

By Mr. Flaherty of Boston, petition of the Massachusetts Police Association and Michael F. Flaherty relative to the issuance of a license to carry firearms and relative to the issuance of a firearms identification card. Public Safety.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Seven.

AN ACT RELATIVE TO THE ISSUANCE OF A LICENSE TO CARRY FIREARMS AND RELATIVE TO THE ISSUANCE OF A FIREARMS IDENTIFICATION CARD.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The sixth paragraph of section 129B of Chapter  
2 140 of the General Laws, as most recently amended by Chapter  
3 799 of the Acts of 1969, is hereby further amended by inserting  
4 after the words "Upon receipt of an application for a card", the  
5 following words "and compliance by the applicant with the  
6 conditions set forth in section one-hundred and twenty-nine E."

1 SECTION 2. Section 129B of Chapter 140 of the General  
2 Laws as most recently amended by Chapter 799 of the Acts of  
3 1969, is hereby further amended by striking the first sentence in  
4 paragraph four and inserting in its place: — "Said card shall be  
5 in a form prescribed by the commissioner and shall contain an  
6 identification number, the name and address of the holder, his  
7 place and date of birth, his height, weight, hair and eye color,  
8 his signature, photograph and a certification that he has passed  
9 the safety examination provided for in section one hundred and  
10 twenty-nine E of this chapter and shall be captioned "Firearm  
11 Identification Card."

1 SECTION 3. Chapter 140 of the General Laws, as most  
2 recently amended, is hereby further amended by adding the  
3 following section: —

4     *Section 129E:* The commissioner of public safety shall devise  
5 a safety examination to be comprised of a written and/or  
6 practical examination in the safe handling of firearms, rifles and  
7 shotguns to be administered to every applicant for a firearm  
8 identification card. This examination shall be conducted by  
9 those licensing authorities cited by the department of public  
10 safety as having adequate facilities to administer such an  
11 examination. All applicants shall also produce proof, in the  
12 form of a valid Massachusetts' driver's license or a statement  
13 from a physician that they have eyesight correctable to twenty-  
14 forty eyesight.

15     Upon successful completion of the written and/or practical  
16 examination and compliance with the vision requirement by the  
17 applicant, the licensing authority shall forward a copy of the  
18 application and a statement that said applicant has successfully  
19 met the requirements of the safety examination and vision tests  
20 to the commissioner of public safety for the purposes set forth in  
21 paragraph six of section one-hundred and twenty-nine B. Such  
22 examination shall be conducted by the licensing authority as  
23 often as it deems necessary in view of the number of applicants,  
24 but shall be administered a minimum of four times throughout  
25 the year. No firearm identification card shall be issued to a  
26 person who has not successfully completed the examination.

27     All current holders of firearm identification cards must also  
28 pass the safety examination before December 31, 1980. After  
29 this date, all firearm identification cards not containing  
30 certification of having passed the safety examination devised by  
31 the department of public safety shall become invalid.

32     The commissioner of public safety shall prepare, and  
33 distribute to all licensing authorities, a booklet which describes  
34 and explains the safe use and handling of firearms, rifles and  
35 shotguns and which provides copies of all the general laws which  
36 regulate the sale, possession, acquisition and use of such  
37 weapons. Said booklet shall also contain a minimum of eighty  
38 questions with answers relative to the safe use and handling of  
39 firearms, rifles and shotguns and the provisions of the General  
40 Laws regulating the sale, possession, acquisition and use of such  
41 weapons. The written safety examination devised by the  
42 commissioner of public safety shall be based on said booklet.

43     Licensing authorities shall issue said booklets upon request.

1 SECTION 4. Section 131 of Chapter 140 of the General Laws  
2 as most recently amended by Chapter 892 of the Acts of 1973 is  
3 hereby further amended by striking out the first paragraph and  
4 by inserting in its place the following: — “The chief of police or  
5 the board or officer having control of the police in a city or  
6 town, or the commissioner of public safety, or persons  
7 authorized by them, respectively, after an investigation may,  
8 upon the application of any person, including a person of  
9 eighteen years of age or older residing or having a place of  
10 business within their respective jurisdiction, except an alien, a  
11 person who cannot submit proof that he has successfully  
12 completed the written and/or practical examination as devised  
13 by the department of public safety under section one hundred  
14 and twenty-nine E of this chapter, or has been convicted of a  
15 felony or of the unlawful use, possession or sale of narcotic or  
16 harmful drugs or a minor under the age of eighteen, issue a  
17 license to such applicant to carry firearms in the Com-  
18 monwealth, if it appears that he is a suitable person to be so  
19 licensed, and that he has good reason to fear injury to his person  
20 or property, or for any other proper purpose, including the  
21 carrying of firearms for use in target practice only; provided,  
22 however, that no person shall be issued a license to possess and  
23 carry a machine gun. A license issued to carry a firearm shall be  
24 for a period of five years, expiring on the anniversary of the  
25 applicant’s date of birth occurring not less than four (4) years  
26 but not more than five (5) years from the date of issue. Any  
27 renewal thereof shall expire on the anniversary of the applicant’s  
28 date of birth occurring not less than four (4) years but not more  
29 than five (5) years after the effective date of such license.

1 SECTION 5. The second paragraph of section 131 of said  
2 chapter 140, as appearing in chapter 415 of the acts of 1972, is  
3 hereby amended by striking out, in line 14, the word “ten” and  
4 inserting in place thereof the word: —twelve.

1 SECTION 6. The fifth paragraph of said section 129B of said  
2 chapter 140, as amended by chapter 312 of the acts of 1972, is  
3 hereby further amended by striking out, in line 2, the word  
4 “two” and inserting in place thereof the word: —four.

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