

## FIREARMS LICENSE APPLICANTS

### IMPORTANT INFORMATION - PLEASE READ CAREFULLY

*This application can be filled online. After reading the following information, complete the application and print.*

There were significant changes to the firearm's laws in 1998, 2000 and 2004. This form is intended to provide you with some basic information to help you to be in compliance with the firearm's laws, and to help you fill out the attached application forms.

#### **Out-of-State residents please note:**

If you are not a legal resident of Massachusetts or the owner/principle of a business in Massachusetts, and you wish to obtain a Massachusetts License to Carry Firearms, they are only issued by the State. Also note non-residents cannot be issued FID cards for long gun or chemical propellants. To obtain a non-resident application or information, write to: Commonwealth of Massachusetts Department of Public Safety, Firearms License Bureau, 200 Arlington St., Suite 2200, Chelsea, MA 02150, or go to the state's website [www.ma.gov](http://www.ma.gov). "State Police".

#### **For Mass resident applicants:**

Massachusetts now has four different classes of licenses instead of two. The differences are described below:

**License to Carry Firearms (LTC)** is a handgun license, **renewable every 6 years**. It allows one to possess, purchase and transport rifles, shotguns, feeding devices, ammunition, mace, and pepper spray etc, within the statutory limits for each of the two classes of LTC (Class A and B).

**Firearm's Identification Card Class C (FID)** is a long gun license, **renewable every 6 years**. It allows one to own, possess, purchase and transport non-large-capacity only rifles, shotguns, feeding devices, ammunition and chemical sprays within the statutory limits.

**Firearm's Identification Card (FID) Class D** is "Restricted" to chemical sprays only (mace, pepper spray, etc) and is renewable every 6 years.

**All of the old style FID cards issued prior to 10/21/98 is now obsolete.** All have expired, even if it's noted on the card that it's "valid for life" or, "valid until suspended or revoked, etc.

**The application form** is the same form for licenses to carry firearms (handguns), as for FID cards (long gun or "restricted"). If you are unsure which license to apply for, the following information should be helpful. If you are still unsure, do not check any of the boxes on the application form until you can speak with the licensing officer.

**License to Carry Firearms Class A** Is a license to own, possess, purchase and carry, **large capacity or non-large-capacity firearms**, or to own, possess, purchase and transport **large capacity or non-large capacity rifles**, shotguns and feeding devices as well as ammunition and chemical sprays. Valid for 6 years, allows for concealed carry.

**License to Carry Firearms Class B** Is a license to own, possess, purchase and transport **non large-capacity firearms** (not loaded or carried concealed in public). It also permits one to own, possess, purchase and transport **large capacity** rifles, shotguns and feeding devices as well as ammunition and chemical sprays. When transporting firearms or large-

capacity rifles or shotguns, they must be unloaded and placed in a locked trunk, or stored in a locked, secure container. Valid for 6 years, concealed carry prohibited.

**Firearms Identification Card Class C** Is a license to own, possess, purchase and transport **non-large capacity** rifles, shotguns, feeding devices, ammunition and chemical sprays.

**Note: Handguns can no longer be possessed**, even in your own home, with just an FID card. Handgun possession now requires a valid Class A or B license to carry firearms, valid for 6 years.

**Firearms Identification Card Class D** Is a "restricted" license, solely for the possession and carrying of chemical sprays (mace, pepper spray, etc) valid for 6 years.

### **CAPACITY DEFINED**

(For the full definition of "capacity" see Massachusetts General Laws C140 § 121)

**Large Capacity** means a weapon's capability of carrying more than 10 rounds of ammunition for firearms, rifles or feeding devices, or more than 5 rounds for shotguns.

**Non-Large Capacity** means a weapon's capability of carrying 10 rounds or less of ammunition for firearms, rifles and feeding devices, or 5 rounds or less for shotguns.

