definitions. The following words and phrases used herein shall be construed as follows: (a) "Pistol" means any firearm or other weapon for the purpose of discharging a projectile by means of compressed air, chemical combustion or otherwise and having a barrel less than twelve inches in length, but shall not include antique pistols or revolvers manufactured prior to 1898 and held as collector's items.

(b) "Crime of violence" means any of the following crimes or an attempt to commit any of the same: Murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary and kidnapping.

(c) "Fugitive from justice" means a person who, having committed a crime, flees from

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the jurisdiction where it was committed to evade arrest.
(d) "Law enforcement officer" means any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses.

12.48.020 Sale and registration. It is unlawful for any merchant or secondhand dealer, or any clerk, agent or employee of any merchant or secondhand dealer, to sell, give away or dispose of any pistol to any person at retail, unless such person is personally known to the seller or shall present clear evidence of his identity, nor without completing a true record in triplicate of every pistol sold or disposed of [contact local authorities for required contents] **

12.48.030 Delivery following sheriff’s report. It is unlawful for any merchant or secondhand dealer or any clerk, agent or employee of any merchant or secondhand dealer to deliver any pistol to any purchaser until the merchant or secondhand dealer has received a report from the sheriff *** provided that if such merchant or secondhand dealer does not receive such report from the sheriff within seventy-two hours, exclusive of Sundays and holidays, after he has mailed a copy of the report to the sheriff as required by Section 12.48.020, then such merchant or secondhand dealer may deliver the pistol to the purchaser; provided further, that this section shall not apply to sales at wholesale, or to sales to persons exhibiting a valid license to carry a pistol concealed issued pursuant to RCW 9.41.070, or to sales to law enforcement officers.

12.48.040 Purchase unlawful for certain persons. It is unlawful for any person who is a fugitive from justice or who has been convicted in this state or elsewhere of a crime of violence, or of drug addiction or of habitual drunkenness or has been confined to a mental institution to purchase a pistol and it is further unlawful for any such person to fail to disclose such information when applying for the purchase of a pistol.

Kirkland

11.28.030 Delivery to minors and certain others forbidden. No person shall deliver a pistol to any person under the age of twenty-one or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

11.28.120 Pistol—Delivery to purchaser. In addition to the other requirements of Sections 11.28.110 through 11.28.180, no seller shall deliver a pistol to the purchaser thereof until seventy-two hours have elapsed from the time of the application for the purchase thereof as provided herein, and when delivered, the pistol shall be securely wrapped and shall be unloaded.

NOTICES

11.28.130 Pistol—Purchasing—Information required—Procedure. At the time of applying for the purchase of a pistol, the purchaser shall sign in duplicate and deliver to the seller an application [contact local authorities for required contents] ***. The seller shall, by the end of the business day, sign and attach his address and deliver the original of such application to the chief of police of the city. The seller shall deliver the pistol to the purchaser following seventy-two hours thereafter, unless the seller is notified in writing by the chief of police of the city of denial, *** ** **

11.28.150 Pistol—Dealer—License required. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as a dealer pursuant to RCW Chapter 9.41.

11.28.160 Sale of pistols—Conformance required. No pistol shall be sold in violation of any provisions of Sections 11.28.110 through 11.28.180, nor shall a pistol be sold under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his identity. Sales by wholesalers to dealers and the sale of antique pistols as herein defined shall be exempt from the provisions of Sections 11.28.110 through 11.28.180.

11.28.170 Possession of firearms by prohibited persons unlawful. It is unlawful for any person prohibited from possessing a firearm as herein defined under Title VII of the "Omnibus Crime Control and Safe Streets Act of 1968" as amended by Title III of the "Gun Control Act of 1968" (Sections 1201 through 1203 inclusive) to possess such a firearm within the corporate limits of the city.

Kitsap County

Ordinance 25

1. No person who has been convicted in this State or elsewhere of a crime of violence shall own a pistol or have one in his possession or under his control.

3. No person shall deliver a pistol to any person under the age of twenty-one years or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, a drunkard, or of unsound mind.

4. No person other than a dealer duly licensed by the State of Washington shall make any loan secured by a mortgage, deposit or pledge of a pistol. **

7. This Ordinance shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

8. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as hereinafter provided. 9. No seller shall deliver a pistol to the purchaser thereof until forty-eight hours shall have elapsed from the time of the application for the purchase thereof, and when delivered, said pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol the purchaser shall sign in triplicate and deliver to the seller a statement [contact local authorities for required contents] ***.

Lake Forest Park

Chapter 6. Firearms

6.1. "Crime of Violence" Defined. "Crime of Violence" as used in this ordinance means any of the following crimes or an attempt to commit any of the same: murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary, and kidnapping.

6.2 Certain persons forbidden to possess arms. No person who has been convicted in this state or elsewhere of a crime of violence shall own a pistol or have one in his possession under his control. ** ** ** **

6.6. Sales regulated. No seller shall deliver a pistol to the purchaser thereof until forty-eight hours shall have elapsed from the time of the application for the purchase thereof, and when delivered, said pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol, the purchaser shall sign in triplicate and deliver to the seller a statement [contact local authorities for required contents] **. The seller within six hours after such application, shall sign and attach his address and forward by registered mail one copy of such statement to the Chief of Police; and the duplicate duly signed by the seller shall within seven days be sent by him with his address to the Director of Licenses; the triplicate he shall retain for six years. This section shall not apply to sales at wholesale.

6.7. Delivery to minors and others forbidden. No person shall deliver a pistol to any person under the age of twenty-one or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

6.8. Dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of the Revised Code of Washington, Section 9.41.110.

6.9. Certain transfers forbidden. No person other than a duly licensed dealer shall
make any loan secured by a mortgage, deposit, or pledge for a loan. He shall keep such records and make such reports as are provided by law for pawnbrokers and second-hand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this ordinance.

6.11. False information forbidden. Any person who shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same give false information or offer false evidence of his identity shall be guilty of a misdemeanor.

6.12. Exceptions. This ordinance shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Langley

121-6: Every person who shall sell, give, furnish or cause to be furnished to any person under the age of sixteen (16) years, any revolver, pistol, toy pistol, or other pocket weapon in which explosives may be used, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than Five Dollars ($5.00), or more than Twenty-five Dollars ($25.00).

Longview

15-4. Possession by convicted persons. No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession or under his control.

15-7. Delivery to minors and certain other persons. No person shall deliver a pistol to any person under the age of twenty-one or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

15-8. Sales by dealers. Sales by dealers shall be regulated as hereinafter provided: (a) The City Clerk of said city shall grant licenses in forms prescribed by the Washington State Director of Licenses *** (3) No pistol shall be sold (a) in violation of any provisions of this Chapter, nor, (b) shall a pistol be sold under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his identity.

