

POLICE DEPARTMENT

CITY OF NEW YORK

LICENSE DIVISION

**HANDGUN LICENSE
INFORMATION
BOOKLET**

WEBSITE: <https://licensing.nypdonline.org>

HOURS: Monday-Friday from 8:30 A.M. - 4:00 P.M.

Closed on all legal holidays



DERMOT F. SHEA

Police Commissioner

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INTRODUCTION TO THIS BOOKLET

Congratulations on receiving your New York City Handgun License. Having a license comes with a number of responsibilities. This booklet should be used as a guide to assist you in navigating the rules and regulations that Licensees are required to follow and answer some of the most common questions you may encounter. This is not a substitute for the rules that pertain to your license.

Here is a list of the most significant rules and regulations that you are expected to become familiar with, along with links for free resources to view them online:

1. Title 38 R.C.N.Y. Chapters 5 & 15:
https://www.amlegal.com/codes/client/new-york-city_ny/
 2. N.Y.S. Penal Law Articles 35, 265, and 400:
<http://ypdcrime.com/penal.law/index.htm>
 3. New York City Administrative Code Title 10, Chapter 1, § 10-131, & Title 10, Chapter 3:
https://www.amlegal.com/codes/client/new-york-city_ny/
 4. 18 U.S.C. Chapter 44:
<https://www.law.cornell.edu/uscode/text/18/part-1/chapter-44>
- To the extent that there is a discrepancy between this booklet and the law, please follow the law. We strive to keep the License Division website updated with the current laws. See <https://licensing.nypdonline.org>

- Contact information for the License Division, and its internal units, can be found listed on the rear cover of this booklet.
- If you require translation services, please be advised that they are available upon request in certain circumstances.

IMPORTANT FACTS ABOUT YOUR HANDGUN LICENSE

- (1) Any misuse of the license, violation of the rules and/or the restrictions of the license, or any action or misconduct on the part of the Licensee may result in the suspension and/or revocation of the license. *In addition* to the previously listed administrative penalties, Licensees must be aware that violations of the New York State Penal Law, or other applicable criminal statutes, may subject the Licensee to separate criminal penalties, including but not limited to, jail time.
- (2) The license is revocable at any time.
- (3) Your license is not transferable to any other person or location.
- (4) The Licensee is authorized to own only the handgun(s) that are listed on his/her license.
- (5) The Licensee shall not draw, expose or display handgun(s) unnecessarily.
- (6) Handgun(s) must be properly safeguarded at all times.
Note: Firearms are never to be left unattended in a vehicle or any place where a thief or other unauthorized persons may readily obtain them.
- (7) It is the Licensee's responsibility to notify the License Division of any matter which require notification. See "notifications" section, page 3.
- (8) Any mutilation, alteration, or lamination of the license shall render it void.
- (9) The Licensee must be in possession of his/her license at all times while carrying, transporting, possessing at residence, business, or range, the handgun(s) indicated on said license.
- (10) The Licensee shall not purchase, replace, sell, or otherwise dispose of a handgun prior to obtaining written permission from the Commanding Officer of the License Division.
- (11) The Licensee should endeavor to engage in periodic handgun practice at an authorized range or shooting club.

SAFEGUARDING YOUR FIREARM

To assure maximum safety, your handgun(s) must be safeguarded at all times. Proper safeguarding practices include, but are not limited to, ensuring that:

- Handgun(s) are never to be left any place where a child, thief, or unauthorized person(s) may readily obtain them.
- Whenever a handgun is outside of your immediate control, it must be rendered inoperable with a safety locking device.
- If there are more than four handguns in your home, they must be stored in a safe.

- If you have a Premise Business or Limited Carry license and your gun is stored at your business, it must be stored unloaded in a safe.
- When transporting your handgun(s) in a vehicle, the handgun(s) may not be in the glove compartment or console of the vehicle, and must be in a locked container with ammunition carried separately.

Even if you have fewer than 4 guns at home, the License Division recommends that Licensees store handguns unloaded and in a safe, or other locked compartment, when not in use. Licensees are also encouraged to voucher their handguns for "safekeeping" with their local precinct if Licensees will be leaving their handguns unattended for extended periods of time, or will otherwise be in a situation that may compromise their ability to safeguard their handguns.

