

Pistol License Safety and Information Handbook

For Westchester County

Issued
in compliance with the

Westchester County Handgun Record-Keeping and Accountability Act

(Penal Law §400.00[4-b])

WESTCHESTER COUNTY POLICE
Department of Public Safety
Commissioner Thomas A. Gleason



Pistol License Unit

110 Dr. Martin Luther King, Jr. Boulevard, Room 340-A
White Plains, New York 10601
Telephone: 914-995-2709
Fax: 914-995-6257

Date of Issue: 08/27/2018

TABLE OF CONTENTS

Introduction	3
Message from the Commissioner of Public Safety	3
Contact Information	4
Chapter 1 – Safety	5
Chapter 2 - Types of Firearm Licenses & License Validity	10
Chapter 3 - Eligibility	13
Chapter 4 - Application Procedures	16
Chapter 5 - Supporting Documentation	18
Chapter 6 - Duties of Firearm License Holders	22
Chapter 7 - Administrative Procedures and Duties	25
Notifications	25
Private Sale or Disposal of Firearms	26
Add/ Delete/ Purchase/ Sell Firearm	27
Consignment Sales	28
Deceased Family Member	29
Records Transfer To Another Jurisdiction	30
Restriction Change/ Amendment	30
Multiple Firearms	30
Firearm License Recertification	31
How to Cancel or Surrender A Firearm License	32
Interstate Transportation of Firearms	32
Grounds for Firearm License Revocation	33
Fees	34

INTRODUCTION

The New York State Legislature and the Westchester County Board of Legislators have each enacted laws to improve the process of tracking legally obtained handguns in this County and to ensure that they remain in the hands of responsible persons. New York State Penal Law §400.00(4-b) requires the Licensing Officer to provide a safety course booklet to each firearm license applicant. This Pistol License Safety and Information Handbook is issued in compliance with that law.

For the purposes of this handbook, the term “firearm” shall mean handguns, pistols or revolvers, and these terms are used interchangeably herein. Unless specifically mentioned, shotguns, rifles and assault weapons (Penal Law §265.22) are excluded from the provisions of this handbook.

Firearm license applicants and holders should refer to this booklet for safety information and guidance on the rules, procedures, duties and responsibilities of handgun licensees. You should also be familiar with Penal Law Article 265 and Article 400 that govern firearm safety and the administrative procedures regarding the issuance, recertification, cancelation and revocation of licenses to possess, carry and deal in firearms, and Penal Law Article 35, which defines the defense of justification and governs the use of deadly physical force. There are also various state and local laws that pertain to firearms. Pertinent sections of some of these laws are listed in this handbook. However, these laws may be amended from time to time by the legislature without notice to firearm licensees. You are advised to keep abreast of such changes in the law.

In Westchester County, the Licensing Officers are Judges or Justices of the Supreme or County Court (Penal Law §265.00[10]). The Westchester County Department of Public Safety Pistol License Unit acts as the investigative service to the Court for all firearm license matters. The Westchester County Clerk serves as the Clerk of the Court and is the repository for all firearm license records. Firearm licenses issued by Westchester County are valid for five (5) years. Firearm Dealer and Gunsmith licenses are valid for two (2) years.

MESSAGE FROM THE COMMISSIONER OF PUBLIC SAFETY

The men and women of the Westchester County Department of Public Safety work diligently to ensure the safety of all those who live, work and recreate in Westchester County while treating all citizens with respect and dignity in every interaction.

A license to possess or carry a firearm imposes a solemn responsibility on the holder. Since the discharge of a firearm can result in the loss of human life, it is imperative that prospective firearm licensees understand the laws governing the use of deadly physical force and of proper firearm storage. Whenever deadly physical force is exercised through the use of a firearm, the licensed firearm user bears responsibility for its proper use and may be exposed to criminal and civil penalties for misuse. The misuse of a firearm or use of deadly physical force, whether intentional, reckless or negligent, may expose the user to both criminal and civil penalties. You should carefully consider these facts in deciding whether a firearm license is appropriate in your individual circumstances.

CONTACT INFORMATION

You may obtain a pistol license application package from the Westchester County Department of Public Safety Pistol License Unit during regular business hours, or at their website: <https://publicsafety.westchestergov.com/pistol-license-unit>

If you have any questions about the status of your application, you may contact the Pistol License Unit at 914-995-2709 or the Office of the Administrative Judge, Ninth Judicial District at 914-824-5100.

