

Daniel J. Carlin-Weber
SB456 Firearms – Handgun Qualification License – Firearms Orientation Component
Favorable
2/16/2022

I am a professional firearms instructor and advocate of responsible firearms handling and ownership. I teach through my Baltimore City-based company, C-W Defense, and hold numerous credentials related to firearms instruction including being recognized as a Qualified Handgun Instructor by the Maryland State Police. I currently maintain credentials to provide firearms instruction from the National Rifle Association (NRA), United States Concealed Carry Association (USCCA), and the State of Utah's Bureau of Criminal Identification (UT BCI). Since 2016, I have taught Marylanders from all walks of life how to safely operate firearms and the responsibilities that come with them. I come before you today to urge a favorable report for Senate Bill 456.

Put simply, SB456 would allow Handgun Qualification License (HQL) applicants to complete the required firearms safety course without needing to fire a live round of ammunition. Such a requirement does not exist in State law (Md. Public Safety Article § 5-117.1) but was later introduced into COMAR in September of 2013.

The codified language in 29.03.01.29(c) states:

C. A Firearms Safety Training Course shall consist of a minimum of 4 hours of instruction by a Qualified Handgun Instructor and include the following minimum curricula.

(1) State Firearm Law. Overview of the State firearm laws, including discussion of what constitutes a regulated firearm, how to properly purchase or transfer a firearm, where allowed to carry or transport a firearm, when necessary to possess a carry permit, and who is prohibited from possessing firearms.

(2) Home Firearm Safety. Overview of handgun and firearm safety in the home, including discussion of access to minors, locking and storing of firearms, and use of safety devices, such as secure lock boxes.

(3) Handgun Mechanisms and Operation. Overview of the proper operation and safe handling of a handgun, including cleaning and maintenance, the loading and unloading of ammunition, and the differences between revolvers and semi-automatic handguns.

(4) Operation and Handling Demonstration. Orientation that demonstrates the applicant's safe operation and handling of a firearm, including a practice component in which the applicant safely fires at least one round of live ammunition.

The requirements found in (1), (2), (3), and most of (4) are easily fulfilled anywhere it is otherwise safe to provide a presentation and handle firearms without the need to use live ammunition. My students are taught basic firearms safety, proper grip, stance, how to aim, trigger and controls operation, and how to load and unload firearms all without using real ammunition. That live ammunition must be used requires that this course be completed at a shooting range unless the location is in a place where it is legal and safe to discharge live ammunition. Unless an instructor has access to such a place, the course cannot be lawfully completed no matter how immersive or what other training tools an instructor has at their disposal. All the fundamentals of safely handling a handgun can be and are taught without the need to actually fire real ammunition.

I have instructed HQL applicants who live within the Baltimore Metropolitan area for several years now and range access is the most burdensome logistical hurdle to completing the course. The closest ranges, none of which are within the City of Baltimore, are all privately operated and often have heightened requirements and extra fees for allowing outside instructors (like myself) to use their facilities. These costs are passed down to students and increases the cost of the training. High demand for these shooting ranges can also interfere with the ability to schedule courses and further delay one's access to training. To make matters worse, none of these ranges are easily accessed via public transit. If not for the current live-fire regulation under 29.03.01.29(c)(4), this course, and the firearms safety information that comes with it could be


completed virtually anywhere it is otherwise safe to offer instruction. The pessimist in me sees this requirement as not for furthering public safety, but rather to make firearms ownership more exclusive and to artificially create barriers to lawful ownership of handguns, the “quintessential self-defense weapon.” *District of Columbia v Heller*, 554 U.S., 570 (2008).

This live-fire requirement only exists in Maryland. No other state with a ‘permit-to-purchase’ requirement like the HQL requires anyone to fire live ammunition. The District of Columbia has a permit-to-purchase requirement, but applicants need only sit through a relatively brief informational presentation on firearms safety at no cost to the applicant. <https://mpdc.dc.gov/node/1284956>. A similar system existed in Maryland prior to 2013’s Firearm Safety Act. Utah requires applicants for their Concealed Firearms Permit (CFP) to take a very similar course akin to the HQL’s, except not even theirs requires ammunition to be fired for a permit that allows people to carry firearms in at least thirty-three states. <https://bit.ly/3gMti2X>. In addition to the HQL course, I regularly teach the Utah CFP course with the aid of inert training ammunition like “snap caps” and laser cartridges that project a red dot onto a target when the firearm’s trigger is pulled. D.C. residents and Utahns are not more dangerous or less worthy of gun ownership than Marylanders, yet Maryland residents are viewed and treated as such.

None of these statements are to suggest that training shouldn’t be pursued by gun owners, but rather that arbitrary requirements like this one should never stand in between one and their ability to exercise an individual right like firearms ownership is in this Country and State. Like so many other requirements surrounding guns in Maryland law, the costs and burdens are placed firmly upon those seeking to exercise that right. The State does not help applicants reach these courses, provide these courses, or help with any of the other requirements of the Handgun

Qualification License like fingerprints or the \$50 fee necessary for its purchase. Instructors are fully capable of ensuring citizens know basic gun safety and are properly oriented with the operation of handguns without the need to use real live ammunition. Maryland does not need to be in the business of penalizing its citizens who are trying to do the right thing and responsibly learn how to operate objects as common as firearms.

I strongly urge a favorable report.

A handwritten signature in blue ink, appearing to read 'DCW', is positioned above the typed name and contact information.

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