



Massachusetts FAQ's for non-residents

Can a non-resident obtain a handgun license for use in Massachusetts? Yes. Non-residents can apply for a "Temporary License to Carry Firearms" from the Firearms Records Bureau by calling (617) 660-4780.

What do I need to know about the license? The fee for a non-resident one-year license is \$100. There are two classes: Class A license for all firearms, rifles or shotguns; Class B for "non-high capacity firearms" and large capacity long guns. Certain professions, such as persons in the employ of a bank, public utility, a private detective or members of the armed services can obtain a two-year license.

What does the application procedure consist of? The entire procedure is done through the mail. The paperwork required includes a completed application form, a copy of your license from your home state (if your state issues them), a copy of a background check from your own state, proof of training, a set of fingerprints, and a letter from a local law enforcement official testifying in his opinion there is no problem with you obtaining the license.

What about a "concealed carry" license? To carry a firearm (handgun) concealed and loaded, apply for a Class A, and seek one issued "for all lawful purposes." Never use "open carry" in Massachusetts.

What is meant by "all lawful purposes"? In Massachusetts, licenses to carry firearms are issued for a specific purpose, and the law allows for undefined "restrictions" to be placed on its use. Carrying for a reason different from your purpose can result in a civil fine of \$1,000 to \$10,000. If applying for a license for "all lawful purposes," you will be required to state, in writing, why you have "reason to fear injury to your person or property." This could include working in high risk professions, routinely carrying large sums of money or valuable items, threats against the person, working in high-risk areas or at those times. Try to move beyond a generalized fear of crime, and be as specific as possible.

When do I not need a non-resident License to Carry? The only time a non-resident may bring a handgun into Massachusetts without a license is for a pistol or revolver competition – in general, provided you are a US resident and have a pistol license issued under similar conditions to Massachusetts - or if a law enforcement person on official duty. You can not come into the state to practice with your handgun without a License to Carry. See C. 140 § 131G (see reverse side)

Massachusetts general law Chapter 140, §129C provides many exemptions from licensing requirements for non-residents coming into the state with rifles, shotguns and ammunition therefor. Briefly, these are (1) hunters with valid nonresident hunting licenses, (2) possession on a firing or shooting range, (3) possession while traveling in or through the commonwealth with rifles or shotguns unloaded and enclosed in a case, (4) possession while at a firearms show or display organized by a gun collectors club or association or (5) carrying by nonresidents who meet the requirements for such carrying or possession in the state in which they reside.

Are there any other Massachusetts rules I should be aware of? The law now requires guns to be stored when not under the control of the authorized user. All guns, with the exception of primitive firearms, must be stored or kept in a "locked container" or with a "tamper resistant mechanical locking device" to prevent unauthorized use. When transporting large capacity rifles and shotguns, or handguns (if carried on a class B license) in a vehicle, they must be unloaded and locked in a trunk (or secure container). State law also prohibits carrying guns loaded or unloaded on any school grounds without prior written permission of the board or officer in charge. It should also be noted that, Chapter 140, §123 generally prohibits Massachusetts firearms dealers from selling ammunition to non-residents.



Chapter 140: Section 131G Carrying of firearms by non-residents; conditions

Section 131G. Any person who is not a resident of the commonwealth may carry a pistol or revolver in or through the commonwealth for the purpose of taking part in a pistol or revolver competition or attending any meeting or exhibition of any organized group of firearm collectors or for the purpose of hunting; provided, that such person is a resident of the United States and has a permit or license to carry firearms issued under the laws of any state, district or territory thereof which has licensing requirements which prohibit the issuance of permits or licenses to persons who have been convicted of a felony or who have been convicted of the unlawful use, possession or sale of narcotic or harmful drugs; provided, further, that in the case of a person traveling in or through the commonwealth for the purpose of hunting, he has on his person a hunting or sporting license issued by the commonwealth or by the state of his destination. Police officers and other peace officers of any state, territory or jurisdiction within the United States duly authorized to possess firearms by the laws thereof shall, for the purposes of this section, be deemed to have a permit or license to carry firearms as described in this section.

Chapter 140: Section 129C Application of sec. 129B; ownership or possession of firearms or ammunition; transfers; report to executive director; exemptions; exhibiting license to carry, etc. on demand

Section 129C. No person, other than a licensed dealer or one who has been issued a license to carry a pistol or revolver or an exempt person as hereinafter described, shall own or possess any firearm, rifle, shotgun or ammunition unless he has been issued a firearm identification card by the licensing authority pursuant to the provisions of section one hundred and twenty-nine B.

No person shall sell, give away, loan or otherwise transfer a rifle or shotgun or ammunition other than (a) by operation of law, or (b) to an exempt person as hereinafter described, or (c) to a licensed dealer, or (d) to a person who displays his firearm identification card, or license to carry a pistol or revolver.

- (f) Possession of rifles and shotguns and ammunition therefor by nonresident hunters with valid nonresident hunting licenses during hunting season;
- (g) Possession of rifles and shotguns and ammunition therefor by nonresidents while on a firing or shooting range;
- (h) Possession of rifles and shotguns and ammunition therefor by nonresidents traveling in or through the commonwealth, providing that any rifles or shotguns are unloaded and enclosed in a case;
- (i) Possession of rifles and shotguns by nonresidents while at a firearm showing or display organized by a regularly existing gun collectors' club or association;
- (j) Any new resident moving into the commonwealth, any resident of the commonwealth returning after having been absent from the commonwealth for not less than 180 consecutive days or any resident of the commonwealth upon being released from active service with any of the armed services of the United States with respect to any firearm, rifle or shotgun and any ammunition therefor then in his possession, for 60 days after such release, return or entry into the commonwealth;
- (m) The temporary holding, handling or firing of a firearm for examination, trial or instruction in the presence of a holder of a license to carry firearms, or the temporary holding, handling or firing of a rifle or shotgun for examination, trial or instruction in the presence of a holder of a firearm identification card, or where such holding, handling or firing is for a lawful purpose;
- (o) Persons in the military or other service of any state or of the United States, and police officers and other peace officers of any jurisdiction, in the performance of their official duty or when duly authorized to possess them;
- (p) Carrying or possession by residents or nonresidents of so-called black powder rifles, shotguns, and ammunition therefor as described in such paragraphs (A) and (B) of the third paragraph of section 121, and the carrying or possession of conventional rifles, shotguns, and ammunition therefor by nonresidents who meet the requirements for such carrying or possession in the state in which they reside.
- (u) Any nonresident who is eighteen years of age or older at the time of acquiring a rifle or shotgun from a licensed firearms dealer; provided, however, that such nonresident must hold a valid firearms license from his state of residence; provided, further, that the licensing requirements of such nonresident's state of residence are as stringent as the requirements of the commonwealth for a firearm identification card, as determined by the colonel of the state police who shall, annually, publish a list of those states whose requirements comply with the provisions of this clause.

Further information can be found at the State Web Site:
<http://www.mass.gov/legis/laws/mgl/140-131g.htm>