WESTCHESTER COUNTY POLICE Department of Public Safety Commissioner Thomas A. Gleason



Pistol License Unit
110 Dr. Martin Luther King, Jr. Boulevard, Room 340-A
White Plains, New York 10601
Telephone: 914-995-2709
Fax: 914-995-6257

WESTCHESTER COUNTY AND SUPREME COURTS Honorable Kathie E. Davidson, J.F.C. Administrative Judge, Ninth Judicial District



CONTACT:
Office of the Administrative Judge
Ninth Judicial District
111 Dr. Martin Luther King, Jr. Boulevard
White Plains, New York 10601
Telephone: 914-824-5100
Fax: 914-995-4946

CHAPTER 1

SAFETY

I. WESTCHESTER COUNTY FIREARMS SAFETY COURSE:

(New York State Penal Law §400.00(1)(l))

In the county of Westchester, at the time of application, the Licensing Officer to which the license application is made shall provide a copy of the safety course booklet to each license applicant (Penal Law §400.00[4-b]). Before such license is issued, such licensing officer shall require that the applicant submit a certificate of successful completion of a firearms safety course and test issued in his or her name and endorsed and affirmed under the penalties of perjury by a duly authorized instructor (Penal Law §265.00[19]), except that persons who are honorably discharged from the United States army, navy, marine corps or coast guard, or of the national guard of the state of New York, and produce evidence of official qualification in firearms during the term of service are exempt from this requirement (Penal Law §400.00(1)(l)(i)).

II. WESTCHESTER COUNTY FIREARM SAFETY ACT:

(Laws of Westchester, Chapter 527, Gun Safety)

1. All weapons (firearms, rifles, shotguns or machine guns), which are not in the immediate possession or control of their owners or custodians, **MUST** be safely stored, by using either a safety locking device (gun locking device) and/ or by storage in a secure, locked, safe or cabinet. A gun locking device is an integrated design feature or an attachable accessory that is resistant to tampering and is effective in preventing the discharge of such weapon by a person who does not have access to the key, combination or other mechanism used to disengage the device. A gun-locking device must accompany the sale, transfer or delivery of any weapon at the time of sale, transfer or delivery.
2. Every sale, transfer or delivery must be accompanied by a legible typewritten statement, 24 pt, on 8 ½ x 11 inch paper stating the following warning in bold print:

WARNING: RESPONSIBLE FIREARM STORAGE IS THE LAW IN WESTCHESTER. FIREARMS MUST BE STORED WITH A SAFETY LOCKING DEVICE OR IN A SAFE STORAGE DEPOSITORY. FIREARMS SHOULD BE STORED UNLOADED AND LOCKED IN A LOCATION SEPARATE FROM AMMUNITION. LEAVING FIREARMS ACCESSIBLE TO A CHILD OR AN UNAUTHORIZED PERSON MAY SUBJECT YOU TO IMPRISONMENT, FINE OR BOTH.

III. SAFE STORAGE OF RIFLES, SHOTGUNS AND FIREARMS:
(New York State Penal Law §265.45)

1. Prohibits a person from storing a rifle, shotgun or firearm that is not securely locked in a safe or other secure container, or rendered incapable of being fired by a gun locking device, when such person resides with another who he or she knows is prohibited from possessing a firearm due to a felony conviction, an involuntary commitment (to a psychiatric facility), an order of protection, or a conviction for a domestic violence misdemeanor listed in CPL 370.15 within the past five (5) years. A violation of this law is a class A misdemeanor.

IV. CRIMINAL POSSESSION OF A WEAPON ON SCHOOL GROUNDS:
(New York State Penal Law §265.01-A)

1. A person is guilty of criminal possession of a weapon on school grounds when he or she knowingly has in his or her possession a rifle, shotgun, or firearm in or upon a building or grounds, used for educational purposes, of any school, college, or university, except the forestry lands, wherever located, owned and maintained by the State University of New York college of environmental science and forestry, or upon a school bus as defined in section one hundred forty-two of the vehicle and traffic law, without the written authorization of such educational institution. Criminal possession of a weapon on school grounds is a class E felony.

