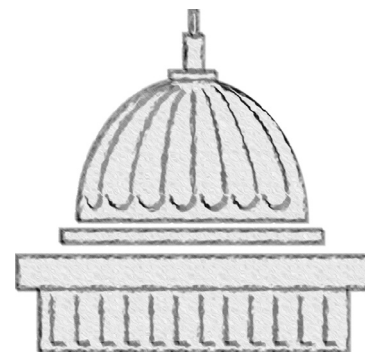


F. NRA / ILA Firearms Laws for

DISTRICT OF COLUMBIA

(As of May, 2002)



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A SYNOPSIS OF STATE LAWS ON PURCHASE, POSSESSION AND CARRYING OF FIREARMS.

QUICK REFERENCE CHART

	Rifles and Shotguns	Handguns
Permit to Purchase	Yes	Yes*
Registration of Firearms	Yes	Yes
Licensing of Owners	Yes	Yes
Permit to Carry	Yes	Yes

*Not available.

NOTE: The District of Columbia has two sets of laws applicable to firearms. One, passed by Congress, is part of the D.C. Code (2001 ed. §§ 22-4501 et seq.) and regulates the purchase, possession and carrying of firearms. A newer law, passed in 1976 by the D.C. City Council requires all firearms to be registered, all owners to be licensed, and prohibits the sale of new handguns. It also prohibits anyone from bringing a handgun into the District or transporting a handgun through the city (D.C. Code 2001 ed. §§ 7-2501.01 et seq.).

This digest summarizes both the Congressional law and the City Council law. In many respects, the City Council law duplicates, and adds additional restrictions on possession and purchase of firearms. In some instances, the superimposed requirements of the City Council law conflict with the D.C. Code requirement.

Readers are cautioned that obeying the law requires compliance with both laws (or, in case of conflict, with the stricter of the two).

PURCHASE

Rifles and Shotguns

A person may buy or sell a firearm only from or to a licensed dealer in the District. Delivery cannot be made until the registration certificate for the firearm is approved by the Metropolitan Police Dept. Ammunition may be bought only for the caliber or gauge of a firearm registered to the buyer.

Handguns

The sale of handguns in the District is prohibited.

POSSESSION

Rifles and Shotguns

All rifles and shotguns must be registered with the Metropolitan Police. To obtain a registration certificate, the applicant must be 21 years old (or be over 18 and have a liability statement signed by his guardian), pass a vision test or have a valid D.C. driver's license, and not be:

1. Convicted of a crime of violence or a weapons offense.
2. Under indictment for a crime of violence.
3. Convicted of a narcotics or an assault or battery charge within the last five years.
4. Acquitted of a crime by reason of insanity or adjudicated an alcoholic within the past five years.
5. Committed to a mental hospital within the past five years.
6. Suffering from a physical defect which might render his possession of a gun unsafe.
7. Found negligent in any firearm mishap.

No firearm may be acquired unless an application is first filed with the Metropolitan Police Department and a registration certificate issued.

Any person bringing a rifle or shotgun into the District must "immediately" notify the Identification and Records Division. An application for registration must be filed within 48 hours after such notification.

Handguns

No handgun can be legally possessed in the District unless it is registered. All handguns registered in the District prior to Sept. 24, 1976, were required to have been reregistered by Feb. 5, 1977. After that date, no more handguns could be registered.

Thus, it is unlawful to possess, acquire, or bring into D.C. any handgun which was not registered as of Feb. 5, 1977.

CARRY

Carrying a handgun in the District is prohibited. All firearms are to be kept at one's home or place of business.

All firearms must be unloaded and disassembled or locked with a trigger lock except when kept at a registrant's place of business or while being used for lawful "recreational" purposes. A D.C. license to carry a pistol is needed for one's home or business and the pistol must also have been registered prior to September 24, 1976.

Self-defense in one's home with a firearm is therefore legally precluded.

NONRESIDENTS

Nonresidents are prohibited (subject to the recreational activity exception) from carrying or possessing a firearm while traveling through the District unless the gun has been registered with the Metropolitan Police.

NOTE: As a practical matter, the police have advised that they will not interfere with nonresidents passing through the District with a firearm, providing the person does not stop, and the firearm is unloaded, securely wrapped and carried in the trunk.

RECREATIONAL ACTIVITY EXCEPTION

Residents and nonresidents of the District may possess firearms while going to or from and while engaged in lawful recreational firearms related activity, provided that their firearms are legally possessed in their place of residence. In addition, the person should be able to "exhibit proof" that he is on his way to such activity and must transport the firearm "unloaded, securely wrapped and carried in open view."

NOTE: A District resident must ensure that his firearms are registered with the police and he may not borrow, loan, give or rent another person's firearms.

ANTIQUES AND REPLICAS

An antique firearm is any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system manufactured in or before 1898 and any replica of any firearm so described if such replica: is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or uses rimfire or conventional ammunition which is no longer manufactured in the

United States and which is not readily available in the ordinary channels of commercial trade. Such firearms are exempt from the registration requirement. Also exempt from the registration and license to carry requirement are antique pistols unsuitable for use as firearms.

NOTE: The reader should be aware that there is a problem with conflicting definitions of replicas. The old Code only exempted pistols "unsuitable for use" from the statutory restrictions. The D.C. police have advised that they are not registering replicas, and a loaded operational replica will be considered a "lethal weapon" and cannot be possessed in that condition.

MACHINE GUNS

Machine guns, which are defined as firearms which automatically fire more than one shot by a single function of the trigger and includes semi-automatic weapons which fire more than 12 shots without manual reloading, are prohibited.

NOTE: This prohibition extends to all semi-automatic firearms which can be fitted with a clip or magazine containing 12 or more cartridges. This includes .22 caliber rifles with 15 shot tube magazines as well as automatic pistols with 14 shot clips.

MISCELLANEOUS

Any person who commits a crime of violence "when armed with or having readily available any pistol or other firearm (or imitation thereof)" shall, in addition to the sentence received for the crime itself, also receive an additional sentence.

It is unlawful to possess any firearm, including an imitation handgun, with intent to use it unlawfully against another.

It is unlawful to change, alter, remove or obliterate the maker's name, manufacturer's number or other mark of identification on any handgun. Possession of a handgun with an altered mark shall create a legal presumption that the possessor committed the offense.

It is unlawful to carry a gun within 1000 feet of a public or private day care center, elementary school, vocational school, secondary school, college, junior college, or university, or any public swimming pool, playground, video arcade, or youth center, or an event sponsored by any of the above entities.

CAUTION: Firearm laws are subject to frequent change and court interpretation. This summary is not intended as legal advice or restatement of law. This summary does not include federal or local laws, ordinances or regulations. For any particular situation, a licensed local attorney must be consulted for an accurate interpretation. **YOU MUST ABIDE WITH ALL LAWS: STATE, FEDERAL AND LOCAL.**

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