

## § 7-2509.02. Application requirements.

(a) A person who submits an application pursuant to § 22-4506 shall certify and demonstrate to the satisfaction of the Chief that he or she:

(1) Is at least 21 years of age;

(2) Meets all of the requirements for a person registering a firearm pursuant to this unit, and has obtained a registration certificate for the pistol that the person is applying to carry concealed;

(3)(A) Does not currently suffer from a mental illness or condition that creates a substantial risk that he or she is a danger to himself or herself or others; or

(B) If he or she has suffered in the previous 5 years from a mental illness or condition that created a substantial risk that he or she was a danger to himself or herself or others, no longer suffers from a mental illness or condition that creates a substantial risk that he or she is a danger to himself or herself or others;

(4) Has completed a firearms training course or combination of courses, conducted by an instructor (or instructors) certified by the Chief, which includes at least 16 hours of training, and covers the following:

(A) Firearm safety;

(B) Firearm nomenclature;

(C) Basic principles of marksmanship;

(D) Care, cleaning, maintenance, loading, unloading, and storage of pistols;

(E) Situational awareness, conflict management, and use of deadly force;

(F) Selection of pistols and ammunition for defensive purposes; and

(G) All applicable District and federal firearms laws, including the requirements of this unit, [Chapter 45 of Title 22](#) [[§ 22-4501](#) et seq.], and District law pertaining to self-defense;

(5) Has completed at least 2 hours of range training, conducted by an instructor certified by the Chief, including shooting a qualification course of 50 rounds of ammunition from a maximum distance of 15 yards (45 feet); and

(6) Has complied with any procedures the Chief may establish by rule.

(b) An applicant shall satisfy the requirements of subsection (a)(4) and (a)(5) of this section with a certification from a firearms instructor that the applicant:

- (1) Demonstrated satisfactory completion of the requirements of subsection (a)(4) and (a)(5) of this section;  
and
- (2) Possesses the proper knowledge, skills, and attitude to carry a concealed pistol.

(c) An applicant may be exempt from some or all of the requirements of subsection (a)(4) and (a)(5) of this section if the applicant has submitted evidence that he or she has received firearms training in the United States military or has otherwise completed firearms training conducted by a firearms instructor that, as determined by the Chief, is equal to or greater than that required under subsection (a)(4) and (a)(5) of this section.

(d) An applicant for a license may satisfy any component of the requirements of subsection (a)(4) and (a)(5) of this section by demonstrating to the satisfaction of the Chief that the applicant has met that particular component as part of a successful application to carry a concealed pistol issued by the lawful authorities of any state or subdivision of the United States.

(e)(1) An applicant shall sign an oath or affirmation attesting to the truth of all the information required by [§ 22-4506](#) and this section.

(2) Any declaration, certificate, verification, or statement made for purposes of an application for a license to carry a concealed pistol pursuant to this unit shall be made under penalty of perjury pursuant to [§ 22-2402](#).

(f) An applicant is required to appear for an in-person interview at the MPD headquarters for purposes including verification of the applicant's identity and verification of the information submitted as part of the application process for a license.

(g) Any person whose application has been denied may, within 15 days after the date of the notice of denial, appeal to the Concealed Pistol Licensing Review Board established pursuant to [§ 7-2509.08](#).

### **§ 7-2502.03. Qualifications for registration; information required for registration.**

(a) No registration certificate shall be issued to any person (and in the case of a person between the ages of 18 and 21, to the person and the person's signatory parent or guardian) or organization unless the Chief determines that such person (or the president or chief executive in the case of an organization);

(1) Is 21 years of age or older; provided, that the Chief may issue to an applicant between the ages of 18 and 21 years old, and who is otherwise qualified, a registration certificate if the application is accompanied by a notarized statement of the applicant's parent or guardian:

(A) That the applicant has the permission of the applicant's parent or guardian to own and use the firearm to be registered; and

(B) The parent or guardian assumes civil liability for all damages resulting from the actions of such applicant in the use of the firearm to be registered; provided further, that such registration certificate shall expire on such person's 21st birthday;

(2) Has not been convicted of a weapons offense (but not an infraction or misdemeanor violation under [§ 7-2502.08](#), [§ 7-2507.02](#), [§ 7-2507.06](#), or [§ 7-2508.07](#)) or a felony in this or any other jurisdiction (including a crime punishable by imprisonment for a term exceeding one year);