Examples of times this may be appropriate include, but are not limited to:

- Extended vacations,
- Extensive renovations of the home or business where the handgun is normally stored,
- During the course of a move or relocation between homes,
- Periods of planned medical incapacity (e.g., recovery after surgery)

If you have any issues vouchering at your local precinct, please contact the **Incident Section** for assistance.

Please note that there are certain places that a gun will never be considered "safeguarded", such as:

- Inside an unattended vehicle; or
- A safety deposit box at a bank.

Important: Depending on your license type, you may have additional specific safeguarding requirements to comply with.

For more information regarding safeguarding your handgun please see **Title 38 R.C.N.Y. § 5-22**.

NOTIFICATIONS

Licensees have extensive responsibilities to timely and proactively contact the License Division (and in some cases, the local police precinct) in certain instances. Many of these instances will be considered "incidents", and the Licensee has a duty to notify the License Division "immediately" upon their occurrence. **It is not enough to merely report "incidents" to your local police precinct.** In order to fulfill your notification responsibilities, you must notify the License Division **directly**.

Never rely on anyone's representation, including those of police officers, that they will notify the License Division on your behalf. When an incident occurs, the primary responsibility to notify rests with the Licensee.

Contact information for the License Division and its sections can be found on the rear cover of this booklet. **Make your notification directly to the License Division, preferably by e-mail or otherwise in writing.**

The list below reflects some of the most common times you need to notify the **Incident Section** of the License Division. *This is not an exhaustive list.*

1. Lost or stolen handgun(s), license(s), and/or permit(s)
2. Discharge of handgun - other than at a licensed handgun range
3. Improper use/safeguarding of handgun(s)
4. Public display of an unholstered handgun(s)
5. Arrest, summons, (except traffic infractions), indictment, or conviction of Licensee in any jurisdiction, federal, state, local, etc.
6. The Licensee requests or becomes the subject of an order of protection
7. Receipt of psychiatric treatment or treatment for alcoholism or drug abuse, or the presence or occurrence of any disability or condition that may affect the ability to safely possess or use a handgun.
8. The onset, existence, or change of circumstances, in any of the following conditions by the Licensee:
 - a. Epilepsy
 - b. Diabetes
 - c. Fainting spells
 - d. Blackouts
 - e. Temporary loss of memory
 - f. Nervous disorder
 - g. ANY condition that may affect the handling of a handgun.
9. **Whenever the holder of a handgun license becomes involved in a situation which comes to the attention of any police department, or other law enforcement agency.** (For example, complaints about the Licensee, or by the Licensee, resulting in police response, including, but not limited to Domestic Incident Reports)
10. Change of business, occupation or employment
11. Change of address or contact information
12. Change of personal name or business name
13. Any change in the circumstances for which the Licensee received the license
14. Alteration, mutilation, destruction of handgun license

For more information regarding your responsibility to make notifications to the License Division, please see **Title 38 R.C.N.Y. §§ 5-22 & 5-30**.

ACQUIRING NEW FIREARMS

Licensees may only obtain new handguns *after* seeking, and being granted, written authorization from the Commanding Officer, License Division. This authorization is called a "Handgun Purchase Authorization" form. Licensee must obtain this authorization form prior to the purchase of an initial handgun or

of any additional handgun(s). Remember, you are authorized to own only the handgun(s) that are listed on your license. Inquiries concerning Handgun Purchase Authorizations may be addressed to the **Issuing Unit**.

Once a "Handgun Purchase Authorization" form is granted, the Licensee may only purchase a handgun from the following:

1. A licensed New York State Firearms Dealer;
2. The holder of a current, valid, New York State, or New York City handgun license;
3. A New York State or New York City Police Officer or Peace Officer as defined by the Criminal Procedure Law; or,
4. The estate of a deceased New York City/New York State handgun Licensee.

Note: All of these acquisitions will need to be conducted through a federally Licensed Firearms Dealer (FFL), unless the acquisition is from an immediate family member, so that a background check can be conducted through NICS (National Instant Criminal Background Check System).

Under no circumstances may a person acquire more than one (1) handgun in a ninety (90) day period.