**Important: Statute requires that all firearms owners make specific provisions to secure all conventional weapons they possess to be in compliance with the law. Trigger locks may not meet this requirement. For specifics and the penalty for failure to do so, refer to the Massachusetts General Laws C140 § 131L.**

### **Additional Notes**

#### 1. **Safety Courses:**

Before any first time applicant is issued a Class A or B license to carry firearms, they are required to satisfactorily complete a Basic Firearms Safety course, taught by a Massachusetts State certified instructor; Hunter Safety Courses are not acceptable for a Class A or Class B LTC.

Before a first time issuance of a Class C FID card, they must complete a Massachusetts Hunter Safety Course, taught by a Massachusetts Division of Fisheries and Wildlife Instructor, or a Basic Firearms Safety course, taught by a Massachusetts State certified instructor.

2. **Before submitting an application**, read and fully understand all of the questions. Be sure in your own mind that there's nothing in your past that would disqualify you. Remember, if your application is denied **the fee is non-refundable**. Nationwide record checks will be done for every applicant. If you are unsure about submitting an application, out of concern that it may not be approved and you will lose the fee, you can schedule an appointment with the licensing officer to discuss any issues in question before your application is processed. **ALL juvenile and adult "Sealed" records are accessed by licensing authorities when considering an application, including all renewal applications. If it's determined that you withheld any information, it will result in your application being denied.**

3. **Be sure to put a phone contact number** in the event that the licensing officer needs to get in touch with you.

4. **If you must cancel an appointment** or need to reschedule, please call the Newbury Police Department @ 978-462-4440 x0 and advise the Dispatcher of the cancellation and they should be able to reschedule your appointment at that time. Please do not contact the firearms licensing officer directly for cancellations unless Dispatch cannot find a time to fit into your schedule.
5. **Photographs:** Photographs will be taken at your appointment. You no longer need to provide “passport photographs” along with your application.
6. **Fingerprints:** Only new applicants are required to provide a full set of fingerprints at the initial appointment. For this reason, please do not apply any hand lotion prior to the appointment whereas lotions make it difficult to take clear prints and could slow down the processing of your application with the state AFIS system.
7. **Minors:** If you are applying for an FID card, you must be at least age 15. But, if you are under age 18, in addition to the above requirements, you must also have a parent or legal guardian's consent on a form provided by this department. The parent or legal guardian must also be present at the interview and he or she must have proper identification at that time.
8. **Alias Information:** You must provide your legal name on the application, along with any alias information. Alias information includes any name you have been previously known as, including maiden name, a previously name resultant of a divorce, or a name lawfully changed for any other reason, you must include that name as an “alias”. Failure to do so could result in the denial of an application for failure to provide accurate information. If you are a Jr., Sr., III, etc, please make sure you indicate that information when completing the application.
9. **References:** Please do not include blood relatives or household members as references.
10. **OPEN Criminal Cases:** If you have an open case that would be a disqualifier for your LTC and the current disposition is a CWOFF, its Newbury Police Department's recommendation that you wait until that case is closed before applying. There are circumstances where an Open CWOFF could result into a Guilty which could then affect your eligibility for an LTC/FID.
11. **To submit your application:** Bring the following information to the Newbury Police Department Dispatch window. NPD is open around the clock and any Dispatcher can schedule your appointment.
  - a. Completed & signed application,
  - b. Photo copy of your appropriate safety certification
  - c. Payment (check)
12. **Fees Schedule:** Please provide a check/ money order made payable to the Town of Newbury (not the Newbury Police Department) at the time you schedule your appointment. The following fee schedule is in effect:

Class A & B License to Carry Firearms	\$ 100.00
Class C Firearms Identification Card (FID)	\$ 100.00
Class D FID (Chemical Mace Spray one time only fee)	\$ 25.00
Class E Machine Gun License	\$ 100.00

NOTE: Fees are waived for applicants who are 70 years and older.