V. WESTCHESTER COUNTY PARKS, FIREARMS & WEAPONS PROHIBITION:
(Westchester County General Ordinances, Part 5, §765.141)

1. No person, except a police officer or peace officer shall possess a firearm of any size or description or any instrument, appliance or substance designed, made or adapted and used primarily as a weapon, or ammunition for it in any park, except when the same is held or carried for the purpose of being used to shoot a target from designated firing lines or firing positions in the Sportsmen's Center in the park known as Blue Mountain Reservation in the Town of Cortlandt and then only if he or she possesses a legal permit to carry same.
2. No person shall discharge a firearm, air gun, spring gun or other instrument or weapon in any park or in such a manner that a projectile enters or is likely to enter any part of the park except in the performance of official duties and except when the same is discharged at a target from designated fire lines or firing positions at the Sportsmen's Center at the park known as Blue Mountain Reservation in the Town of Cortlandt. Toy, cap, blank and starter pistols are not allowed in the parks.

VI. NEW YORK STATE PARKS, FIREARMS PROHIBITION:
(New York State Parks, Recreation & Historic Preservation Rules
& Regulations §375.1(p))

1. No person, other than a member of a Federal, State or municipal law enforcement agency, shall introduce or possess, either upon the person or within a vehicle, or use any firearm or any instrument or weapon the propelling force of which is a spring, rubber or air or any ammunition or propellant therefor, or a bow and arrow in any park under the jurisdiction of the New York State Office of Parks, Recreation and Historic Preservation, except for hunting where permitted by a rule or regulation of a regional park, recreation and historic preservation commission or pursuant to a permit issued according to the provisions of section 376.1(r) of this Title.

VII. WESTCHESTER COUNTY: PROHIBITION AGAINST EMPLOYEES
CARRYING FIREARMS AT WORK: (Executive Order #2008-4, May 3, 2008)

WHEREAS subdivision "2" of Section 400.00 of the New York State Penal Law authorizes the issuance of a license to have and carry a firearm without regard to place of possession; and

WHEREAS only certain law enforcement personnel who work for the County are required to carry a firearm as part of their official duties; and

WHEREAS with the exception of certain law enforcement positions, County employment does not require the use of a firearm for the performance of official duties; and

WHEREAS other County employees not required to possess a firearm for the performance of their official duties may also hold firearm licenses; and

WHEREAS the maintenance of a safe workplace is of paramount importance; and

WHEREAS the New York State Attorney General has opined that a municipality may prohibit its employees from carrying firearms while on duty;

NOW THEREFORE, I, ANDREW J. SPANO, County Executive of the County of Westchester, do hereby order that:

1. Executive Order No. 4 of 2000 is hereby revoked.

2. Employees of the County of Westchester not required to possess a firearm for the performance of their official duties who are applying for a license authorizing the carrying of a firearm without regard to place of possession, shall not use County employment in any application to obtain a pistol permit as a basis to establish proper cause for the issuance of such license, without the written approval of their Commissioner/ Department Head.
3. Employees of the County of Westchester not required to possess a firearm for the performance of their official duties, who hold any license authorizing the carrying/possession of a firearm, shall not possess such a firearm while performing their duties or while present upon any real property of the County of Westchester, unless such an employee has secured the prior written consent of the Commissioner of Public Safety.
4. This Executive Order shall not apply to the employees of those County departments that have adopted a formal, written firearm policy.

This Executive Order shall take effect immediately.

VIII. GENERAL FIREARM SAFETY GUIDELINES:

1. Safe and secure storage of your firearm is a full time responsibility. As a firearm licensee, you must always secure and store your firearm(s) and ammunition so that they are not accessible to unauthorized persons, especially children.
2. Always keep your firearm pointed in a safe direction.
3. Always know whether your firearm is loaded or unloaded.
4. Always keep your finger away from the trigger until ready to shoot.
5. Understand and know how your firearm operates.
6. Be sure your firearm is operating properly.
7. Use only the correct ammunition for your firearm.
8. Store ammunition in a cool, dry place away from fire or sources of heat.
9. Know your target and know what is around it and beyond it.
10. When shooting, wear eye and ear protection.
11. Never use alcohol or drugs before shooting or while shooting.