(3) Is not under indictment for a crime of violence or a weapons offense;

(4) Has not been convicted within 5 years prior to the application of any:

(A) Violation in any jurisdiction of any law restricting the use, possession, or sale of any narcotic or dangerous drug;

(B) A violation of D.C. Official Code [§ 22-404](#), regarding assaults and threats, or D.C. Official Code [§ 22-407](#), regarding threats to do bodily harm, or a violation of any similar provision of the law of another jurisdiction;

(C) Two or more violations of D.C. Official Code § 50-2201.05(b), or, in this or any other jurisdiction, any law restricting driving under the influence of alcohol or drugs;

(D) Intrafamily offense punishable as a misdemeanor, including any similar provision in the law of another jurisdiction;

(E) Misdemeanor violation pursuant to [§ 7-2507.02](#) or [§ 7-2507.06](#);

(F) Violation of [§ 22-3133](#); or

(G) Violation of an extreme risk protection order pursuant to [§ 7-2510.11](#);

(5) Within the 5-year period immediately preceding the application, has not been acquitted of any criminal charge by reason of insanity or has not been adjudicated a chronic alcoholic by any court; provided, that this paragraph shall not apply if such person shall present to the Chief, with the

application, a medical certification indicating that the applicant has recovered from such insanity or alcoholic condition and is capable of safe and responsible possession of a firearm;

(6)(A) Within the 5-year period immediately preceding the application, has not been:

(1) Voluntarily admitted to a mental health facility;

(2) Involuntarily committed to a mental health facility by the Superior Court of the District of Columbia, another court of competent jurisdiction, the Commission on Mental Health, or a similar commission in another jurisdiction;

(3) Determined by the Superior Court of the District of Columbia or another court of competent jurisdiction to be an incapacitated individual, as that term is defined in [§ 21-2011\(11\)](#);

(4) Adjudicated as a mental defective, as that term is defined in 27 C.F.R. § 478.11; or

(5) Committed to a mental institution, as that term is defined in 27 C.F.R. § 478.11;

(B) Subparagraph (A) of this paragraph shall not apply if the court has granted the applicant relief pursuant to subsection (f) of this section, unless the applicant, since the court granted the applicant relief pursuant to subsection (f) of this section, is again disqualified under subparagraph (A) of this paragraph.

(6A) Within the 5 years immediately preceding the application, has not had a history of violent behavior.

(7) Does not appear to suffer from a physical defect which would tend to indicate that the applicant would not be able to possess and use a firearm safely and responsibly;

(8) Has not been adjudicated negligent in a firearm mishap causing death or serious injury to another human being;

(9) Is not otherwise ineligible to possess a firearm under [§ 22-4503](#);

(10) Has not failed to demonstrate satisfactorily, in accordance with a test prescribed by the Chief, a knowledge of the laws of the District of Columbia pertaining to firearms and, in particular, the requirements of this unit, the responsibilities regarding storage, and the requirements for transport; provided, that once this determination is made with respect to a given applicant for a particular firearm, it need not be made again for the same applicant with respect to a subsequent application for a firearm or for the renewal of a registration certificate pursuant to [§ 7-2502.07a](#);

(11) Is not blind, as defined in D.C. Official Code [§ 7-1009\(1\)](#);

(12)(A) Has not been the respondent in an intrafamily proceeding in which a civil protection order was issued against the applicant pursuant to [§ 16-1005](#); provided, that an applicant who has been the subject of such an order shall be eligible for registration if the applicant has submitted to the Chief a certified court record establishing that the order has expired or has been rescinded for a period of 5 years or more; or

(B) Has not been the respondent in a proceeding in which a foreign protection order, as that term is defined in [§ 16-1041](#), was issued against the applicant; provided, that an applicant who has been the subject of such an order shall be eligible for registration if the applicant has submitted to the Chief a certified court record establishing that the order has expired or has been rescinded for a period of 5 years;

(13)(A) Has completed a firearms training and safety class provided free of charge by the Chief; or

(B) Has submitted evidence of any of the following:

(i) That the applicant has received firearms training in the United States military;