15-9. Dealer’s license. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any short firearm without being licensed as provided by law.

15-13. Antiques; excepted. This Chapter shall not apply to antique pistols and revolvers manufactured prior to 1898 and held as collector’s items.

15-15. Machine guns—Defined. A machine gun is herein defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into such weapon, mechanism, or instrument, and fired therefrom at a rate of five or more shots per second.

15-16. Same—Prohibited. It shall be unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession, or under control, any machine gun, or any part thereof capable of use as an assembled or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington.

Lynwood

10.04.360. Crime of violence defined. The term “crime of violence” as used in this chapter means any of the following crimes or an attempt to commit any of the same: murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary and kidnapping.

10.04.370. Firearm defined. The word “firearm” shall include but is not limited to mean any weapon or device capable of propelling a missile through the force of combustion or explosion of gunpowder or similar substance.

10.04.400. Persons convicted of crimes of violence not to possess arms. No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession under his control.

10.04.450. Delivery to minors and certain other persons. No person shall deliver a pistol to any person under the age of twenty-one or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard or of unsound mind.

10.04.460. Use of firearms by minor. No minor under the age of sixteen years shall handle or have in his possession, or under his control, except while accompanied by or under the immediate charge of his parent or guardian, any firearm of any kind, for hunting or target practice, or for other purposes. Every person violating any of the foregoing provisions, or aiding or knowingly permitting any such party to violate the same, shall be guilty of a misdemeanor.

10.04.470. Regulating sales—Purchaser’s statement. No seller shall deliver a pistol to the purchaser thereof until forty-eight hours shall have elapsed from the time of the application for the purchase thereof, and when delivered, said pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol, the purchaser shall sign in triplicate and deliver to the seller a statement [contact local authorities for required contents] *** The seller within six hours after such application, shall sign and attach his address and forward by registered mail one copy of such statement to the chief of police; and the duplicate duly signed by the seller shall within seven days be sent by him with his address to the director of licenses; the triplicate he shall retain for six years. This section shall not apply to sales at wholesale.

10.04.480. Dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.41.110.

10.04.490. Certain transfers of weapons prohibited. No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge for a loan. He shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this chapter.

10.04.510. Purchasing weapon by use of false information. Any person who shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same give false information or offer false evidence of his identity shall be guilty of a misdemeanor.

10.04.520. Antique pistols excepted. This chapter shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

Marysville

6.04.010. Definitions. Short firearm, pistol. The term “short firearm” or “pistol” as used in this chapter means any firearm with a barrel less than twelve inches in length. Crime of violence. The term “crime of violence” as
used in this chapter means any of the following crimes or an attempt to commit any of the same: murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary and kidnapping.

6.64.040. Convicted persons. No person who has been convicted in this state or elsewhere of a crime of violence shall own a pistol or have one in his possession or under his control.

6.64.080. Prohibited pistol delivery. No person shall deliver a pistol to any person under the age of twenty-one or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

6.64.090. Commercial sales of pistols—records. The chief of police shall grant licenses in forms prescribed by the director of licenses effective for not more than one year from the date of issue, permitting the licensee to sell pistols within this city **.

6.64.100. Pistol dealers—license required. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.41.110.

6.64.110. Prohibited transfer of pistols. No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawn-brokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this chapter. **

6.64.140. Unusable pistols. This chapter shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

6.64.150. Machine guns prohibited. It shall be unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession, or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington.

6.64.160. Machine gun defined. For the purpose of this chapter a "machine gun" is defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip disc, drum, belt or other separate mechanical device for storing, carrying or supplying ammunition which can be loaded into such weapon, mechanism, or instrument and fired therefrom at a rate of five or more shots per second.

**NOTICES**

**McCleary**

Ordinance 70

Section 1 It shall be unlawful for any person under the age of sixteen years to have in his possession any fire arms ** within the city limits of the Town of McCleary unless accompanied by and under the supervision of a parent or legal guardian.

**Medical Lake**

258. Section 29. Minors ** Selling ** Firearms to: Every person who— ** 5. Shall sell, or give, or permit to be sold or given to any person under the age of eighteen years, any revolver, or pistol, shall be guilty of a misdemeanor.

**Mercer Island**

7.505.07. Certain acts prohibited—belief minor in representative capacity, no defense—penalty. Every person who: ** 5. Shall sell, or give, or permit to be sold or given to any person under the age of eighteen years any revolver or pistol, shall be guilty of a misdemeanor.

**Mountlake Terrace**

5.07.010. Certain persons forbidden to possess arms. No person who has been convicted in this state or elsewhere of a crime of violence, shall own a firearm or have one in his possession under his control.

5.07.014. Delivery to minors and others forbidden. No person shall deliver a pistol to any person under the age of 21 or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

5.07.015. Sales regulated. It is unlawful for any merchant or secondhand dealer, or any clerk, agent or employee of any merchant or secondhand dealer, to sell, give away or dispose of any pistol to any person at retail, unless such person is personally known to the seller or shall present clear evidence of his identity, nor without completing a true record in triplicate of every pistol sold or disposed of (contact local authorities for required contents). ** One copy shall within six hours be sent by registered mail to the chief of police of the City of Mountlake Terrace who shall, within seventy-two hours, exclusive of Sundays and holidays, investigate the information contained in said record and report his findings to the merchant or secondhand dealer.

5.07.0151. It is unlawful for any merchant or secondhand dealer or any clerk, agent or employee of any merchant or secondhand dealer to deliver any pistol to any purchaser until said merchant or secondhand dealer has received a report from the chief of police that said purchaser is not a fugitive from justice and that said purchaser has never been convicted in this state or elsewhere of a crime of violence, nor an offense involving narcotics or of repeated drunkenness and has never been confined to a mental institution: provided, that if such merchant or secondhand dealer does not receive such report from the chief of police within seventy-two hours, exclusive of Sundays and holidays, after he has mailed a copy of the record to the chief of police as required by Section 2, then such merchant or secondhand dealer may deliver the pistol to the purchaser; provided further, that this section shall not apply to sales at wholesale, or to sales to persons exhibiting a valid license to carry a pistol concealed issued pursuant to RCW 9.41.070, or to sales to law enforcement officers.

5.07.0152. It is unlawful for any person who is a fugitive from justice or who has been convicted in this state or elsewhere of a crime of violence, or an offense involving narcotics or of repeated drunkenness or has been confined to a mental institution to purchase a pistol in this city, and it is further unlawful for any such person to fail to disclose such information when applying for the purchase of a pistol.