Number of handguns allowed on a handgun license

1. Number of handgun(s) allowed:
 - a. Carry – Two handguns. The Commanding Officer of the License Division may in his/her discretion limit the number of handguns to one when the Licensee's needs do not require possession of two handguns.
 - b. Premise Business – One handgun
 - c. Premise Residence – One handgun. Requests for additional handguns shall be reviewed on an individual basis.
 - d. Special Carry – Same as requirements for Carry.
2. Requests for handguns in excess of four (4) will not be entertained without proof of the ownership of a safe in which the weapons will be safeguarded when not in use. Proof of ownership consists of a Bill of Sale for the safe and two photos of the safe, one with the door open and one with the door closed. The Commanding Officer, License Division reserves the right to accept or reject the type of safe proposed for safeguarding the weapons.
3. Holders of "Special Handgun Licenses" must comply with the purchase authorization request guidelines of the county in which they hold their primary handgun license. Once the addition has been made to their county license, a request to add the weapon to their N.Y.C. special license may be made in writing to the Commanding Officer, License Division.

For more information regarding the purchase or acquisition of a handgun please see **Title 38 R.C.N.Y. § 5-25**, and **N.Y.C. Administrative Code § 10-302.1**

DISPOSAL AND/OR SALE OF FIREARMS

Licensees may only sell or otherwise dispose of handguns *after* seeking, and being granted, written authorization from the Commanding Officer, License Division. This authorization will be provided in the nature of a "Permission to Sell" notice. Inquiries concerning these transactions may be made to the **Incident Section**.

To legally dispose of his/her handgun(s) the Licensee must either:

- (1) Voucher the handgun(s) at his/her local precinct; or
- (2) Sell the handguns to a handgun dealer; or
- (3) Sell the handgun(s) to a police officer or peace officer; or
- (4) Transfer handgun(s) to another license he/she may possess, if authorized to do so; or
- (5) Sell the handgun(s) to a Licensee, if authorized to purchase.

Note: Most of these transfers or sales will need to be conducted through a federally Licensed Firearms Dealer (FFL). For more information please see **Title 38 R.C.N.Y. § 5-26(e)**.

Note: Any person lawfully in possession of a handgun, who disposes of the same without first notifying the Commanding Officer, License Division in writing, is guilty of a Class A Misdemeanor pursuant to **N.Y.S. Penal Law - §265.10(7)**.

Important: If the Licensee sells, or otherwise disposes of, the one and only handgun on his/her license, the license becomes invalid and will be cancelled.

For complete rules regarding the sale or disposal of a handgun please see **Title 38 R.C.N.Y. § 5-26**.

CANCELLATION OF LICENSES

If a Licensee no longer wishes to possess a handgun license, a Licensee may cancel his/her license at any time that Licensee is in good standing with the License Division. If he/she chooses to cancel, the Licensee must:

- i. Notify the License Division of his/her intent to cancel the license;
- ii. Legally dispose of the handgun as stated in the section above;
- iii. Return the original license to the License Division with a copy of the voucher or a Bill of Sale for the handgun(s);
- iv. Provide a letter explaining the reason for cancellation.

All documents and the license should be mailed to the License Division – **Cancellation Unit, One Police Plaza, Room 152, New York, NY 10038** within ten (10) days of disposal of the handgun.

Note: Licensees must complete the above-listed process irrespective of the reason they choose to cancel the license. Even if the Licensee is moving out of the City/State, transferring his/her handguns to another County's license, or

choosing not to renew the license for any reason, the Licensee **must** inform the License Division of the status of all of the handguns.

- To dispose of handguns, follow the procedure listed above.
- If you are moving out of New York City, and wish to retain possession of your handgun(s) in your new jurisdiction, you must inform the License Division in writing of your new address and the current location of your handgun(s).

For more information regarding the cancellation of a handgun license, including moving out of State, please see **38 R.C.N.Y. § 5-27**.

RENEWALS OF LICENSES

It is the Licensee's responsibility to renew his/her license every three (3) years, unless you wish to cancel the license. Licensees should note that each renewal of your license will be fully investigated by the License Division. The grant of a license in the past does not guarantee the approval of a renewal application.

- (a) The renewal process generally begins sixty (60) days prior to the license's expiration date. If Licensee has not received any communication regarding his/her renewal thirty (30) days prior to the expiration date of the license, you must contact the **Renewal Section**.
- (b) Renewal instructions will be sent to the Licensee in accord with the contact information associated with Licensee's file. It is your responsibility to update any personal contact information with the License Division, including change of address and/or email.
- (c) If a Licensee timely files for renewal, the license will remain in effect while the renewal application is pending. If the renewal application is disapproved (even if an appeal is pending), Licensee must immediately voucher his or her license and all gun(s) registered thereto at his/her local precinct.
- (d) Licensees must carefully read and comply with all the instructions related to the renewal process, as well as any instructions or directives issued by your renewal Investigator.
- (e) Incomplete or incorrectly prepared renewal applications and related documents will not be processed, and may result in the disapproval of the renewal application and cancellation of the license.
- (f) Failure to renew the license on time is cause for cancellation of the license.
- (g) Once a decision has been reached concerning your renewal application, you will be notified.

