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March 2, 2022

The Honorable Luke Clippinger
Chair, House Judiciary Committee
101 House Office Building
6 Bladen Street
Annapolis, MD 21401

**HOUSE BILL 1021
OPPOSE**

Re: House Bill 1021 - Public Safety - Licensed Firearms Dealers – Security Requirements

Dear Chair Clippinger, Vice Chair Moon, and Members of the Judiciary Committee:

On behalf of the National Shooting Sports Foundation, and our industry members located throughout the state of Maryland, I write today to express our opposition to House Bill 1021 (“HB 1021”). HB 1021 seeks to mandate costly, burdensome, and even some unattainable requirements of federally licensed firearms dealers (“dealers”), including manufacturers, distributors, retailers, and gunsmiths. Firearms dealers are already some of the most heavily regulated businesses in Maryland, not only having to follow laws and regulations set by the General Assembly and the Maryland State Police, but also the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”). The proposed legislation seems to be a solution in search of a problem. NSSF staunchly opposes this legislation because as drafted is a “one-size-fits-all” approach. In reality, each firearms dealer is unique and may not be able to abide by the language set forth in HB 1021. The mandate required by HB 1021 would certainly place a costly burden on dealers throughout the state, while potentially leaving many of these small businesses with no other option than to close their business.

ABOUT NSSF

As the trade association for America’s firearms, ammunition, hunting, and recreational shooting sports industry, the National Shooting Sports Foundation (“NSSF”) seeks to promote, protect, and preserve hunting and the shooting sports. NSSF represents approximately 9,000 members which include federally licensed manufacturers, wholesale distributors and retailers of firearms, ammunition and related goods and accessories, as well as public and private shooting ranges, sportsmen’s clubs, and endemic media, including close to 100 businesses located in Maryland, such as Beretta USA, Benelli USA and its family of brands, and LWRC International. Nationally, our industry contributes close to \$63.5 billion annually to the economy creating over 342,000 good paying jobs and paying nearly \$7 billion in taxes. Our industry has a \$890.70 million impact on the Maryland economy, creating more than 4,200 jobs paying over \$287 million in wages and nearly \$109 million in taxes.

VIDEO RECORDING REQUIREMENT

While many traditional firearm dealers utilize some type of video surveillance system, this bill goes far beyond traditional firearm dealers. Manufacturing companies such as Beretta USA and LWRC would be required to essentially put video cameras throughout their entire facilities, including employees’ offices and other common spaces that may have firearms. A head of

marketing or engineering may lock firearms in their office overnight because their position requires them to work intimately with a certain product. Additionally, gunsmiths who may work from home would also be required to install video surveillance systems inside their home. In each of these instances, an invasion of privacy would be of concern.

BARS OR SECURITY SCREENS ON EXTERIOR DOORS AND WINDOWS

While some firearms dealers may already use bars and security screens on exterior doors and windows to prevent unauthorized access, there are times when this simply is not feasible. For example, Bass Pro Shops, a large “big box” retailer may have windows 20 to 30 feet from the ground. Is it really necessary for them to put bars over such windows? Additionally, with facilities such as Beretta USA, which is heavily secured from the outside with fencing, security gates, and on-duty guards, should it be required to have rolldown screen or bars placed on windows and doors? Finally, is it really needed for a gunsmith working out of his or her home to place screens and/or bars over all windows and doors of his or her home? HB 1021 does not consider other options like security window film. Or placing large gun safes in front of windows, but casts a wide net that will ultimately hurt many businesses that cannot comply.

PHYSICAL BARRIERS TO PREVENT BREACH OF BUILDING

Some firearm dealers use bollards, posts, concrete planters, or other physical barriers to keep vehicles from smashing through a building. However, there are instances in which a lease agreement or local ordinance would prohibit such barriers from being installed. If a business is unable to comply, how can they stay in business?

STORAGE OF FIREARMS DURING NON-BUSINESS HOURS

The “one-size-fits-all” approach taken in HB 1021 requiring firearms to be locked in a vault, safe, or secure room is nearly impossible. Some retailers have 100, 200, and even over 1,000 firearms in their inventory. The same goes for manufacturers who could have several thousand firearms in their inventory. A small “mom and pop” retail store would likely not have room for vaults or safes to store their firearms, and those firearms dealers with hundreds of firearms would not be able to find a safe or vault big enough to store their firearms. The time associated with storing firearms at night, and bringing them out for display before opening could take hours and hours, while at the same time increasing the chances of damaging a firearm. The storage requirements set forth in HB 1021 are unworkable. Additionally, the bill does not consider the other options available to secure firearms such as shatterproof display cases, cables and steel rods that can be put through trigger guard, and locking firearm racks. Each option should be considered carefully, but there should also be enough flexibility for a firearm dealer to decide how is best to secure their business and their firearms. Lastly, if a firearm dealer is securing firearms in a safe, vault, or secure room, is it necessary for them to install the security features such as bars over windows and physical barriers?

CONCLUSION

Most firearm retailers are small businesses that would have difficulty in funding the new proposed requirements. The cost of compliance would be prohibitive. House Bill 1021 would cause many lawful firearms dealers to go out of business simply because they are unable to comply with the requirements of the legislation. Firearms dealers take important steps to ensure their firearms (which is an investment for them) are protected from theft, unauthorized access, and their business is secure. In 2018, NSSF, as the trade association for the firearms industry,

embarked on a new initiative in conjunction with ATF, Operation Secure Store. Operation Secure Store (OSS) is a multifaceted initiative providing Federal Firearms Licensees (firearm dealers) with education on solutions and services that enhance operational security and aid in identifying potential risks, protecting interests and limiting the disruption of operations.

In the year following the launch of Operation Secure Store, burglaries and the number of firearms stolen from firearm dealers fell by nearly 25%. This program is working, and NSSF in conjunction with ATF, is glad to lead this effort.

House Bill 1021 does not consider all security and firearm storage options available to firearm dealers, rather it proposes a “one-size-fits-all” mandate for all dealers across the state, even though each business and location is different from the next. Enacting the same requirements for a large firearm manufacturer and a gunsmith who does business from his or her home shows that there is still much to be considered when pursuing legislation on this issue.

Rather than punishing small businesses engaged in an already heavily regulated industry, this legislation should focus on those who are engaging in criminal activities, burglarizing firearm dealers and stealing firearms. NSSF would be happy to work with the Maryland General Assembly on such legislation that holds criminals accountable for their actions when stealing and misusing firearms.

It is for these reasons, the National Shooting Sports Foundation opposes House Bill 1021 and we would respectfully request an unfavorable report.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trevor W. Santos', written in a cursive style.

Trevor W. Santos