

10 AN ACT concerning

20 **Handgun External Safety Locks**

30 FOR the purpose of repealing the prohibition against a dealer selling, offering for sale, renting, or
40 transferring in the State handguns without certain safety devices; repealing duties of the Handgun
50 Roster Board; and generally relating to handgun safety devices.

60 BY repealing,
70 Article 27 – Crimes and Punishment
80 Section 442C
90 Annotated Code of Maryland
100 (1996 Replacement Volume and 2002 Supplement)

110 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That the
120 laws of Maryland read as follows:

130 **Article 27 – Crimes and Punishment**

140 ~~§442C~~

150 ~~(a) Definitions.–~~

160 ~~(1) In this section the following words have the meanings indicated.~~

170 ~~(2) "Authorized user" means the owner of a handgun or a person authorized by the~~
180 ~~owner to possess and use the handgun.~~

190 ~~(3) "External safety lock" means an external device that is:~~

200 ~~(i) attached to a handgun with a key or combination lock; and~~

210 ~~(ii) designed to prevent a handgun from being discharged unless the device~~
220 ~~has been deactivated.~~

230 ~~(4) "Handgun" has the meaning stated in § 441 (n) of this subheading but does not~~
240 ~~include a signal, starter, or blank pistol.~~

250 ~~(5) "Handgun Roster Board" has the meaning stated in § 36J (a) of this article.~~

260 ~~(6) "Integrated mechanical safety device" means a disabling or locking device that~~
270 ~~is:~~

280 ~~(i) built into a handgun; and~~

290 ~~(ii) designed to prevent the handgun from being discharged unless the~~
300 ~~device has been deactivated.~~

310 ~~(7) "Personalized handgun" means a handgun manufactured with incorporated~~
320 ~~design technology that:~~

330 ~~(i) allows the handgun to be fired only by the authorized user; and~~

340 ~~(ii) prevents any of the safety characteristics of the handgun from~~

350 ~~being readily deactivated.~~

360 (b) Exceptions.—This section does not apply to:

370 ~~(1) the purchase, sale, or transportation of a handgun to or by a federally licensed~~
380 ~~gun dealer or manufacturer that provides or services a handgun for:~~

390 ~~(i) personnel of any unit of the federal government;~~

400 ~~(ii) members of the armed forces of the United States or the National~~
410 ~~Guard;~~

420 ~~(iii) law enforcement personnel of the State or any local law enforcement~~
430 ~~agency in the State while acting within the scope of their official duties; and~~

440 ~~(iv) an organization that is required by federal law governing its specific~~
450 ~~business or activity to maintain handguns and applicable ammunition.~~

460 ~~(2) a firearm modified to be permanently inoperative;~~

470 ~~(3) the sale or transfer of a handgun by a federally licensed gun dealer or~~
480 ~~manufacturer covered under item (1) of this subsection;~~

490 ~~(4) the sale or transfer of a handgun by a federally licensed gun dealer or~~
500 ~~manufacturer to a lawful customer outside the State; or~~

510 ~~(5) an antique firearm.~~

520 (c) External safety locks—A dealer may not sell, offer for sale, rent, or transfer in the State a
530 ~~handgun manufactured on or before December 31, 2002, unless the handgun is sold, offered for~~
540 ~~sale, rented, or transferred with an external safety lock.~~

550 (d) Integrated mechanical safety devices—On or after January 1, 2003, a dealer may not sell,
560 ~~offer for sale, rent or transfer in the State a handgun manufactured on or after January 1, 2003,~~
570 ~~unless the handgun has an integrated mechanical safety device.~~

580 (e) Annual report on status of personalized handgun technology—

590 ~~(1)——The Handgun Roster Board annually shall review the status of personalized~~
600 ~~handgun technology and report its findings to the Governor, and in accordance with § 2-~~
610 ~~1246 of the State Government Article, to the General Assembly on an annual basis,~~
620 ~~beginning on or before July 1, 2002.~~

630 ~~(2) In reviewing the status of personalized handgun technology under paragraph (1)~~
640 ~~of this subsection, the Handgun Roster Board shall consider:~~

650 ~~(i) the number and variety of models and calibers of personalized~~
660 ~~handguns that are available for sale;~~

670 ~~(ii) each study, analysis, or other evaluation of personalized handguns~~
680 ~~conducted or commissioned by the National Institute of Justice, any federal,~~
690 ~~State, or local law enforcement laboratory, or any other entity with an expertise~~
700 ~~in handgun technology; and~~

710 ~~(iii) ——any other information that the Handgun Roster Board considers~~
720 ~~relevant.~~

730 SECTION 2. AND BE IT FURTHER ENACTED, That this act shall take effect October 1, 2003.

740 MANDATES: Governor Robert Ehrlich
750 Senate President Thomas V. Mike Miller
760 Senator Brian Frosh, Judicial Proceedings Committee Chair
770 Speaker of the House of Delegates Michael E. Busch
780 Delegate Joseph Vallario, Jr., Judiciary Committee Chair
790 Delegate Michael Smigiel, Sr.
800 Delegate Mary Roe Walkup
810 Delegate Richard Sossi

Sponsor:

Andy Glenn
Frostburg State University
629 Cambridge Hall
Frostburg, MD 21532
(301)-687-5296
rglenn03@mail.frostburg.edu