

OVERVIEW OF MASSACHUSETTS GUN LAWS PREPARED FOR NEW RESIDENTS

9/04

CAUTION: This brief summary does not cite all of the laws. It is merely intended to be a guide.

LICENSING: Massachusetts requires all gun owners to be licensed. There are three types of licenses, based on the type of gun to be possessed: the Firearms Identification Card, the License to Carry Firearms (available as Class A or B), and a permit for fully automatic firearms. No license is needed to purchase a primitive firearm (an antique black powder firearm or replica not using modern ammunition).

FIREARMS IDENTIFICATION CARD (FID): This card covers purchase, possession or transportation of a non-large capacity rifle or shotgun, ammunition or chemical sprays such as mace. One applies for an FID card at the local police station. Unless the law prohibits a person from receiving the card, a person is presumed eligible for and must be issued the card. Revocation can only occur if the cardholder no longer meets the criteria. The FID card is a fingerprint and photo id, renewable every 6 years at the cost of \$100. A special FID card is available which is limited to possession of chemical sprays [Chap. 140, §129B].

LICENSE TO CARRY FIREARMS: A *Class A* License to Carry Firearms will cover purchase, possession and carrying of all handguns, rifles and shotguns, including those now considered "large capacity." A *Class B* License to Carry Firearms will cover possession of large capacity rifles and shotguns, and non-large capacity handguns. A *Class B* License does not permit the holder to carry concealed or loaded. *Class A* or *B* Licenses are a fingerprint and photo ID, renewable every 6 years at the cost of \$100. One applies for it at the police station in the town, in which they live or have a place of business. The card is issued at the discretion of the issuing authority; there is no "right" to get this license. [Chapter 140, §131]

NEW RESIDENTS: The law exempts new residents from our licensing requirements for *sixty* days. This exemption is for move-in and possession in the home only. Until you receive the proper licenses, you should not transport any of your guns. [Chapter 140, §129C] There is no need to register any firearm, rifle or shotgun that you possess when you move into the state.

AMMUNITION: A person must have an FID Card or a License to Carry Firearms in order to *buy* or *possess*: ammunition; any component parts of ammunition; or chemical sprays such as "mace" or "pepper spray." This does not apply to the possession of ammunition for primitive rifles and shotguns.

REGISTRATION: The transfer of any resident's handgun, shotgun, or rifle, whether through a dealer or between licensed individuals -- must be reported to the state.

STORAGE AND TRANSPORTATION: All guns, when not under the direct control of the owner, must be stored or kept in a locked container, or equipped with a tamper-resistant mechanical lock. Large capacity rifles and shotguns must be transported unloaded, and contained within a locked trunk or in a locked case or other secure container. Rifles and shotguns, if carried on the person on a public way, must be unloaded and enclosed in a case, unless the person is hunting, or participating in a drill, parade, or re-enactment. People with *Class A* licenses must have loaded firearms under direct control while in a vehicle; *Class B* license holders are required to have handguns in a vehicle unloaded and locked in the trunk or other container.

GENERAL: Massachusetts law covers many other areas, too numerous to mention in this brief review. For example, the following actions are *prohibited*: discharging a firearm within 150 feet of a state or hard surfaced road or highway or within 500 feet of a building or dwelling in use; selling a firearm to a minor; selling guns to unlicensed persons; trespassing on posted land with firearms; possession of an air rifle by a minor (unless in the presence of an adult) without a special permit; possession of a firearm while "under the influence" and possession of *any* gun on *any* school grounds without prior written permission.

INFORMATION: You may wish to seek written information from the Firearms Records Bureau at 200 Arlington Street, Suite 2200, Chelsea, MA 02150, (617) 660-4780. For information on hunting with guns, contact the Division of Fisheries and Wildlife at (508) 792-7270.



Join Gun Owners' Action League as we continue to work for basic fairness in our state's gun laws! For a membership application, write: Gun Owners' Action League, PO Box 567, Northboro, MA 01532, call us at (508) 393-5333, or email us at: staff@goal.org. Visit our web site at www.goal.org!