

West's Annotated Code of Maryland Public Safety (Refs & Annos) Title 5. Firearms (Refs & Annos) Subtitle 1.
Regulated Firearms (Refs & Annos)

MD Code, Public Safety, § 5-102

Formerly cited as MD CODE Art. 27, § 441A; MD CODE Art. 27, § 447; MD CODE Art. 27, § 447A

§ 5-102. Scope of subtitle

Currentness

This subtitle does not apply to:

- (1) the transfer or possession of a regulated firearm or detachable magazine:
 - (i) for testing or experimentation authorized by the Secretary; and
 - (ii) by a federally licensed gun manufacturer, dealer, or importer;
- (2) the sale, transfer, or possession of an antique firearm;
- (3) an unserviceable firearm sold, transferred, or possessed as a curio or museum piece;
- (4) law enforcement personnel of any unit of the federal government, members of the armed forces of the United States or the National Guard, or law enforcement personnel of the State or any local agency in the State, while those personnel or members are acting within the scope of their official duties;
- (5) a regulated firearm modified to render it permanently inoperative;
- (6) purchases, sales, and transportation to or by a federally licensed gun manufacturer, dealer, or importer;
- (7) an organization that is required or authorized by federal law governing its specific business or activity to maintain firearms;
- (8) the receipt of a regulated firearm by inheritance, if the heir forwards to the Secretary a completed application to purchase or transfer that regulated firearm; or
- (9) a signal pistol or other visual distress signal that the United States Coast Guard approves as a marine safety device.

Credits

Added by [Acts 2003, c. 5, § 2, eff. Oct. 1, 2003](#).

Editors' Notes

LEGISLATIVE NOTES

Revisor's Note (Acts 2003, c. 5):

This section is new language derived without substantive change from former Art. 27, §§ 441A, 447, and 447A.

In the introductory language of this section, the reference to “[t]his subtitle” is substituted for the former narrower reference to “[t]he prohibitions of this subheading” to conform to the standard terminology used in a scope of subtitle section and to avoid the erroneous implication that elements of this subtitle, other than prohibitions, do apply to the items listed in this section.

In items (1)(ii) and (6) of this section, the reference to a “federally licensed gun manufacturer, dealer, or importer” is substituted for the former references to a “licensed manufacturer, dealer, or importer” and to a “licensed gun dealer, manufacturer, or importer” to state expressly that which only was implied in the former law, i.e., in these provisions, the federal government is the licensing authority for gun manufacturers, dealers, and importers.

In item (7) of this section, the former reference to federal “regulations” is deleted as included in the reference to federal “law”.

Defined terms: “Antique firearm” § 5-101

“Firearm” § 5-101

“Person” § 1-101

“Regulated firearm” § 5-101

“Secretary” § 5-101

MD Code, Public Safety, § 5-102, MD PUBLIC SAFETY § 5-102

Current through all legislation from the 2019 Regular Session of the General Assembly.