



# Maryland State Police Licensing Division **ADVISORY** **LD-FRS-14-002**



**March 20, 2014**

## **Short-Barreled Shotguns and Short-Barreled Rifles**

This Advisory is being published in response to a number of inquiries received by the Firearms Registration Unit. Citizens and firearms dealers alike have questioned whether or not short-barreled rifles or short-barreled shotguns are regulated in Maryland.

### **I. Definitions**

Maryland Law, Criminal Law Article ("CR") § 4-201(f), defines "short-barreled rifle" as a rifle that has:

1. One or more barrels with one or both measuring less than 16 inches long; OR
2. Has an overall length of less than 26 inches AND was manufactured from a rifle either by alteration or modification.

CR § 4-201(g) defines "short-barreled shotgun" as a shotgun that has:

1. One or more barrels with one or both measuring less than 18 inches long; OR
2. Has an overall length of less than 26 inches AND was manufactured from a rifle either by alteration or modification.

### **II. Possession**

Maryland's Public Safety Article § 5-203 specifically addresses the possession of short-barreled rifles or short-barreled shotguns. A person may not possess a short-barreled rifle or short-barreled shotgun in Maryland unless the person,

1. While on official business is
  - a. A member of the law enforcement
  - b. A member of the armed forces
  - c. A warden or correctional officer
  - d. A sheriff or deputy sheriff; OR
2. Is a citizen who has registered with the federal government the short-barreled shotgun or short-barreled rifle in accordance with federal law.

### **III. Possession of “Copycat” weapon**

A short-barreled rifle or short-barreled shotgun that meets the definition of "copycat weapon" set forth in CR § 4-301(e) (for example, "a semi-automatic centerfire rifle that has an overall length of less than 29 inches" or "a semi-automatic shotgun that has a folding stock") is an "assault weapon" and subject to the restrictions on transportation, possession, sale and receipt set forth in Title 4, Subtitle 3, of the Criminal Law Article.

### **IV. Wear, Carry or Transport**

CR § 4-201 (c) (2) defines “handgun” to include a short-barreled shotgun and a short-barreled rifle. As such, short-barreled rifles and short-barreled shotguns are subject to the same wear, carry and transport restrictions, under CR § 4-203, as pistols. Accordingly, a person may not wear, carry or transport a short-barreled rifle or short-barreled shotgun unless the person has a valid Maryland Handgun Carry Permit or one of the other exceptions set forth in CR § 4-203(b) applies.

### **V. Transfer**

Public Safety Article (“PS”) § 5-101(r) defines “regulated firearm” to include a “handgun” which is defined in § 5-101(n)(1) to mean “a firearm with a barrel less than 16 inches in length.” Therefore, if a short-barreled rifle or short-barreled shotgun has a barrel length of less than 16 inches, the firearm is a “handgun” and subject to the application, background check and other requirements relating to the transfer of “regulated firearms” under Public Safety Article Title 5, Subtitle 1 .

### **VI. Approval for Sale or Manufacture by Handgun Roster Board**

Additionally, because PS 5-401(c) uses the definition of “handgun” from CR 4-201, a short-barreled rifle or short-barreled shotgun must be approved by the Handgun Roster Board before it may be manufactured for distribution or sale, or sold or offered for sale in Maryland.