5.07.016. Dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of Revised Code of Washington Section 9.41.110, as the same now is or hereafter may be amended.

5.07.017. Certain transfers forbidden. No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit, or pledge for a loan. ** No person shall lend or give a firearm to another known, or with reasonable knowledge believed to have suicidal tendencies or otherwise deliver a pistol contrary to the provisions of this ordinance.

5.07.019. False information forbidden. No person shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same give false informa-
tion or offer false evidence of his identity.

5.07.020. Exceptions. This ordinance shall not apply to antique firearms unsuitable for use as firearms and possessed as curiosities or ornaments.

5.07.021. Machine guns or parts contraband. All machine guns, or parts thereof, illegally held or possessed are hereby declared to be contraband, and it shall be the duty of all police officers to seize said machine gun, or parts thereof, wherever and whenever found.

5.07.023. Definitions. The word firearm shall include but be not limited to mean any weapon or device capable of propelling a missile through the force of combustion or explosion of gunpowder or similar substance.

Normandy Park

7.24.030 Delivery restricted. No person shall deliver a pistol to any person under the age of twenty-one or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

7.24.080 Possession restrictions. No person who has been convicted in this state or elsewhere of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

7.24.110 Certain transfers forbidden. No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge for a loan, shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this title.

7.24.140 Antique pistols exempted. This title shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

7.24.150 Machine guns. It is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession, or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun; Provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington.

7.28.160. Machine gun defined. For the purpose of this chapter a machine gun is defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip disc, drum, bolt, or other separable mechanical device for steering, carrying or supplying ammunition which can be loaded into such weapon, mechanism, or instrument, and fired therefrom at a rate of five or more shots per second.

North Bend

Ordnance 386

Section 3: No person shall deliver a pistol to any person under the age of eighteen years or to one who he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

Ocean Shores

7.28.040. Certain persons forbidden to possess arms. No person who has been convicted in this state or elsewhere of a crime of violence shall own a pistol or have one in his possession or under his control.

7.28.080. Delivery to minors and certain others forbidden. No person shall deliver a pistol to any person under the age of twenty-one or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

7.28.090. Pistol sales regulated. No seller shall deliver a pistol to the purchaser thereof until forty-eight hours shall have elapsed from the time of the application for the purchase thereof.

7.28.100. Pistol dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.41.110.

7.28.110. Certain transfers of pistols forbidden. No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and secondhand dealers in cities of the first class (RCW Chapter 19.60). A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this chapter.

7.28.140. Exceptions for unusable pistols. This chapter shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

7.28.150. Machine guns prohibited. It shall be unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or to have in possession, or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington.

7.28.160. Machine gun defined. For the purpose of this chapter a machine gun is defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip disc, drum, bolt, or other separable mechanical device for steering, carrying or supplying ammunition which can be loaded into such weapon, mechanism, or instrument and fired therefrom at a rate of five or more shots per second.

Olympia

Section 1. It shall be unlawful for any person, firm or corporation, to purchase any gun, pistol, firearm, or other deadly weapon, or any ammunition or explosive of any kind or character, without first obtaining a written permit therefor from the Chief of Police of the City of Olympia.

Section 2: The application for such permit shall be in writing and shall state the name of the person, firm or corporation, from whom such purchase is to be made, the kind of firearm, ammunition, or explosive desired, and the purpose for which it is to be used.

Section 3: The issuance of such permit shall be in the discretion of the Chief of Police. *** no person, firm, or corporation, shall sell any gun, pistol, firearm, deadly weapon, ammunition, or explosive without first obtaining from the purchaser a permit so issued by the Chief of Police. ***

Pasco

9.24.060 Selling revolvers and pistols to minors. It is unlawful for any person within the city to sell, give, or permit to be sold or given to any person under the age of eighteen years, any revolver or pistol.

Raymond

Ordnance No. 931

Section 1. It shall be unlawful for any person, firm, or corporation to sell any firearms *** to minors. ***

Renton

Firearms

6-137: "Short Firearm" and "Crime of Violence" Defined: "Short Firearm" as used in this Chapter means any firearm with a barrel less than twelve inches (12”) in length.
NOTICES

6-140: Certain persons forbidden to possess arms: No person who has been convicted in this State or elsewhere of a crime of violence, or shall own a pistol or have one in his possession or under his control.

6-144: Delivery to minors and others forbidden: No person shall deliver a pistol to any person under the age of twenty one (21) years or to one whom he has reasonable cause to believe has been convicted of a crime of violence or is a drug addict, a habitual drunkard or of unsound mind.

6-145: Sales regulated: No seller shall deliver a pistol to the purchaser thereof until forty eight (48) hours have elapsed from the time of the application for the purchase thereof, and when delivered, said pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol the purchaser shall sign in triplicate and deliver to the seller a statement [contact local authorities for required contents] *** The seller shall within six (6) hours after such application, sign and attach his address and forwarded by registered mail one (1) copy of such statement to the Chief of Police; the duplicate duly signed by the seller, shall within seven (7) days be sent by him with his address to the Director of Licenses; the triplicate he shall retain for six (6) years. This Section shall not apply to sales at wholesale.

6-146: Dealers to be licensed: No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell or otherwise transfer, any pistol without being licensed as provided by law.

6-147: Certain transfers forbidden: No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep records and make such reports as are provided by law for pawnbrokers and second-hand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this Chapter.

6-148: False information forbidden: No person shall, in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.

6-150: Exceptions: This Chapter shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

6-151: Machine guns; prohibited: That it shall be unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport or have in possession or under control, any machine gun or any part thereof capable of use or assembling or repairing any machine gun; provided, however, that such limitation shall not apply to any police officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the State of Washington.

6-152: Machine gun defined: For the purpose of this chapter a machine gun is defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt or other separable mechanical device for storing, carrying or supplying ammunition which can be loaded into such weapon, mechanism or instrument, and fired therefrom at the rate of five or more shots per second.

6-153: Machine guns or parts contraband: All machine guns, or parts thereof, illegally held or possessed are hereby declared to be contraband and it shall be the duty of all police officers to seize said machine gun or parts thereof, wherever and whenever found.

Richland

04.280. Selling, etc., of revolvers and pistols to minors less than eighteen. It shall be unlawful for any person within the city to sell, give, or permit to be sold or given to any person under the age of eighteen years, any revolver or pistol.

Seattle

Section 12A.17.010 Definitions. The following definitions apply in this chapter.