IX. FIREARM SAFETY GUIDELINES APPLICABLE TO CHILDREN:

1. As a firearm licensee, the safety of children is your primary responsibility.
2. By nature, children are curious about everything, including firearms. If firearms are in your home, children will be tempted to play with them. Prevent this from occurring by keeping firearms in a locked, inaccessible location.
3. Make sure that your children understand that they should never look for any firearm, whether in your residence or someone else's residence.
4. Make sure that your children understand that they should never touch your firearm. Rather, they should leave the firearm alone and tell an adult.
5. Make sure that your children understand that some firearms may look like toys. Make sure that your children understand that if they have any doubt about whether something is a toy or a real firearm, they should never touch it. Rather, they should leave the firearm alone and tell an adult.

CHAPTER 2

TYPES OF FIREARM LICENSES & LICENSE VALIDITY

- I. LICENSE CATEGORIES: Penal Law §400.00(2) lists the following categories of firearm licenses authorized to be issued in New York State:
1. **GUNSMITH**: Issued to any person, firm, partnership, corporation or company who engages in the business of repairing, altering, assembling, manufacturing, cleaning, polishing, engraving or truing, or who performs any mechanical operation on, any firearm, large capacity ammunition feeding device or machine-gun (Penal Law §265.00[8]; §265.20[10]; §400.00[2]).
 2. **FIREARM DEALER**: Issued to a any person, firm, partnership, corporation or company who engages in the business of purchasing, selling, keeping for sale, loaning, leasing or in any manner disposing of any assault weapon, large capacity ammunition device, pistol or revolver (Penal Law §265.00[9]; §265.20[10]; §400.00[2]).
 3. **PREMISE DWELLING**: Issued to a householder to have and possess in his or her own dwelling (Penal Law §400.00[2][a]).
 4. **PREMISE BUSINESS**: Issued to a merchant or storekeeper to have and possess in his or her place of business (Penal Law §400.00[2][b]).
 5. **BANK COURIER/EXPRESS MESSENGER**: Issued to have and carry concealed by a messenger employed by a banking institution or express company while so employed (Penal Law §400.00[2][c]).
 6. **JUSTICE OF THE SUPREME COURT 1ST OR 2ND JUDICIAL DEPARTMENTS OR JUDGE OF THE NEW YORK CITY CIVIL OR CRIMINAL COURT**: Issued to a Judge or Justice of the named courts to have and carry concealed (Penal Law §400.00[2][d]).
 7. **EMPLOYEE OF CORRECTIONS**: Issued to a regular employee of a correctional institution, to have and carry concealed while so employed, provided that such application is made by the commissioner, warden, superintendent or head keeper of such institution (Penal Law §400.00[2][e]).
 8. **ANTIQUÉ PISTOL**: Issued to have, possess, collect and carry antique pistols which are defined in Penal Law §265.00[14] (Penal Law §400.00[2][g]).

9. CARRY: Issued to have and carry concealed, without regard to employment or place of possession, by any person when proper cause exists for the issuance thereof (Penal Law §400.00[2][f]).

Note: Such license may be restricted to a specific use or purpose, e.g. Target Shooting. The holder may carry a firearm only during the course of and strictly in connection with the allowed use or purpose.

II. LICENSE VALIDITY and SPECIAL NEW YORK CITY PERMITS:

Penal Law §400.00(6) governs pistol license validity and provides the following:

1. No license shall be transferable to any other person or premises.
2. A license to carry or possess a firearm, not otherwise limited as to place or time of possession, issued in the County of Westchester, shall be valid Statewide, EXCEPT within NEW YORK CITY unless the following requirements are met:
 - (a) A special permit granting validity is issued by the New York City police commissioner; or
 - (b) The licensee purchased the firearms covered by such license from a licensed dealer within New York City and is transporting the firearms out of the city forthwith and immediately from said dealer by the licensee in a locked container during a continuous and uninterrupted trip; or
 - (c) The licensee is transporting the firearms covered by such license in a locked container and the trip through New York City is continuous and uninterrupted; or
 - (d) The firearms covered by such license are carried by armored car security guards transporting money or valuables in, to or from armored cards, during the course of their employment; or
 - (e) The licensee is a RETIRED POLICE OFFICER (Criminal Procedure Law §1.20) or a RETIRED FEDERAL LAW ENFORCEMENT OFFICER (Criminal Procedure Law §2.15), who has been issued a license by an authorized Licensing Officer (Penal Law §165.20). However, if such license was not issued in the City of New York it must be marked "Retired Police Officer" or "Retired Federal Law Enforcement Officer," and in the case of a retired officer, the license shall be deemed to permit only police department or federal law enforcement regulation weapons; or