(ii) A license from another state for which firearms training is required, where the training, as determined by the Chief, is equal to or greater than that provided under subparagraph (A) of this paragraph; or

(iii) That the applicant has otherwise completed a firearms training or safety course conducted by a firearms instructor that, as determined by the Chief, is equal to or greater than that conducted under subparagraph (A) of this paragraph;

(14) Has not been prohibited from possessing or registering a firearm pursuant to [§ 7-2502.08](#); and

(15) Is not the subject of an ex parte extreme risk protection order issued pursuant to [§ 7-2510.04](#) or a final extreme risk protection order issued pursuant to [§ 7-2510.03](#) or renewed pursuant to [§ 7-2510.06](#).

(b) Every person applying for a registration certificate shall provide on a form prescribed by the Chief:

(1) The full name or any other name by which the applicant is known;

(2) The present address and each home address where the applicant has resided during the 5-year period immediately preceding the application;

(3) The present business or occupation of the applicant and the address and phone number of the employer;

(4) The date and place of birth of the applicant;

(5) The sex of the applicant;

(6) Whether (and if so, the reasons) the District, the United States or the government of any state or subdivision of any state has denied or revoked the applicant's license, registration certificate, or permit pertaining to any firearm;

(7) A description of the applicant's role in any mishap involving a firearm, including the date, place, time, circumstances, and the names of the persons injured or killed;

(8) Repealed.

(9) The caliber, make, model, manufacturer's identification number, serial number, and any other identifying marks on the firearm;

(10) The name and address of the person or organization from whom the firearm was obtained, and in the case of a dealer, his dealer's license number;

(11) Where the firearm will generally be kept;

(12) Whether the applicant has applied for other registration certificates issued and outstanding;

(13) Such other information as the Chief determines is necessary to carry out the provisions of this unit.

(c) Every organization applying for a registration certificate shall:

(1) With respect to the president or chief executive of such organization, comply with the requirements of subsection (b) of this section; and

(2) Provide such other information as the Chief determines is necessary to carry out the provisions of this unit.

(d) Repealed.

(e) The Chief shall register no more than one pistol per registrant during any 30-day period; provided, that the Chief may permit a person first becoming a District resident to register more than one pistol if those pistols were lawfully owned in another jurisdiction for a period of 6 months prior to the date of the application.

(f)(1) A person disqualified under subsection (a)(6)(A) of this section, or 18 U.S.C. § 922(g)(4) as a result of a commitment or adjudication that occurred in the District, may petition the Superior Court for the District of Columbia for relief from disqualification.

(2) A petition filed pursuant to paragraph (1) of this subsection shall:

(A) Be in writing;

(B) State the reason the petitioner was disqualified;

(C) State facts in support of the petitioner's claim that the petitioner should no longer be disqualified;

(D) Include a statement, on a form approved by the court, signed by a licensed physician, psychiatrist, or qualified psychologist within the 30-day period immediately preceding the filing of the petition for relief, stating:

(i) The symptoms or behaviors for which the petitioner has been disqualified;

(ii) The length of time that the petitioner has no longer experienced those symptoms or behaviors;

(iii) The length of time that the petitioner has been compliant with any applicable treatment plans related to the reason the petitioner was disqualified; and

(iv) That, in the physician, psychiatrist, or psychologist's opinion, the petitioner would not be likely to act in a manner dangerous to public safety if allowed to register a firearm;

(E) Be accompanied by any appropriate exhibits, affidavits, or supporting documents, including records of any guardianship, conservatorship, or commitment proceeding related to the petitioner's disqualification;

(F) Include 2 statements from individuals who are not related to the petitioner by blood, adoption, guardianship, marriage, domestic partnership, having a child in common, cohabitating, or maintaining a romantic, dating, or sexual relationship and have known the petitioner for at least 3 years. The individuals' statements shall:

(i) Be on a form approved by the court, and signed by the individual within the 30-day period immediately preceding the filing of the petition for relief;

(ii) Describe the petitioner's reputation and character; and

(iii) State that, in the individual's opinion, the petitioner would not be likely to act in a manner dangerous to public safety if allowed to register a firearm; and

(G) Be served upon the Office of the Attorney General.