Possession of any unlicensed handgun is a violation of Article 265 of the N.Y.S. Penal Law, and may subject the Licensee to arrest.

Note: If a Licensee chooses not to renew his/her license, s/he must follow the cancellation procedures detailed in the previous section.

For more information regarding the cancellation of a handgun license see **38 R.C.N.Y. § 5-28**.

THE "INCIDENT" PROCESS & HEARINGS

Whenever a handgun Licensee is involved in an "Incident," you must immediately report said incident to the License Division's **Incident Section**. Incidents include, but are not limited to, any contact with the police. For more information about what qualifies as an "incident", and when and how you must report it, please refer to the "**Notifications**" section of this booklet, located on **page 3, and Title 38 R.C.N.Y. §§ 5-22 & 5-30**.

Once an incident is reported to the License Division, each incident will be reviewed and evaluated by License Division Investigators. The investigation process may include, but is not limited to:

- License suspension pending investigation of the incident. If the License Division finds it necessary to suspend the license, you will be notified. Said notification will advise you of the status of your license and the reason for the suspension.
- Direction to immediately voucher for safekeeping all handgun(s) listed on any license(s) that you have been issued. After the handgun(s) have been vouchered, the Licensee must immediately send his original handgun license and a copy of the "Voucher" to the License Division's Incident Unit. **Failure to comply with these directions constitutes the possession of an unlicensed handgun(s) and is a crime under the N.Y.S. Penal Law and is grounds for revocation of the license.**
- Direction to submit a notarized statement regarding the facts and circumstances of the incident.
- Communication with the Investigator assigned to the investigation.

Failure to comply with the License Division Investigator may result in the permanent revocation of your handgun license.

Hearings

If, after investigation, a license is suspended or revoked by Notice of Determination, the Licensee has the right to submit a written request for a hearing to appeal the decision. This request must be made within thirty (30) days of the Notice of Determination. However, requests for hearings will not be entertained, nor will a hearing be scheduled until the Licensee:

- (a) Vouchers the handgun(s);
- (b) Provides a copy of the Property Clerk invoice/voucher receipt to the License Division;
- (c) Forwards his handgun license to the License Division;
- (d) Shows that any Order of Protection against the Licensee has expired or been otherwise vacated, if applicable; and,

- (e) Provides a Certificate of Disposition from the court, if applicable.
 - i. A hearing will not be granted until all pending matters before the Criminal Court have been concluded and a final disposition is reached, and
 - ii. If the Licensee has been convicted of a felony or serious misdemeanor, a Certificate of Relief from Disabilities from the court must also be provided.

To request a hearing, the Licensee must submit a written request to the Commanding Officer, License Division. The letter must include:

- (1) License number - Refer to Incident number if applicable.
- (2) Reason(s) for the request.
- (3) Evidence of proper disposition of license(s) and handgun(s).

Upon receipt of the Licensee's letter, the License Division will schedule the Licensee for a hearing and notify the Licensee by mail.

For more information regarding the incident and hearing process, please see **38 R.C.N.Y. § 5-30 & 38 R.C.N.Y. Chapter 15.**

TYPES OF LICENSES

The NYPD issues several different types of handgun licenses, with varying restrictions. It is your responsibility as a Licensee to ensure you are familiar with the particular permitted uses, rules, regulations, and restrictions that apply to your license type.

The information below is only a brief summary of the types of licenses; it is not an exhaustive description of the permitted uses, rules, regulations, and restrictions that apply to each type of License. If, after you have read this booklet in its entirety, and referred to 38 R.C.N.Y., Chapter 5, you have questions remaining about your specific license type, you are encouraged to call or email the section of the License Division that most closely corresponds to your license for clarification.