- (f) The licensee is a current PEACE OFFICER defined in Criminal Procedure Law §2.10 and the license, if issued outside New York City, is marked "New York State Tax Department Peace Officer" and in such case the exemption shall apply only to the firearm issued to such licensee by the department of taxation and finance.
3. A license as GUNSMITH or FIREARMS DEALER in firearms shall not be valid outside the City or County where issued.

CHAPTER 3

ELIGIBILITY

- I. Pursuant to New York State Penal Law §400.00(1) and §400.00(3), no license to carry, possess, repair or dispose of firearms shall be issued or renewed except by the Licensing Officer, and then only after investigation and finding that all statements in a proper application for a license are true. No license shall be issued or renewed except for an applicant:
1. Twenty-one years of age or older, provided, however, that where such applicant has been honorably discharged from the United States army, navy, marine corps, air force or coast guard, or the national guard of the state of New York, no such age restriction shall apply.
 2. Who resides or maintains a principal place of business within Westchester County.
 3. Who is of good moral character.
 4. Who has not been convicted anywhere of a felony or a serious offense.
 5. Who is not a fugitive from justice.
 6. Who is not an unlawful user of or addicted to any controlled substance as defined in section 21 U.S.C. 802.
 7. Who being an alien: (i) is not illegally or unlawfully in the United States or (ii) has not been admitted to the United States under a nonimmigrant visa subject to the exception in 18 U.S.C. 922(y)(2).
 8. Who has not been discharged from the Armed Forces under dishonorable conditions.
 9. Who has stated whether he or she has ever suffered any mental illness.
 10. Who has not been involuntarily committed to a facility under the jurisdiction of an office of the department of mental hygiene pursuant to article nine or fifteen of the Mental Hygiene Law, article seven hundred thirty or section 330.20 of the Criminal Procedure Law, section four hundred two or five hundred eight of the Correction Law, section 322.2 or 353.4 of the Family Court Act, or has not been civilly confined in a secure treatment facility pursuant to article ten of the Mental Hygiene Law.

11. Who, having been a citizen of the United States, has not renounced his or her citizenship.
12. Who has not had a license revoked or who is not under a suspension or ineligibility order issued pursuant to the provisions of section 530.14 of the Criminal Procedure Law or section eight hundred forty-two-a of the Family Court Act.
13. In the County of Westchester, who has successfully completed a firearms safety course and test (Penal Law §400.00(1)(l)) as evidenced by a certificate of completion issued in his or her name (Penal Law §400.00[4-b]) and endorsed and affirmed under the penalties of perjury by a duly authorized instructor (Penal Law §265.00[19]), except that persons who are honorably discharged from the United States army, navy, marine corps or coast guard, or of the national guard of the state of New York, and produce evidence of official qualification in firearms during the term of service are exempt from this requirement (Penal Law §400.00(1)(l)(i)).

Note: Online firearm safety courses do not meet these requirements.

14. Who has not had a guardian appointed for him or her pursuant to any provision of state law, based on a determination that as a result of marked subnormal intelligence, mental illness, incapacity, condition or disease, he or she lacks the mental capacity to contract or manage his or her own affairs.
 15. Concerning whom no good cause exists for the denial of the license.
- II. Pursuant to the Federal Gun Control Act of 1968, Public Law 90-618 and amendments, Title 18, United States Code (USC), §922(g), no person shall possess, ship or transport firearms or ammunition, except for a person:
1. Who has not been convicted in any court of a crime punishable by imprisonment for a term exceeding one year.
 2. Who is not a fugitive from justice.
 3. Who is not 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 not been adjudicated as a mental defective or been committed to a mental institution.

5. Who is not an alien who is illegally or unlawfully in the United States, or who has been admitted to the United States under a nonimmigrant visa [as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))], except as provided in subsection (y)(2).
6. Who has not been discharged from the Armed Forces under dishonorable conditions.
7. Who, having been a citizen of the United States, has not renounced his citizenship.
8. Who is not the subject of a court order that was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate, that 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 includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child or 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.
9. Who has not been convicted in any court, State or Federal, of a misdemeanor crime of domestic violence.