(1) "pistol" means any firearm or other weapon for the purpose of discharging a projectile by means of compressed air, chemical, combustion, or otherwise and having a barrel less than twelve inches in length, but as used in 12A.17.080 through 120 it shall not include antique pistols or revolvers manufactured prior to 1898 and held as collector's items.

(2) "Fugitive from justice" means a person who, having committed a crime, flees from the jurisdiction where it was committed to evade arrest.

(5) "gas pen," "gas pencil," "gas bomb" and "gas pistol" mean any pen, pencil, bomb, pistol or other device which is capable of containing and emitting tear gas or any noxious liquid, gas or substance.

Section 12A.17.080 Unlawful sale of pistol. It is unlawful for any merchant or secondhand dealer or any clerk, agent or employee of any merchant or secondhand dealer, to knowingly sell, give away or dispose of any pistol to any person at retail, unless such person is personally known to the seller or shall present clear evidence of his identity, or with completing a true record in triplicate of every pistol sold or disposed of. Such record shall be personally signed by the purchaser and the person effecting the sale, each in the presence of the other [contact local authorities for required contents] *** One copy shall within six hours be sent by registered mail to the chief of police of the city of Seattle who shall, within seventy-two hours, exclusive of Sundays and holidays, investigate the information contained in the record and report his findings to the merchant or secondhand dealer.

Section 12A.17.100 Unlawful delivery to purchaser. It is unlawful for any merchant or secondhand dealer or as any clerk, agent, or employee of any merchant or secondhand dealer to knowingly deliver any pistol to any purchaser until the merchant or secondhand dealer has received a report from the chief of police *** provided, that if such merchant or secondhand dealer does not receive such report from the chief of police within seventy-two hours, exclusive of Sundays and holidays, after he has mailed a copy of the record to the chief of police as required by Section 12A.17.080, then such merchant or secondhand dealer may deliver the pistol to the purchaser; provided further, that this section shall not apply to sales at wholesale, or to sales to persons exhibiting a valid license to carry a pistol concealed issued pursuant to RCW 9.41.070 or 12A.17.040 of this title or to sales to peace officers.

Section 12A.17.120 Unlawful for certain persons to purchase. It is unlawful for any person who is a fugitive from justice or who has been convicted in this state or elsewhere of a felony, or of drug addiction or of habitual drunkenness or has been confined to a mental institution to purchase a pistol in this city, and it is further unlawful for any such person to intentionally fail to disclose such information when applying for the purchase of a pistol.

Section 12A.24.140 Pistols.

1) It is unlawful for anyone to sell, give, furnish or cause to be furnished, or permit to be sold, given, furnished, or caused to be furnished to a minor a revolver, pistol, rifle, shotgun, or similar firearm, or any ammunition for the same.

2) It is unlawful for a minor to purchase, possess or use a revolver, pistol or similar firearm, or any ammunition for the same.

Sedro Woolley

9.76.010 Pistol defined. "Pistol" as used in this chapter means any firearm with a barrel less than twelve inches in length.

9.76.020 Convicted persons owning pistol. No person who has been convicted in this state, or elsewhere, of a crime of violence shall own a pistol or have one in his possession or under his control.

9.76.080 Use by minors. No minor under the age of fourteen years shall handle or have in his possession or under his control, except while accompanied by or under the immediate
NOTICES

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Spokane

20. Certain persons forbidden to possess arms. No person who has been convicted in this state or elsewhere of a crime of violence shall own a pistol or have one in his possession or under his control.

25. Sales regulated. No seller shall deliver a pistol to the purchaser thereof until seventy-two hours have elapsed from the time of the application for the purchase thereof, and, when delivered, said pistol shall be securely wrapped and shall be unloaded.

30. False information forbidden. No person shall, in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.

45. Delivery to minors and others prohibited. No person shall deliver a pistol to any person under the age of twenty-one or to one who he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard or of unsound mind.

46. Unlawful to * * * use silencer on firearms. No person shall * * * use any contrivance or device for suppressing the noise of any firearm.

Spokane County

6.05.050. Persons prohibited from owning or possessing pistol. No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession or under his control.

6.05.060 Sales regulated. No seller shall deliver a pistol to the purchaser thereof until forty-eight hours have elapsed from the time of the application for the purchase thereof, and, when delivered, said pistol shall be securely wrapped and shall be unloaded.

NOTICES

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Giving of false information prohibited. No person shall in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.

06.05.090. Delivery to minors and others prohibited. No person shall deliver a pistol to any person under the age of twenty-one or to one who has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard or of unsound mind.

Tumwater

7.04.350 Crime of violence defined. The term "crime of violence" as used in this chapter means any of the following crimes or an attempt to commit any of the same: Murder, manslaughter, rape, mayhem, first degree assault, robbery, burglary and kidnapping.

7.04.360 Firearm defined. The word "firearm" shall include but is not limited to any weapon or device capable of propelling a missile through the force of combustion or explosion or gunpowder or similar substance.

7.04.430 Delivery to minors and certain other persons. No person shall deliver a pistol to any person under the age of twenty-one or to one whom he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard or of unsound mind.
vicoted in this state or elsewhere of a crime of violence.

7.04.460 Dealers to be licensed. No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer any pistol without being licensed as provided by law under the requirements of RCW 9.41.110.

7.04.470 Certain transfers of weapons prohibited. No person other than a duly licensed dealer under RCW 9.41.110 shall make any loan secured by a mortgage, deposit or pledge for a loan.

NOTICES

West Virginia
State Law
W. Va. Code

§28-1-8. Offenses relating to youth facilities; penalties; escape and return. If any person shall *** give or sell, or aid or abet any other person to give or sell, to any youth in the youth facility, whether on the premises of such institution or otherwise, any *** firearms, *** such person shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten, nor more than one hundred dollars, or to be confined not more than twelve months in the county jail, or, in the discretion of the court, both fined and imprisoned. ***

§61-7-8. Possession of machine guns, high-powered rifles, or ammunition therefor; permits; unnaturalized persons may not possess firearms; exception. It shall be unlawful for any person to carry, transport, or have in his possession, any machine gun, submachine gun, or what is commonly known as a high-powered rifle, or any gun of similar kind or character, or any ammunition therefor, except on his own premises or premises leased to him for a fixed term, until such person shall have first obtained a permit from the superintendent of the department of public safety of this State, and approved by the governor, or until a license therefor shall have been obtained from the circuit court as in the case of revolvers and pistols, and all such licenses, together with the numbers identifying such firearms, shall be certified to the superintendent of the department of public safety: Provided, that nothing herein contained shall prevent the use of rifles by bona fide rifle club members who are freeholders or tenants for a fixed term in this State, at their usual or customary place of practice, and; Provided, however, that notwithstanding any other provision of this article or any other provision of this Code, any resident, nonresident and unnaturalized person may lawfully possess, transport, carry and use any firearm he is permitted to use for hunting under any valid license he has been issued by the department of natural resources and which he holds in his possession. At all times such person shall comply with all of the requirements of law set forth in this Code and the rules and regulations promulgated thereunder pertaining to possessing, transporting, carrying and using firearms for hunting.

