

**CHAPTER 54**

**FIREARMS AND WEAPONS**

**Authority**

N.J.S.A. 2C:39-1 et seq. and 2C:58-1 et seq.; as to N.J.A.C. 13:54-1.15, N.J.S.A. 47:1A-2 and Executive Order No. 9 (Gov. Richard J. Hughes, September 30, 1963).

**Source and Effective Date**

R.2007 d.378, effective November 13, 2007.  
See: 39 N.J.R. 2324(a), 39 N.J.R. 5349(a).

**Chapter Expiration Date**

Chapter 54, Firearms and Weapons, expires on November 13, 2012.

**Chapter Historical Note**

Chapter 54, Weapons and Explosives, was adopted and became effective prior to September 1, 1969 pursuant to Authority delegated at N.J.S.A. 2A:151-1 et seq.

Subchapter 6, Security Systems for Dealers, was adopted as R.1971 d.158, effective September 3, 1971. See: 3 N.J.R. 158(a), 3 N.J.R. 207(a).

Chapter 54, Weapons and Explosives, was repealed and Chapter 54, Firearms and Weapons, was adopted as new rules by R.1986 d.413, effective October 6, 1986. See: 18 N.J.R. 51(a), 18 N.J.R. 2048(b).

Pursuant to Executive Order No. 66(1978), Chapter 54, Firearms and Weapons, was readopted as R.1991 d.564, effective November 18, 1991. See: 23 N.J.R. 2250(a), 23 N.J.R. 3521(a).

Pursuant to Executive Order No. 66(1978), Chapter 54 was readopted as R.1996 d.579, effective November 18, 1996. See: 28 N.J.R. 4375(a), 28 N.J.R. 5181(a).

Subchapter 7, Retired Law Enforcement Officer's Identification Card to Permit Carrying a Handgun, was adopted as new rules by R.1997 d.348, effective August 18, 1997. See: 29 N.J.R. 2624(a), 29 N.J.R. 3733(a).

Chapter 54, Firearms and Weapons, was readopted as R.2002 d.183, effective May 17, 2002. See: 34 N.J.R. 211(a), 34 N.J.R. 2136(a).

Chapter 54, Firearms and Weapons, was readopted as R.2007 d.378, effective November 13, 2007. As a part of R.2007 d.378, Subchapter 1, Firearms Identification Card and Permit to Purchase a Handgun, was renamed Firearms Purchaser Identification Card and Permit to Purchase a Handgun; Subchapter 4, Wholesale Dealers, Manufacturers and Wholesale Dealers Agents and Employees, was renamed Wholesale Dealers, Manufacturers and Wholesale Dealers' Agents and Employees; and Subchapter 5, Machine Guns, Assault Firearms and Large Capacity Magazines, was renamed Machine Guns, Assault Firearms and Large Capacity Ammunition Magazines, effective December 17, 2007. See: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. FIREARMS PURCHASER IDENTIFICATION CARD AND PERMIT TO PURCHASE A HANDGUN**

**13:54-1.1 Firearms purchaser identification cards and permits to purchase handguns**

This subchapter prescribes the requirements and procedures for the issuance of firearms purchaser identification cards, permits to purchase handguns and the general rules for holders of such permits and identification cards.

**Case Notes**

Statute making falsifying answers on "any instrument required by law" in purchasing a firearm a State offense includes falsification on Federal as well as State forms; State has jurisdiction over offense involving Federal forms if offense occurred within the State's borders (citing former N.J.A.C. 13:54-5.8). *State v. Pleva*, 203 N.J. Super. 178, 496 A.2d 375 (App.Div.1985) certification denied 102 N.J. 323, 508 A.2d 203.

**13:54-1.2 Definitions**

The words and terms used in this chapter shall have the following meanings:

"Ammunition" means various projectiles, including bullets, missiles, slugs or balls together with fuses, propelling charges and primers that may be fired, ejected, projected, released, or emitted from firearms or weapons.

"Antique cannon" means any weapon which satisfies the definition of an antique firearm and which is also capable of firing a projectile of a caliber greater than .60 caliber, except a shotgun or shotgun ammunition generally recognized as suitable for sporting purposes.

"Antique firearm" means any firearm, which is incapable of being fired or discharged, or which does not fire fixed ammunition regardless of the date of manufacture, or was manufactured before 1898, for which cartridge ammunition is not commercially available, and is possessed as a curiosity or ornament or for its historical significance or value.

"Assault firearms" means:

1. Any of the following firearms:

Algimec AGM1 type

Any shotgun with a revolving cylinder such as the "Street Sweeper" or "Striker 12"

Armalite AR-180 type

Australian Automatic Arms SAR

Avtomat Kalashnikov type semi-automatic firearms

Beretta AR-70 and BM59 semi-automatic firearms

Bushmaster Assault Rifle

Calico M-900 Assault carbine and M-900

CETME G3

Chartered Industries of Singapore SR-88 type

Colt AR-15 and CAR-15 series

Daewoo K-1, K-2, Max 1 and Max 2, AR 100 types

Demro TAC-1 carbine type

Encom MP-9 and MP-45 carbine types

FAMAS MAS223 types

FN-FAL, FN-LAR, or FN-FNC type semi-automatic firearms

Franchi SPAS 12 and LAW 12 shotguns

G3SA type

Galil type

Heckler and Koch HK91, HK93, HK94, MP5, PSG-1

Intratec TEC 9 and 22 semi-automatic firearms

M1 carbine type

M14S type