- **PREMISES LICENSE:** This is a restricted type of license. It is issued for your residence or business. The Licensee may possess a handgun ONLY INSIDE of the premises of the address indicated on the front of the license. Licensees may also transport their handgun(s) with the ammunition carried separately, and the handgun unloaded in a locked container, in accordance with all applicable rules, regulations, and statutes.
 - **Note:** New York State law and New York City rules have been amended to expand the range of places to which Premise licensees may transport their handgun(s). You can read the new law on our website at <https://licensing.nypdonline.org/app-instruction/>
- **CARRY BUSINESS LICENSE:** This license permits the carrying of a handgun concealed on the person. It is valid for the business name, address,

and handgun(s) listed on the license. It is not transferable to any other person, business, occupation, or address, without the written approval of the License Division's Commanding Officer. This license may also be issued for safety reasons unrelated to business.

- **LIMITED CARRY BUSINESS LICENSE:** This license authorizes the carrying of the handgun specified on the license in accordance with specific time and place limitations listed thereon. At all other times, the handgun must be safeguarded within the confines of the address listed on the front of the license, either concealed on the Licensee's person in a proper holster or stored unloaded in a locked safe.
- **SPECIAL CARRY LICENSE:** The Special Carry License is valid for the business name, address and handguns listed on the license, only while the Licensee has in his possession a valid carry county license issued according to the provisions of Article 400 of the N.Y.S. Penal law. Upon the revocation, suspension, or cancellation of the basic county license, the Special Carry License is rendered void and must be immediately returned to the License Division.
- **CARRY GUARD LICENSE:** Issued for security guards, couriers, private investigation companies, or a company providing similar services. This license authorizes the carrying of the handgun specified on the license only while the Licensee is actively engaged in employment for the company whose name appears on the license and/or while Licensee is in transit directly to or from residence and place of employment. At all other times, the handgun must be stored unloaded in a locked container, at either the address on the license or at the employee's legal residence (within the State of New York). Applications for this type of license must be made with the documentation provided by a company's gun custodian.
- **LAW ENFORCEMENT RETIREE LICENSE:** This type of license is for retired Law Enforcement Officers.
- **ATTENTION ALL CARRY LICENSEES: THE HANDGUN MAY ONLY BE CARRIED FOR THE APPROVED PURPOSE(S) FOR WHICH THE LICENSE WAS ISSUED (SUCH AS IN CONNECTION WITH THE APPLICANT'S JOB, BUSINESS, OR OCCUPATIONAL REQUIREMENTS).**

For more information regarding the types of handgun licenses and the distinctions between them, please see **38 R.C.N.Y. Chapter 5.**

LICENSE DIVISION DIRECTORY

<u>Handgun Sections</u>	<u>Phone Number</u>	<u>Email</u>
Main	646-610-5560	Fax Number: (646) 610-6399
New Application Intake	646-610-5058	DG_LIC-HandgunIntake@NYPD.ORG
New Applications	646-610-5551	DG_LIC-HandgunNewApps@NYPD.ORG
Carry Unit	646-610-5551	DG_LIC-Carry@NYPD.ORG
Carry Guard	646-610-4611	DG_LIC-Carry-Guard@NYPD.ORG
Retiree Applications	646-610-5536	DG_LIC-Retirees@NYPD.ORG
Retiree Renewals	646-610-6558	DG_Lic-HandgunRenewals@NYPD.ORG
Special Patrolmen	646-610-5519	DG_LIC-Special-Patrolmen@NYPD.ORG
Incidents	646-610-5154	DG_LIC-Incidents@NYPD.ORG
Hearings & Appeals	646-610-6468	
License Renewals	646-610-5872	DG_Lic-HandgunRenewals@NYPD.ORG Fax Number: (646) 610-5488
Cancellations	646-610-5871	DG_LIC-Cancellations@NYPD.ORG
Issuing	646-610-5550	
Purchase Authorizations	646-610-5153	LIC-PurchaseOrders@NYPD.ORG

<u>Rifle/Shotgun Sections</u>	<u>Phone Number</u>	<u>Email</u>
Main	718-520-9300	
Intake	718-520-9300	DG_LIC-RS-Intake@NYPD.ORG
New Applications	718-520-9300	DG_LIC-RS-NewApps@NYPD.ORG
Incidents	718-520-9300	DG_LIC-RS-Incidents@NYPD.ORG
Renewals	718-520-9300	DG_LIC-RS-Renewals@NYPD.ORG
Cancellations	718-520-9300	DG_LIC-RS-Cancellations@NYPD.ORG