(3)(A)(i) Upon receipt of a petition filed under paragraph (1) of this subsection, and for good cause shown, the court shall issue such orders as may be necessary to obtain any mental health records

and other information relevant for the purposes of the petition. The order shall require the disclosure of records to the Office of the Attorney General so that the Office of the Attorney General can conduct a search of the petitioner's mental health records and report its findings to the court as required by subparagraph (B) of this paragraph.

(ii) The court shall order the Office of the Attorney General to file a response to the petition. Within 60 days after the court's order for a response, the Office of the Attorney General shall file a response indicating whether the Office of the Attorney General supports or opposes the petition.

(iii) The court may, for good cause shown, extend in 30-day increments the date by which the Office of Attorney General must file its response under sub-subparagraph (ii) of this subparagraph.

(B) The Office of Attorney General shall:

(i) Conduct a reasonable search of all available records of the petitioner's mental health;

(ii) Perform a national criminal history and firearms eligibility background check on the petitioner; and

(iii) Include its findings under this subparagraph in its response to the court.

(C) The Metropolitan Police Department shall, upon request, provide to the Office of Attorney General any records related to the petitioner it has in its possession or could obtain after conducting a reasonable search.

(4)(A) The court shall hold a hearing on a petition filed under paragraph (1) of this subsection within 60 days after the date on which the Office of Attorney General files its response.

(B) In determining whether to grant a petition filed pursuant to paragraph (1) of this subsection, the court shall consider all relevant evidence, including:

(i) The reason the petitioner was disqualified;

(ii) The petitioner's mental health and criminal history records; and

(iii) Evidence of the petitioner's reputation.

(5) The court shall grant a petition filed pursuant to paragraph (1) of this subsection if the petitioner establishes, by a preponderance of the evidence, that:

(A) The petitioner would not be likely to act in a manner dangerous to public safety; and

(B) Granting the relief would not be contrary to the public interest.



(6) If the court grants a petition for relief pursuant to paragraph (5) of this subsection, the court shall issue an order that:

(A) States the petitioner is no longer disqualified under subsection (a)(6)(A) of this section;

(B) Orders the Clerk of the Court to submit a copy of the order to the Metropolitan Police Department, the Office of the Attorney General, and any other relevant law enforcement, pretrial, corrections, or community supervision agency; and

(C) Requires that the petitioner's record be updated in the National Instant Criminal Background Check System and any other system used to determine firearm registration eligibility to reflect that the petitioner is no longer disqualified.

(7) If the court denies a petition for relief, the court shall state the reasons for its denial in writing.

(8) An order granting or denying a petition filed under paragraph (1) of this subsection shall be a final order for the purposes of appeal.

## § 7-2509.04. Duties of licensees.

- (a) A licensee shall comply with all limits and conditions of the license.
- (b) A licensee shall notify the Chief in writing:
  - (1) Immediately upon discovery of the loss, theft, or destruction of the license and include the circumstances of the loss, theft, or destruction, if known; and
  - (2) Within 30 days after a change in the licensee's name or address as it appears on the license.
- (c) A licensee shall have on or about his or her person each time the pistol is carried in the District:
  - (1) The license; and
  - (2) The registration certificate for the pistol being carried, issued pursuant to this unit.
- (d) If a law enforcement officer initiates an investigative stop of a licensee carrying a concealed pistol pursuant to [§ 22-4506](#), the licensee, and any other licensee carrying a concealed pistol pursuant to [§ 22-4506](#) who is with the stopped licensee at the time of the investigative stop, shall:
  - (1) Disclose to the officer that he or she is carrying a concealed pistol;
  - (2) Present the license and registration certificate;
  - (3) Identify the location of the concealed pistol; and
  - (4) Comply with all lawful orders and directions from the officer, including allowing a pat down of his or her person and permitting the law enforcement officer to take possession of the pistol for so long as is necessary for the safety of the officer or the public.
- (e) The duties set forth in this section are in addition to any other requirements imposed by this unit or applicable law.
- (f) In addition to any other penalty provided by law, a person who violates this section shall be subject to revocation of his or her license.

## **§ 7-2509.05. Revocation and suspension of licenses.**

(a)(1) The Chief may limit or revoke a license upon a finding of § 22-4506 and this subchapter, or as a penalty as specified in this subchapter.

(2) The United States Attorney for the District of Columbia, the Attorney General for the District of Columbia, or any person may apply to the MPD at any time for limitation or revocation of a license.