No such permit shall be granted by the superintendent except in cases of riot, public danger and emergency until such applicant shall have filed his written application with the superintendent in accordance with the rules and regulations that may be from time to time prescribed by the department of public safety relative thereto, which application shall be accompanied by a fee of two dollars to be used in defraying the expense of issuing such permit, and such application shall contain the same provisions as are required to be shown under the provisions of section two [§61-7-2] of this article by applicants for a state license to carry a weapon, and shall be duly verified by such applicant and at least one other reputable citizen of this State. Any such permit as granted under the provisions of this section may be revoked by the governor or the preceding section [§61-7-8] shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars nor more than three hundred dollars, or imprisoned in the county jail not less than thirty days nor more than six months, or both fined and imprisoned.

§61-7-9. Display of dangerous weapons for sale or hire; sale to unnaturalized person; penalties for violation of this section or §61-7-8. It shall be unlawful for any person, firm or corporation to place or keep on public display to passersby on the streets, roads or alleys, for rent or sale, any revolver, pistol, *** or other dangerous weapons of like kind or character, or any machine gun, submachine gun or high-powered rifle, or any gun of similar kind or character, or any ammunition for the same. All dealers licensed to sell any of the foregoing arms or weapons shall take the name, address, age and general appearance of the purchaser, as well as the maker of the gun, manufacturer’s serial number and the caliber, and report the same at once in writing to the superintendent of the department of public safety. It shall be unlawful for any person to sell, rent, give or lend any of the arms mentioned in this article to an unnaturalized person: Provided, that a person may lawfully sell, rent, give or lend any firearm which may lawfully be used for hunting to any unnaturalized person who has been issued and holds a valid permit in accordance with the provisions of section twenty-nine [§20-2-29], article two, chapter twenty of this Code and the unnaturalized person shows such permit to such person when the sale, rental, gift or loan is made.

Any person violating the provisions of this or the preceding section [§61-7-8] shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars nor more than three hundred dollars, or imprisoned in the county jail not less than thirty days nor more than six months, or both fined and imprisoned.

§61-7-14. Purchase of firearms in contiguous state. Any resident of this State, including a corporation or other business entity maintaining a place of business in this State, who may lawfully purchase and receive delivery of a rifle, shotgun or any other legal firearm, or any part thereof, in this State, may purchase the same in a state contiguous to this State and transport or receive the same into this State provided the sale meets the lawful requirements of any federal statute, and is made by a licensed importer, licensed manufacturer, licensed dealer or private collector.

Beckley

25-3. Sale or rental of weapons to minors under eighteen. It shall be unlawful for any person to rent or sell any machine gun, high-powered rifle or any gun of similar kind or
character, or revolver, pistol, *** or other dangerous weapon of like kind or character, or any ammunition for any such weapon, to any person under the age of eighteen years, unless at the time of such rental or sale such minor shall be accompanied by his or her parents, or one of them, or by the minor's legal guardian.

Benwood

210.02. Selling or giving to minors. No person shall sell or give away to a person under twenty-one years of age, any revolver or other pistol *** or any other dangerous or deadly weapon of like kind or character.

210.06. Sale to person not holding permit. No person shall sell, deliver, transfer or otherwise dispose of any pistol, revolver or other firearms of the kind described in Section 210.05, to any person who is not the holder of a written permit, bearing the signature of the Chief of Police, authorizing such person to purchase, receive or accept such pistol, revolver or other firearm.

210.07. Purchase without permit. No person shall purchase, receive or accept any pistol, revolver or other firearm of the kind described in Section 210.05 without first obtaining a written permit from the Chief of Police authorizing such person to purchase, receive or accept such pistol, revolver or other firearms.

210.13. Exceptions. Nothing contained in this article shall be deemed to apply to the sale, transfer, purchase or receipt of antique pistols or revolvers which are incapable of being used as firearms.

Charleston

Sec. 18–70. Same—Possession by persons under age sixteen. No person under the age of sixteen years shall carry or have in his possession upon any street, park or other public space in the city any gun, pistol, rifle, *** or other dangerous weapon of any character; provided, that nothing in this section shall be so construed as to prohibit members of duly authorized military, cadet corps or similar organizations from the proper use of their guns and other equipment as members of such organizations.

Chesapeake

§5. Sale or rental. It shall be unlawful for any person to rent or sell any revolver, pistol, *** or other dangerous weapon of like kind or character, or any machine gun or high powered rifle, or any gun of similar kind or character, or any ammunition for the same, to any person under the age of eighteen years, unless at the time of such rental or sale such minor shall be accompanied by his her parents, or one of them, or by the minor's legal guardian.

Clarksburg

17–72. Same—Sale to person under sixteen years of age; sale of explosives to persons under sixteen prohibited. It shall be unlawful for any person to sell, offer to give or lend to any child or children under the age of sixteen years, firearms, gunpowder, gun caps, *** or other explosives of like kind and character in any quantity whatever.

Fairmont

Sec. 16–6. Dangerous or deadly weapons—Carrying; sale, etc., to minors. If any person shall carry about his person any revolver or other pistol, *** or any other dangerous or deadly weapon of like kind or character, he shall be punished as provided ***. If any person shall sell or furnish any such weapon as is hereinafore mentioned to a person whom he knows or has reason from his appearance or otherwise to believe to be under the age of twenty-one years he shall be punished ***

Logan

15–4. Sale, etc., to minor under sixteen of firearms or explosives. It shall be unlawful for any person to sell or give to any minor under the age of sixteen years firearms or gunpowder or other explosives in any quantity.

Mannington

Chapter 22, Section 2m. No person without a city license therefore, shall sell pistols, revolvers, or weapons of like kind.

Martinsburg

35–5. Display of dangerous weapons for sale or hire; sale to unnaturalized person. *** It shall be unlawful for any person to sell, rent, give or lend any of the arms mentioned in article 7, chapter 61, Michie's West Virginia Code, 1961, to an unnaturalized person.

Morgantown

31–8. License—Required. No person shall sell, offer for sale, display, rent or exchange any dangerous or deadly weapon, including, but not by way of limitation, any revolver, pistol, *** or other weapons of like kind within the city without first obtaining a license to engage in any such business.