III. SPECIAL ELIGIBILITY REQUIREMENTS FOR GUNSMITH OR DEALER IN FIREARMS (Penal Law §265.00[8]; §265.20[10]; §400.00[2]):

1. No person shall engage in the business of gunsmith or dealer in firearms unless licensed pursuant to this section.
2. An applicant to engage in such business shall also be a citizen of the United States.
3. An applicant to engage in such business shall be more than twenty-one (21) years of age.
4. An applicant to engage in such business shall maintain a place of business in the City or County where the license is issued.
5. If the applicant is a firm or partnership, each member thereof shall comply with all of the requirements set forth in this subdivision and if the applicant is a corporation, each officer thereof shall so comply.

CHAPTER 4

APPLICATION PROCEDURES

1. Applicants should read the entire contents of this Pistol Safety & Information Handbook prior to applying for any firearm license.
2. Applicants may obtain a pistol license application package from the Westchester County Department of Public Safety's Website at: <http://publicsafety.westchestergov.com/pistol-licensing>. Applicants must complete all application forms and attachments in full and must provide sufficiently detailed support information for the issuance of any firearm license.
3. All statements that are submitted as part of an application package must be truthful, whether made by an applicant or made on behalf of an applicant. The submission of any false or intentionally misleading information with an application constitutes grounds for denial of the license, and could result in criminal charges against the applicant.
4. Application forms and attachments must be type-written or legibly printed in black ink. The form titled "State of New York- Pistol/Revolver License Application" (form PPB-3), must be submitted as a double-sided document in duplicate (two original copies of form PPB-3). Note: if you are registering more than four (4) firearms, you must list them on supplemental form PPB-3A (submit two original copies of form PPB-3A).
5. The applicant must swear to the truth of all statements made on application forms and attachments before a notary public. This should be done prior to submission of your application.

<p><u>Note</u>: The space for the signature of the "Officer Administering Oath" on the Application form refers to the Notary Public who administered an oath to you and witnessed your signature and execution of the written document.</p>

6. Applicants must disclose ALL previous arrests, criminal charges and convictions (including any that were dismissed, sealed by the court or adjudicated as youthful offender (PL 160.50-1(d)), regardless of whether they occurred within or outside of New York State. If you were ever arrested or criminally charged, you must provide a sworn statement fully describing your conduct in the event. Omission of the above or lack of candor in describing the event may be grounds for denial of your application.
7. Applicants will be subjected to a fingerprint-based and/or name-based criminal records check through the New York State Division of Criminal Justice Services, the Federal Bureau of Investigation, the New York State Police and local agencies. This inquiry allows for broad access to criminal records, including cases that were dismissed, sealed by the court or adjudicated youthful offender.

8. Applicants are required to complete and sign a “release of information” form allowing access to any information deemed necessary to conduct the required background check, including but not limited to, criminal, employment, financial and medical related records, whether the records be sealed, confidential or restricted access.
9. Applicants who are New York State residents must hold a valid New York State Driver License or New York State Identification issued by the New York State Department of Motor Vehicles.
10. Applicants must conditionally own a firearm before a firearm license can be issued. Acceptable proof of ownership of a firearm includes:
 - (a) Receipt from a firearms dealer in the applicant’s name (conditional on license approval).
 - (b) Co-owner statement and copy of co-owner’s Pistol License.
 - (c) New York State Police C-Form.
11. Applicants should review their application and attachments for completeness and correctness, then contact the Pistol License Unit at 914-995-2709 to schedule an appointment to submit the application and be interviewed. If your application is complete, you will be fingerprinted (after payment of the required fee) and an investigation into your background will commence.
12. Fees: All fees paid in connection with a firearm license application, restriction change or amendment must be paid at the time of submission and are non-refundable. The fee associated with the fingerprint based record check must be paid by **Money Order** only, payable to the “**County of Westchester**.” All other fees may be paid by cash, credit card, check, or postal money, made payable to the “Westchester County Clerk.” Refer to the fee schedule (Chapter 7, Section XIV) for more information.
13. Upon completion of the background investigation, the application and results of the investigation will be forwarded to the Licensing Officer for review and determination. The Licensing Officer shall act upon the application within six months of the date of presentment of such an application to the appropriate authority, except upon good cause with respect to the applicant (Penal Law §400.00[4-a]).
14. In acting upon an application, the Licensing Officer shall either deny the application for reasons specifically and concisely stated in writing or grant the application and issue the license applied for (Penal Law §400.00[4-a]).