## IMPORTANT INFORMATION

Please Read This Entire Document

Carefully

**IF YOUR APPLICATION IS DENIED**, it's usually due to; disqualifying criminal record, false answer to any question on the application or to any question asked by the licensing officer during the interview, criminal information omitted from (or not attached to) the application, as required. As a result of the Gun Control Act of 1998, for the purposes of firearms licensing, all past detentions, arrests, court appearances, juvenile adjudications including any "sealed" records will be accessed and considered in order to determine the "suitability" of all applicants for licenses to carry and possess firearms. After having read this entire form, you will be asked specific questions regarding personal background, past criminal history, etc. You must answer all questions fully and truthfully. Failure to do so will result in your application being DENIED. In addition;

**Question # 10** on the application asks, "Have you ever appeared in any court as a defendant for any criminal offense" (excluding non-criminal traffic offenses)? The key words here are "ever appeared", not necessarily arrested or convicted. "Appeared" means that you appeared before any court in any state/country at any point (juvenile or adult) for a criminal charge, regardless of the disposition of the case (such as not guilty, not responsible, not delinquent, Continued Without A Finding (CWO), dismissed, etc) or if the charges were reduced to a lesser, non-criminal offense at disposition. Having been arrested, summoned or convicted of a crime does not necessarily prohibit you from getting an LTC or an FID Card, not putting it down on the application will. If you appeared even once before the court for a criminal offense, you have to put it down. If you do not answer all questions truthfully we will find out, no matter how long ago the incident occurred or where the incident occurred.

**SEALED RECORDS:** If you have sealed records, you must still answer #10 as 'Yes" and in the comments note that you have a sealed record. Even though you must tell us if you have a "sealed" record, you do not have to disclose what the offense was. We will receive notification of any "sealed record" disqualifiers, from the State.

If you are denied because you did not disclose previous criminal activity, we will not accept reasons such as; "I forgot" or "They told me it wouldn't show up on my record", "It's never showed up before on a background check" or "It was so long ago I didn't think it mattered now", etc. You are signing all of these documents under the pains and penalties of perjury. If there is any omission or if any false answer is found, your application will be denied and you may face criminal prosecution for perjury.

Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

**FID Cardholder**  
**Federal Law Prohibiting Firearms Possession By Certain**  
**Persons Chapter 44, Title 18 U.S.C. 922, Section (g)**

It shall be unlawful for any person - (1) who has been convicted in any court of a crime punishable by imprisonment for a term of one year (does not include any State offense classified by the laws of the State as a misdemeanor and punishable by a term of imprisonment of two years or less ); (2) who is a fugitive from justice; (3) who is an unlawful user of or addicted to any controlled substance (as defined in Section 102 of the Controlled Substances Act, 21 U .S.C. 802); (4) who has been adjudicated as a mental defective or who has been committed to a mental institution; (5) who, being an alien is illegally or unlawfully in the United States; (6) who has been discharged from the armed forces under dishonorable conditions; (7) who having been a citizen of the United States has renounced his citizenship; (8) who is subject to a court order that - (A) was issued after a bearing of which such person received actual notice, and at which such person had the opportunity to participate; (B) restrains such person from harassing stalking or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C) (i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury, to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

**WARNING!**

**Notification to FID Cardholder of Possible Violation of Federal Law**

**It is a federal FELONY for a "prohibited person" to purchase or attempt to purchase, own or possesses any modern firearm or ammunition even with an FID Card!**

If you are currently not statutorily disqualified under Massachusetts law from being issued a FID Card under M.G.L Chapter 140 § 129B, this licensing authority is required to issue you an FID Card.

Please note that after issuance of this FID, this Department will contact ATF at any time we become aware of your possession of modern firearms or ammunition in violation of federal firearms laws.

As a federally prohibited person with a valid FID Card, you may purchase or possess the following:

Chemical sprays designed to incapacitate as defined by MGL 140 § 121;  
Black powder or similar ammunition for use with primitive firearms or replicas of primitive firearms as described in MGL 140 § 121.