Rupert

7–304 Dangerous Weapons: Sale of. No person shall sell or furnish any of the dangerous weapons referred in Section 3 (revolver or other pistol) of this article to a person when he knows, or has reason from his appearance or otherwise to believe, to be under the age of twenty-one years. ***

Summersville

*** it shall be unlawful for any person, firm, or corporation to place or keep on public display to passers-by on the streets, roads, or alleys of said Town, for rent or sale, any revolver, pistol *** or other dangerous weapon of like kind or character or any machine gun, sub-machine gun, or high powered rifle, or any gun of similar kind or character, or any ammunition for the same. *** It shall be unlawful for any person to sell, rent, give, or lend any of the arms mentioned in this article to an unnaturalized person.

Weirton

553.08 Sale of arms to un unnaturalized person or minor. No person shall sell, rent, give or lend any of the arms mentioned in this article to any un unnaturalized person and no person
shall sell any of the arms mentioned in this article to any minor under the age of sixteen years.

Wheeling

537.02 Selling or giving to minors. No person shall sell or give away to a person under twenty-one years of age, any revolver or other pistol ** or any other dangerous or deadly weapon of like kind or character.

537.05 Sale, transfer of concealed weapons. No person shall sell, lend, give away, exchange or transfer, or purchase, receive or accept, any pistol, revolver or firearms of any kind whatsoever which is capable of being concealed on the person, except as authorized and provided by this article.

537.06 Sale to person not holding permit. No person shall sell, deliver, transfer or otherwise dispose of any pistol, revolver or other firearms of the kind described in Section 537.05, to any person who is not the holder of a written permit, bearing the signature of the Chief of Police, authorizing such person to purchase, receive or accept such pistol, revolver or other firearm.

537.07 Purchase without permit. No person shall purchase, receive or accept any pistol, revolver or other firearm of the kind described in Section 537.05 without first obtaining a written permit from the Chief of Police authorizing such person to purchase, receive or accept such pistol, revolver or other firearms.

537.10 Vendor to demand permit from purchaser. At the time of the sale or delivery of a pistol, revolver or other firearm of the kind described in Section 537.05, the vendor or transferor thereof shall demand of and receive from the purchaser or recipient of such pistol, revolver or other firearm, a permit, issued pursuant to the provisions of this article authorizing such purchaser or recipient to purchase or receive such pistol, revolver or other firearm.

537.13 Exceptions. Nothing contained in this article shall be deemed to apply to the sale, transfer, purchase or receipt of antique pistols or revolvers which are incapable of being used as firearms.

NOTICES

Wisconsin
State Law

164.01 Definitions. (1) "Machine gun" applies to and includes a weapon of any description by whatever name known from which more than two shots or bullets may be discharged by a single function of the firing device.

(2) "Crime of violence" applies to and includes any of the following crimes or an attempt to commit any of the same, namely, murder, manslaughter, kidnapping, rape, mayhem, assault to do great bodily harm, robbery, burglary, housebreaking, breaking and entering, and larceny.

(3) "Person" applies to and includes firm, partnership, association or corporation.

164.03 Possession for aggressive purpose. Possession or use of a machine gun for offensive or aggressive purpose is hereby declared to be a crime punishable by imprisonment in the state penitentiary for a term of not less than 10 years.

164.04 Possession when presumed for aggressive purpose. Possession or use of a machine gun shall be presumed to be for offensive or aggressive purpose:

(1) When the machine gun is on premises not owned or rented, for bona fide permanent residence or business occupancy, by the person in whose possession the machine gun may be found: or

(2) When in the possession of, or used by, an unnaturalized foreign-born person, or a person, who has been convicted of a crime of violence in any court of record, state or federal, of the United States of America, its territories or insular possession: or

(3) When the machine gun is of the kind described in section 164.08 and has not been registered as in said section required: or

(4) When empty or loaded pistol shells of 30 (.30 in. or 7.63 mm.) or larger caliber which have been used or are susceptible of use in the machine gun are found in the immediate vicinity thereof.

164.06 Exceptions. Nothing contained in this chapter shall prohibit or interfere with the manufacture for, and sale of, machine guns to the military forces or the peace officers of the United States or of any political subdivision thereof, or the transportation required for that purpose; the possession of a machine gun for scientific purpose, or the possession of a machine gun not usable as a weapon and possessed as a curiosity, ornament, or keepsake; the possession of a machine gun other than, one adapted to use pistol cartridges of 30 (.30 in. or 7.63 mm.) or larger caliber, for a purpose manifestly not aggressive or offensive.

164.20 Machine guns and other weapons; use in certain cases; penalty. (1) No person shall sell, possess, use or transport any machine gun or other full automatic firearm, nor shall any person sell, possess, use, or transport any bomb, hand grenade, projectile, shell or other container of any kind or character into which tear gas or any similar substance is used or placed for use to cause bodily discomfort, panic, or damage to property.

(2) Any person violating any of the provisions of this section shall be punished by imprisonment in the state prison for a term of not less than one year nor more than three years.

(3) The provisions of this section shall not apply to the sale, possession, use or transportation of any such weapons or containers to or by any national guardian in line of duty, any civil enforcement officer of the state or of any city or county, or any person duly authorized by the chief of police of any city or the sheriff of any county to sell, possess, use or transport such weapons or containers; nor shall the restriction on transportation apply to common carriers.

175.30 Purchase of firearms in contiguous states permitted. It is lawful for a resident of this state or a corporation or other business entity maintaining a place of business in this state to purchase or otherwise obtain a rifle or shotgun in a state contiguous to this state if the transfer complies with federal law and the laws of both states.

175.35 Waiting period for purchase of handguns. (1) In this section, "handgun" means any weapon designed or redesigned, or made or remade, and intended to be fired while held in one hand and to use the energy of an explosive to expel a projectile through a smooth or rifled bore.

(2) (a) No firearms dealer licensed by the U.S. department of the treasury may transfer possession of any handgun to any person for 48 hours following purchase of such handgun.

(b) This section shall not apply to the transfer of any handgun classed as an antique by regulations of the treasury department or to transfers between licensed firearms dealers or between wholesalers and dealers.

939.22 Words and phrases defined. In the criminal code, the following words and phrases have the designated meanings unless the context of a specific section manifestly requires a different construction:

(10) "Dangerous weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.

941.22 Possession of pistol by minor. (1) Any minor who goes armed with a pistol or any person who intentionally sells, loans or gives a pistol to a minor may be fined not
more than $500 or imprisoned not more than one year in county jail or both.

