

**CHAPTER 54
FIREARMS AND WEAPONS**

Authority

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

Source and Effective Date

R.1996 d.579, effective November 18, 1996.
See: 28 N.J.R. 4375(a), 28 N.J.R. 5181(a).

Executive Order No. 66(1978) Expiration Date

Chapter 54, Firearms and Weapons, expires on November 18, 2001.

Chapter Historical Note

Chapter 54, Weapons and Explosives, became effective prior to September 1, 1969 pursuant to Authority delegated at N.J.S.A. 2A:151-1 et seq. Subchapter 6 became effective September 3, 1971 as R.1971 d.158. See: 3 N.J.R. 158(a), 3 N.J.R. 207(a). Chapter 54, Weapons and Explosives was repealed and the new chapter, Firearms and Weapons, became effective October 6, 1986 as R.1986 d.413. See: 18 N.J.R. 51(a), 18 N.J.R. 2048(b). Pursuant to Executive Order No. 66(1978), Chapter 54 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: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

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

- 13:54-1.1 Firearms purchaser identification cards and permits to purchase handguns.
- 13:54-1.2 Definitions
- 13:54-1.3 Firearm identification card or permit to purchase required
- 13:54-1.4 Applications for a firearms purchaser identification card and for a permit to purchase a handgun
- 13:54-1.5 Prerequisites for a permit to purchase handgun or a firearms purchaser identification card
- 13:54-1.6 Exception for physical disability, mental disorder or alcoholism
- 13:54-1.7 Validity of firearms identification card and permit to purchase a handgun
- 13:54-1.8 Written certification; delivery of permit to purchase
- 13:54-1.9 Number of firearms that may be purchased
- 13:54-1.10 Revocation of a firearms purchaser identification card
- 13:54-1.11 Duplicate firearms purchaser identification card
- 13:54-1.12 Appeal
- 13:54-1.13 Firearms passing to heirs or legatees
- 13:54-1.14 Limitation on fees
- 13:54-1.15 Confidentiality of background investigations, permits, firearms identification cards, licenses, certifications, certificates, forms of register, registration statements and applications

SUBCHAPTER 2. HANDGUNS

- 13:54-2.1 Permit to carry a handgun
- 13:54-2.2 Permit required
- 13:54-2.3 Criteria for the issuance of a permit to carry a handgun
- 13:54-2.4 Application for a permit to carry a handgun
- 13:54-2.5 Approval of application

- 13:54-2.6 Application of employees of armored car companies
- 13:54-2.7 Issuance of a permit to carry a handgun
- 13:54-2.8 Appeal
- 13:54-2.9 Duration and renewal
- 13:54-2.10 Revocation of permits

SUBCHAPTER 3. RETAIL DEALERS

- 13:54-3.1 Licensing of retail dealers; general
- 13:54-3.2 Retail license required
- 13:54-3.3 Application for license
- 13:54-3.4 Standards and qualifications
- 13:54-3.5 Exemptions for physical handicap
- 13:54-3.6 Exceptions for corporations
- 13:54-3.7 Licensing of retail dealers and employees
- 13:54-3.8 Duration of retail dealer license
- 13:54-3.9 Conditions of issuance of license; revocation
- 13:54-3.10 Renewal of retail dealers and employees licenses
- 13:54-3.11 Security required
- 13:54-3.12 Requirements for sale of rifle, shotgun, antique cannon or receiver
- 13:54-3.13 Requirements for sale of a handgun or frame
- 13:54-3.14 Permanent record of receipt and disposition of firearms and ammunition
- 13:54-3.15 Sale of firearms to the military and to law enforcement officers
- 13:54-3.16 Records available to Division of State Police
- 13:54-3.17 Records to Superintendent
- 13:54-3.18 Appeal

SUBCHAPTER 4. WHOLESALE DEALERS, MANUFACTURERS AND WHOLESALE DEALERS AGENTS AND EMPLOYEES

- 13:54-4.1 General provisions
- 13:54-4.2 Registration required
- 13:54-4.3 Application for a certificate of registration
- 13:54-4.4 Standards and qualifications
- 13:54-4.5 Exemptions for physical handicap
- 13:54-4.6 Exceptions for corporations
- 13:54-4.7 Certification; security required
- 13:54-4.8 Duration of certificate of registration
- 13:54-4.9 Renewal of certificate of registration and agents' and employees' licenses
- 13:54-4.10 Revocation of certificate of registration
- 13:54-4.11 Appeals
- 13:54-4.12 Permanent record of receipt and disposition of firearms
- 13:54-4.13 Records available to law enforcement agencies
- 13:54-4.14 Records to Superintendent
- 13:54-4.15 Identification of firearms required

SUBCHAPTER 5. MACHINE GUNS, ASSAULT FIREARMS AND LARGE CAPACITY MAGAZINES

- 13:54-5.1 Purchase or sale of assault firearms and machine guns
- 13:54-5.2 License to purchase, possess or carry a machine gun or assault firearm
- 13:54-5.3 Disposition of machine gun or assault firearm upon death of licensee or registered holder
- 13:54-5.4 Notification of ineligibility to possess assault firearm or machine gun
- 13:54-5.5 Large capacity magazines
- 13:54-5.6 Advertising sale of machine gun, assault firearm or semi-automatic rifle
- 13:54-5.7 Number and types of criminal offenses involving assault firearms

SUBCHAPTER 6. SECURITY SYSTEMS FOR DEALERS

- 13:54-6.1 Definition of "dealer"
- 13:54-6.2 Approval of plans by Superintendent
- 13:54-6.3 Systems to detect and protect firearms and ammunition in a business premises

- 13:54-6.4 Minimum requirements for installation of a tape, contact or invisible ray alarm system
- 13:54-6.5 Internal security of firearms and ammunition
- 13:54-6.6 Report concerning theft of firearms
- 13:54-6.7 Regulations during a civil disturbance or declared emergency period

**SUBCHAPTER 1. FIREARMS 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 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. 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
 - MAC 10, MAC 11, MAC 11-9 mm carbine type firearms
 - PJK M-68 carbine type
 - Plainfield Machine Company Carbine
 - Ruger K-Mini-14/5 and Mini-14/5
 - SIG AMT, SIG 550SP, SIG 551SP, SIG PE-57 types
 - SKS with detachable magazine type
 - Spectre Auto carbine type
 - Springfield Armory BM59 and SAR-48 type
 - Sterling MK-6, MK-7 and SAR types
 - Steyr A.U.G. semi-automatic firearms
 - USAS 12 semi-automatic type shotgun
 - Uzi type semi-automatic firearms
 - Valmet M62, M71S, M76, or M78 type semi-automatic firearms
 - Weaver Arm Nighthawk
2. Any firearm manufactured under any designation which is substantially identical to any of the firearms listed in paragraph (1) above;