

HOUSE BILL 160

E4
HB 713/14 – JUD

5lr0408

By: **Delegates Vitale, Ghrist, Glass, S. Howard, McKay, Metzgar, Saab, Szeliga, and B. Wilson**

Introduced and read first time: January 28, 2015

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Handgun Locking Devices – Repeal Exclusivity of Internal Locks –**
3 **Requirements for External or Internal Lock System**

4 FOR the purpose of authorizing the sale, offer for sale, rental, or transfer in the State of a
5 handgun that is sold, offered for sale, rented, or transferred with an external safety
6 lock as an alternative to an integrated mechanical safety device; and generally
7 relating to handgun safety devices.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 5–132
11 Annotated Code of Maryland
12 (2011 Replacement Volume and 2014 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 5–132.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Authorized user” means the owner of a handgun or a person authorized
19 by the owner to possess and use the handgun.

20 (3) “External safety lock” means an external device that is:

21 (i) attached to a handgun with a key or combination lock; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) designed to prevent a handgun from being discharged unless the
2 device has been deactivated.

3 (4) “Handgun” does not include a signal, starter, or blank pistol.

4 (5) “Handgun Roster Board” means the Handgun Roster Board established
5 under § 5–404 of this title.

6 (6) “Integrated mechanical safety device” means a disabling or locking
7 device that is:

8 (i) built into a handgun; and

9 (ii) designed to prevent the handgun from being discharged unless
10 the device has been deactivated.

11 (7) “Personalized handgun” means a handgun manufactured with
12 incorporated design technology that:

13 (i) allows the handgun to be fired only by the authorized user; and

14 (ii) prevents any of the safety characteristics of the handgun from
15 being readily deactivated.

16 (b) This section does not apply to:

17 (1) the purchase, sale, or transportation of a handgun to or by a federally
18 licensed gun dealer or manufacturer that provides or services a handgun for:

19 (i) personnel of any unit of the federal government;

20 (ii) members of the armed forces of the United States or the National
21 Guard;

22 (iii) law enforcement personnel of the State or any local law
23 enforcement agency in the State while acting within the scope of their official duties; and

24 (iv) an organization that is required by federal law governing its
25 specific business or activity to maintain handguns and applicable ammunition;

26 (2) a firearm modified to be permanently inoperative;

27 (3) the sale or transfer of a handgun by a federally licensed gun dealer or
28 manufacturer covered under item (1) of this subsection;

29 (4) the sale or transfer of a handgun by a federally licensed gun dealer or
30 manufacturer to a lawful customer outside the State; or

1 (5) an antique firearm.

2 (c) [(1)] A dealer may not sell, offer for sale, rent, or transfer in the State a
3 handgun [manufactured on or before December 31, 2002,] unless the handgun:

4 (1) is sold, offered for sale, rented, or transferred with an external safety
5 lock[.]; OR

6 (2) [On or after January 1, 2003, a dealer may not sell, offer for sale, rent,
7 or transfer in the State a handgun manufactured on or after January 1, 2003, unless the
8 handgun] has an integrated mechanical safety device.

9 (d) (1) The Handgun Roster Board annually shall:

10 (i) review the status of personalized handgun technology; and

11 (ii) on or before July 1, report its findings to the Governor and, in
12 accordance with § 2–1246 of the State Government Article, to the General Assembly.

13 (2) In reviewing the status of personalized handgun technology under
14 paragraph (1) of this subsection, the Handgun Roster Board shall consider:

15 (i) the number and variety of models and calibers of personalized
16 handguns that are available for sale;

17 (ii) each study, analysis, or other evaluation of personalized
18 handguns conducted or commissioned by:

19 1. the National Institute of Justice;

20 2. a federal, State, or local law enforcement laboratory; or

21 3. any other entity with an expertise in handgun technology;

22 and

23 (iii) any other information that the Handgun Roster Board considers
24 relevant.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2015.