CHAPTER 5
SUPPORTING DOCUMENTATION

I. ALL APPLICANTS:

1. Citizenship

- (a) All applicants must submit proof of United States citizenship or permanent resident alien status in the United States. This may be established by submission of a copy of birth certificate, naturalization certificate, United States passport, resident alien document or other acceptable documents.

2. Residence

- (a) All applicants for a pistol license in Westchester County must demonstrate that they reside, are principally employed in, or have a principal place of business as a merchant or storekeeper in Westchester County (Penal Law §400.00[3]). Residency may be established by submission of acceptable proof, e.g. voter registration, utility bill, property deed, etc. Note: possession/use of a post office box is not acceptable.

3. Character References

- (a) Applicants must submit notarized character reference forms from four trustworthy persons attesting to the applicant's good moral character, reputation in the community and fitness to possess a firearm. To competently establish this information, all persons completing a character reference form on behalf of an applicant must have known the applicant for a sufficient period of time.
- (b) The following categories of people are unacceptable as character references:
- i. Relatives, by either blood (consanguinity) or marriage (in-law).
 - ii. Two or more members of the same family or household.

4. Photographs
 - (a) Each applicant must submit two identical photographs of himself/herself (without sunglasses or hat) showing a full front view of the face.
 - (b) Photographs must be two inches by two inches in size. Photographs must have been taken within thirty (30) days of the date of application submission (Penal Law §400.00[3][a]). Unaltered, digital photographs are acceptable.

5. Firearms Safety Course
 - (a) All applicants must submit proof of completion of a firearms safety course and test (Penal Law §400.00(1)(l) as evidenced by a certificate of completion issued in his or her name (Penal Law §400.00[4-b]) and endorsed and affirmed under the penalties of perjury by a duly authorized instructor (Penal Law §265.00[19]), except that persons who have been honorably discharged from the United States army, navy, marine corps or coast guard, or of the national guard of the state of New York, and produce evidence of official qualification in firearms during the term of service are exempt from this requirement (Penal Law §400.00(1)(l)(i)).

<p><u>Note</u>: Online firearm safety courses do not meet these requirements.</p>

II. ADDITIONAL DOCUMENTATION FOR PARTICULAR LICENSE CLASSIFICATIONS:

1. GUNSMITH & FIREARM DEALER:

- (a) Documentation must establish that the gunsmith or firearm dealer business is a legitimate business concern located within Westchester County, and that the applicant owns or is employed at the business (Penal Law §400.00[3][a]). This may be established by the submission of a business license, tax records, payroll records or other acceptable documents.
- (b) The application for gunsmith or firearm dealer shall also state the previous occupation of each individual signing the same and the location of the place of such business, specifying the name of the city, town or village, indicating the street and number and otherwise giving such apt description as to reasonably point out the location thereof (Penal Law §400.00[3][a]).

- (c) If the applicant is a firm, partnership or corporation, its name, date and place of formation and principal place of business shall be stated. The application shall also be signed and verified by each individual composing or intending to compose the firm or partnership, and for such corporation by each officer thereof (Penal Law §400.00[3][a]).
 - (d) If the application is for firearm dealer license, the applicant also must submit a current valid Federal Firearm License (FFL).
 - (e) The applicant must establish that the business complies with local laws and ordinances; that is, the gunsmith or firearms dealer can legally operate at the business address.
2. **PREMISE DWELLING:** Documentation must establish the address or location of the dwelling that will be the subject of the firearm license and the fact that the applicant lives there.
 3. **PREMISE BUSINESS:** Documentation must establish the address or location of the business that will be the subject of the firearm license, and the fact that the applicant works there.
 4. **BANK COURIER / EXPRESS MESSENGER:** Documentation must establish the address or location of the bank/ express messenger company that will be the subject of the firearm license and that the applicant works there.
 5. **EMPLOYEE OF CORRECTIONS:** The application for license must be made by the administrative head of a correctional facility on behalf of the employee who is seeking a firearm license. Administrative head includes a commissioner, warden, superintendent, head-keeper or any person performing such function.
 6. **JUSTICE OF THE SUPREME COURT 1ST OR 2ND JUDICIAL DEPARTMENT, OR JUDGE OF NYC CIVIL OR CRIMINAL COURT:** Documentation must establish that the applicant holds or has been assigned to hold a current term as a Justice of the Supreme Court 1st or 2nd Judicial Department or as a Judge of the New York City Civil or Criminal Court.
 7. **ANTIQUA PISTOL [P.L. 265.00(14)]:** Documentation must establish that the applicant intends to collect antique pistols and must include the address or location where antique pistols will be stored.