(4) In this section "pistol" means any firearm having a barrel less than 12 inches long.

943.06 Molotov cocktails. (1) As used in this section, "fire bomb" means a breakable container containing a flammable liquid with a flash point of 150 degrees Fahrenheit or less, having a wick or similar device capable of being ignited, but does not mean a device commercially manufactured primarily for the purpose of illumination.

(2) Whoever possesses, manufactures, sells, offers for sale, gives or transfers a fire bomb may be fined not more than $500 or imprisoned not more than 6 months or both.

(3) This section shall not prohibit the authorized use or possession of any such device by a member of the armed forces or by firemen or law enforcement officers.

APPLETON

8.01 Offenses endangering public safety.

***** * (4) Sale of dangerous weapons to minors prohibited. No person shall buy for, sell or give away to any minor any dangerous weapon ** without first having obtained the written consent of the parent or guardian of such minor. The term "dangerous weapon" shall mean and include the following instruments: * pistol, revolver, any instrument which impels a missile by compressed air, spring, or other means, any weapon in which loaded or blank cartridges are used. **

BELOIT

15.01 Offenses against state laws subject to forfeiture. (Am. #1304) The following statutes defining offenses against the peace and good order of the State are adopted by reference to define offenses against the peace and good order of the municipality, provided the penalty for commission of such offenses hereunder shall be limited to a forfeiture.

***** 943.06 Molotov Cocktails. *****

15.07 Firearms and Weapons, use of.

****** (3) Sale of firearms and weapons to minors forbidden. No person shall sell any firearm, *** or loan such items to any minor within the City.

CUDAHY

Section 15.02(2)(b) It shall be unlawful for any person under the age of eighteen (18) to purchase any revolver or pistol upon which any loaded or blank cartridges are used. Every person who deals in dangerous weapons or guns shall keep a record of sales of such dangerous weapons or guns, [contact local authorities for required contents] **

No sale shall be made to persons having been convicted of a felony.

GLENDALE

24.20. Making, possession, transfer or use of fire bombs and other similar devices. (a) No person shall make, carry, possess, sell, give, transfer to another or use any type of fire or explosive creating device which is defined to mean a flammable-liquid filled bottle or container with a fuse, wick, or any other type of ignition or detonating device, flammable liquid fire bomb or any other device or missile which can be ignited and cause ignition of any premises or material or which can cause damage by explosion.

HALES CORNERS

14.01 Dangerous and Concealed Weapons.

(1) Definitions. (a) Dangerous Weapon. The term "dangerous weapon" shall include any instrument which by its capabilities of use is liable to produce death or great bodily harm. The following are dangerous per se: ** pistol, revolver, *** any weapon upon which loaded or blank cartridges are used. **

(b) Concealed Weapon. The term "concealed weapon" shall include any dangerous weapon which is hidden from ordinary observation. Absolute invisibility is not necessary to constitute a weapon as being concealed. Any weapon which is carried within a case is not to be construed as a concealed weapon if the case is plainly visible.

***** *

(3) License for Sale of Weapons. (a) No person shall engage in the business of buying or selling, or shall sell or give away to any person, or buy or receive of any person, within the Village, any weapon listed or defined as dangerous, except rifles or shotguns used for hunting purposes. *** without securing a license to do so, and no person having such license shall sell or give away any such weapon to any person within the Village who has not secured a permit from the Chief of Police to purchase such weapon.

(b) Selling Weapons to Minors Prohibited. No person shall engage in the business of buying or selling or shall sell or give away to any minor under the age of 21, any weapon listed or defined as dangerous, * *

(4) Permit Required for Purchase of Dangerous Weapons. No person shall purchase or obtain by gift or otherwise without first securing from the Chief of Police a permit, any dangerous weapon, except a rifle, or shotgun used for hunting purposes, ***. Before any such permit is granted, an application in writing shall be made therefor [contact local authorities for required contents]. **

KENOSHA

11.02-R. Possession or use of fire bombs and other similar devices. (1) It shall be unlawful for any person to make, carry, possess, sell, give, or use any type of "Molotov Cocktail" which is defined to mean a flammable-liquid filled bottle or container with a fuse, wick, or any other type of ignition or detonating device.

*****  * (2) It shall be unlawful for any person to make, carry, possess, sell, give, or use any type of flammable-liquid fire bomb or any other device or missile which can be ignited and cause ignition of any premises or material or which can cause damage by explosion.

11.06. Dangerous weapons. B. "Sale Forbidden". No person shall sell, loan or give away any gun, pistol, revolver or other dangerous or deadly weapon to any minor or intoxicated person.

MADISON

25.01 Sale of Firearms.

(1) Definitions: For the purpose of this section:

Firearm. The term "firearm" means a shotgun or a rifle or any weapon made from a rifle or shotgun (modification or otherwise) or any other weapon, including a pistol or revolver, from which a shot is discharged by an explosive or propellant, but not including a stud gun when used for its intended purpose.

Handgun. The term "handgun" means any weapon designed or redesigned, made or remade, and intended to be fired while held in one hand, having a barrel of less than ten (10) inches in length, designed or redesigned, made or remade, to use the energy of an explosive to expel a projectile or projectiles through a smooth or rifled bore, including weapons commonly referred to as pistols or revolvers, but not including a stud gun.

Rifle. The term "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of a propellant to fire only a single projectile through a rifle bore for each single pull of the trigger.

Shotgun. The term "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of a propellant to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

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Menomonee Falls

10.01 Offenses Endangering Public Safety. (1) ***(1) Sale to Minors. No person shall sell or give away any firearm, rifle, shotgun, or ammunition therefor, to any person under the age of 18 years.

(j) Possession by Minor. No person under the age of 18 years shall carry a firearm upon his person, or in any vehicle, nor shall any person under the age of 18 years carry a firearm while hunting, or for target practice or any hunting under his direct supervision.

Milwaukee

105.34. Definition. The term "dangerous weapon" shall mean and include any instrument which by its capabilities of use is liable to produce death or great bodily harm. The following are dangerous per se: ** pistol, revolver, any instrument which impels a missile by compressed air, spring, or other means, any weapon upon which loaded or blank cartridges are used. ** Instruments not herein specifically enumerated are none the less dangerous weapons when they fall within the terms of the above definition.

105.43. Sale of Dangerous Weapons. (1) License Required. It shall be unlawful for any person, firm or corporation to engage in the business of buying or selling, or to sell or give away to any person, or to buy or receive of any person, within the city, any ** revolver, pistol, or other instrument or weapon which uses loaded or blank cartridges, except rifles and shotguns used for hunting purposes, without securing a license so to do as herein provided, and no person having such license shall sell or give away any such weapon to any person within the City who has not secured a permit from the Chief of Police **.