(3) Any person having knowledge that a licensee no longer meets the requirements of this unit or the requirements of [§ 22-4506](#) may so notify the Chief or any other law enforcement officer who may take such action as may be appropriate.

(4) Before a limitation or revocation taking effect, the Chief shall serve a notice of intent to limit or revoke the license. The limitation or revocation shall take effect unless the licensee requests an appeal to the Concealed Pistol Licensing Review Board established pursuant to [§ 7-2509.08](#) no later than 15 days after the date of the notice of intent.

(b)(1) The Chief may summarily suspend or limit, without a hearing, a license, when the Chief has determined that the conduct of a licensee presents an imminent danger to the health and safety of a person or the public.

(2) At the time of the summary suspension or limitation of a license, the Chief shall provide the licensee with written notice stating the action that is being taken, the basis for the action, and the right of the licensee to request a hearing.

(3) A licensee shall have the right to request a hearing within 72 hours after service of notice of the summary suspension or limitation of the license. The Concealed Pistol Licensing Review Board shall hold a hearing within 72 hours after receipt of a timely request, and shall issue a written decision within 72 hours after the hearing.

## **§ 7–2509.08. Concealed Pistol Licensing Review Board.**

(a) There is established a Concealed Pistol Licensing Review Board (“Board”) for the purpose of hearing appeals from:

- (1) A denial of an application or renewal application for a license to carry a concealed pistol in the District pursuant to this unit;
- (2) A summary suspension or limitation of a license to carry a concealed pistol; or
- (3) A limitation or revocation of a license to carry a concealed pistol.

(b)(1) The Board shall consist of 11 members as follows:

- (A) The United States Attorney (“USAO”) for the District of Columbia or his or her designee; provided, that if the USAO declines to provide a representative, the Mayor shall appoint a person who is a former employee of the USAO;
- (B) The Attorney General for the District of Columbia or his or her designee;
- (C) A mental health professional employed by the Department of Behavioral Health, appointed by the Mayor;
- (D) A former sworn officer of a law enforcement agency other than the MPD, appointed by the Mayor; and
- (E) Seven public members appointed by the Mayor, as follows:
  - (i) One mental health professional;
  - (ii) Two District residents with experience in the operation, care, and handling of firearms;
  - (iii) Two District residents with professional experience in the field of gun violence prevention;
  - (iv) One District resident with professional experience in the field of victim services or advocacy; and
  - (v) One District resident attorney in good standing with the District of Columbia Bar with professional experience in criminal law.

(2) The appointment of members designated by subsection (b)(1)(D) and (b)(1)(E) of this section shall be made in accordance with the following provisions:

(A) Each member shall be appointed for a term of 4 years, and shall continue to serve during that time as long as the member remains eligible for the appointment;

(B) A member may be reappointed;

(C) A Board member whose term has expired may continue to serve as a member until a replacement member has been appointed;

(D) A person appointed to fill a vacancy occurring before the expiration of a term shall serve for the remainder of the term or until a successor has been appointed; and

(E) A member may be removed by the appointing authority only for incompetence, neglect of duty, or misconduct.

(3) The Mayor shall select a chairperson.

(4) Members shall serve without compensation, but shall be compensated for actual and necessary expenses incurred in the performance of their official duties.

(c) Four members of the Board shall constitute a quorum, except that 2 members shall be a quorum when hearing panels of 3 members are assigned by the Board to conduct a hearing and make a final decision required by this section.

(d)(1) Within 30 days after June 16, 2015, the Mayor, by rule, shall establish hearing procedures for a contested case review of any appeal, including the manner and time of appeals, and procedures for the Board to assign panels of 3 Board members to conduct such hearings and issue final decisions, pursuant to subsection (c) of this section.

(2) The rules shall include that the burden of production of evidence, and the burden of persuasion, at a hearing before the Board shall be upon the applicant or licensee that is challenging a denial of an application or renewal application or limitation or revocation of a license.

(e) The meetings and hearings conducted by the Board shall be confidential and not open to the public.

(f) Any person, including the Chief, aggrieved by a final action of the Board may file an appeal in accordance with [subchapter I of Chapter 5 of Title 2 \[§ 2-501 et seq.\]](#).