(5) Permit to purchase. No person shall purchase or possess any of the weapons or articles enumerated in subsection (1) until he has obtained a permit for such purpose from the Chief of Police.

Port Washington

9.11. Sale of weapons. (1) License required. No person shall engage in the business of selling, or shall sell or give away to any person, within the City, any ** revolver, pistol, or other instrument or weapon which uses loaded or blank cartridges, except rifles and shotguns used for hunting purposes, without securing a license so to do as herein provided, and no person having such license shall sell or give away any such weapon to any person within the City who has not a license to sell.

Racine

25.06. Dangerous or concealed weapons. (2) The term "dangerous weapon" means any instrument which by its capabilities of use is employed for the purpose of producing death or great bodily harm.
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23.15 Firearms.

2. Sale and Display Regulated. No person, firm, or corporation shall engage in the business of selling or give away any firearm, intended for and capable of shooting powder, balls or cartridges, without the consent in person or writing of the parent or guardian of the minor.
Every person who purchases any firearm shall sign a firearms register to be signed by purchasers.

(1) Dealers' Licenses. Dealers' licenses shall be issued by the Chief of Police.

(2) Buyers' Licenses. Buyers' licenses shall be issued by the Chief of Police upon an application in writing.

(3) Purchase of. No person shall purchase or receive any of the weapons or items mentioned in subsection (2) if said person:
   a. Is under eighteen years of age.
   b. Is under indictment in any court for a crime punishable by imprisonment for a term exceeding one year.
   c. Has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year.
   d. Is a fugitive from justice.
   e. Is an unlawful user of, or addicted to, marijuana or a depressant, stimulant, or narcotic drug.
   f. Is under the influence of a drug or is intoxicated.
   g. Has ever been adjudged mentally defective or has ever been committed to a mental institution.
   h. Has been discharged from the Armed Forces under dishonorable conditions.
   i. Is an alien illegally in the United States.
   j. Is a person who, having been a citizen of the United States, has renounced his citizenship.

White Fish Bay

15.12. Weapon dealers (1) Sale and display prohibited. No person shall engage in the business of selling, sell or give away any revolvers, pistols, shot gun, machine gun, grenade, bomb or any other weapon in which loaded or blank cartridges, shells, gas, explosives or other projectiles are intended to be used.

White Water

15.03(a) No person, firm, partnership, association, or corporation shall display for sale, offer for sale, or sell any loaded pistol, gun, shot gun, or other firearms within the City Limits of the City of Whitewater.

Wisconsin Dells

11. No person shall sell any firearms to any minor in the City of Wisconsin Dells.

Wyoming


§6-241. Possession of weapons by aliens. Every person, not being a citizen of the United States, who shall own, possess, wear or carry any pistol, shot gun, rifle, or other fire arm, or any other dangerous or deadly weapon, shall upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be fined in any sum not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) or imprisoned in the county jail not more than six months, or by both such fine and imprisonment.

§6-244. Dealer's and pawnbroker's firearms register. To be signed by purchasers. Every person who purchases any firearm from any retailer, pawn broker or dealer, shall sign his name or make his mark properly witnessed, if he cannot write, on said firearm register, at the time of the delivery to him of any firearm so purchased.

§6-246. Rifles and shotguns—Defined. Rifle—a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

§6-246.1. Rifles and shotguns—Defined. Rifle—a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.
NOTICES

tories, possessions or the District of Columbia or who is a fugitive from justice or is of unsound mind or is a drug addict or an habitual drunkard or is a member of a subversive organization shall possess a firearm within the city.

Arrests, without a warrant, and searches and seizures pursuant thereto, may be made for violations of this section by police officers, as in the case of a felony, upon probable cause that the person arrested is carrying a pistol in violation of this section at the time of arrest.

30-57. Same—Minors. No person under the age of eighteen (18) years shall possess a firearm. This section shall not apply to the issuance of pistols to members of the state militia, ROTC, or the armed forces of the United States for training or active duty or to temporary loans of pistols for instruction under the immediate supervision of a parent or guardian.

30-58. Sale, possession, etc., of firearms without manufacturer’s identification mark prohibited. No person shall receive, possess, sell, lease or otherwise transfer any firearm from which the manufacturer’s identification mark or serial number has been removed.

30-65. License—Required. No person shall sell any firearm at wholesale or retail or shall lease, pledge or accept any firearm as security for a loan without obtaining a license therefor.

30-69. Pistols—Sale and delivery. When any sale of a pistol, the overall length of which is less than six (6) inches, is made under this article, forty-eight (48) hours must elapse between the time of the sale and the time of delivery to the purchaser. All pistols time of delivery to the purchaser. All pistols shall be securely wrapped and unloaded when delivered to the purchaser.

30-71. Sales, etc., to criminals, dope addicts, etc. No person shall sell, lease, lend or otherwise transfer a firearm to any person whom he knows or has reasonable cause to believe has been convicted of a crime of violence or is a fugitive from justice or is of unsound mind or is intoxicated or is a drug addict or an habitual drunkard or is a member of a subversive organization.

30-72. Sales, etc., to minors. No dealer shall sell, lease, lend or otherwise transfer a firearm to any minor except as provided in section 30-57.

Cody

34-4. Furnishing deadly weapons * * * to minors. It shall be unlawful for any person to sell, barter, give away, or to dispose of in any other way, to any person under the age of twenty-one years, any pistol, *** or any other deadly weapon of any kind, which can be worn or concealed upon the person.

It shall further be unlawful to sell, barter, give to or dispose of in any other way to any person under the age of sixteen years any cartridges manufactured and designated for use in a pistol.

Powell

8.24. Disposing of weapons to minors. It shall be unlawful for any person to sell, barter, give away, or to dispose of in any other way to any person under the age of twenty-one years, any pistol, *** or any other deadly weapon of any kind whatsoever, which can be worn or concealed upon the person, and it shall further be unlawful to sell, barter, give to or dispose of in any other way to any person under the age of sixteen years any cartridges manufactured and designed for use in a pistol.

8.25. Police excepted. The provisions of this Article shall not apply to any duly appointed law enforcement officer in the lawful discharge of his duties as such officer.

Sheridan

Sec. 19-44. Same—Sale, etc., to minors. It shall be unlawful for any person to sell, barter or give to any other person under the age of twenty-one years any pistol *** or other deadly weapon that can be worn, carried or concealed upon or about the person, or to sell, barter or give to any person under the age of sixteen years any cartridges manufactured and designated for use in a pistol.
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