8. **CARRY:** Documentation must establish proper cause for the issuance of a firearm license to have and carry concealed, without regard to employment or place of possession, by any person when proper cause exists for the issuance thereof.

Note: Such license may be restricted to a specific use or purpose, e.g. Target Shooting, in which case documentation must establish proper cause for the issuance of a firearm license for that specific use of purpose. The holder may carry a firearm only during the course of and strictly in connection with the allowed use or purpose.

9. **RETIRED POLICE OFFICER, FEDERAL LAW ENFORCEMENT OFFICER OR PEACE OFFICER:**

- (a) Documentation must establish that the applicant is a retired or retiring police officer (Criminal Procedure Law §1.20[34]), federal law enforcement officer (Criminal Procedure Law §2.15) or peace officer (Criminal Procedure Law §2.10) and who as part of his/her official duties carried and qualified with a firearm and maintained such employment in good standing.
- (b) Applicant must submit a letter from his/her former agency on agency letterhead and signed by the agency head or other suitable ranking official establishing his/her:
- i. Status as a retired or retiring police officer, federal law enforcement officer or peace officer.
 - ii. Dates of employment and retirement date or anticipated retirement date.
 - iii. Good standing during employment and satisfactory assignment with a firearm.

Note: Retired police officer or federal law enforcement officer firearm license is valid inside of New York City. Retired peace officer firearm license is not valid inside of New York City.

CHAPTER 6

DUTIES OF FIREARM LICENSE HOLDERS

I. ALL LICENSEES:

1. A firearm license is valid only when used for the purpose(s) for which it was issued and in accordance with all applicable laws. Use for any other purpose is unlawful and may constitute grounds for cancelation, suspension or revocation of the license.
2. The holder of a firearm license that has been restricted to a specific use or purpose may carry a firearm only during the course of and strictly in connection with the allowed use or purpose.
3. When any change in justification supporting the issuance of a firearm license occurs, the change must be immediately reported to the Licensing Officer through the Pistol License Unit. Depending on the situation, the licensee may have to amend his/her firearm license to comport with the changed circumstance and surrender the license to the Westchester County Clerk until the matter is resolved.

Note: If a firearm license is surrendered, even temporarily, all firearms on the license must be immediately surrendered to a law enforcement agency or transferred to a licensed firearms dealer. If the licensee wishes to again possess a firearm, he/she must make the appropriate application for a new or amended firearm license.

4. The licensee must be in actual possession of his/her firearm license at all times while possessing or carrying a firearm (Penal Law §400.00[8]).
5. When a firearm is authorized to be carried on the person of the licensee, such firearm must be carried concealed, unless the licensee is actually working in a readily recognized and duly issued uniform as a peace officer, constable, auxiliary police officer, security officer, armored car carrier, messenger or in some other official capacity.
6. When a firearm is authorized for carry on the person of a licensee, such firearm shall not be drawn or removed from a concealed position unjustifiably or for the purpose of creating personal or public alarm. Misuse of a firearm is grounds for revocation of a firearm license.
7. A licensee must assure that his/her firearm(s) are safeguarded at all times, especially children. Firearm licensees are required to provide maximum protection for their licensed firearms at all times.

8. Regardless of the type of firearm license held, the licensee may not carry a firearm in or upon any building or grounds used for educational purposes without the written authorization of the educational institution (Penal Law §265.01-A). The licensee must have the original copy of the authorization document on his/her person at all times while carrying a firearm on any such educational grounds.
9. Regardless of the type of firearm license held, when a firearm is to be taken into any police facility, the firearm must be immediately declared. If possible, the firearm should be brought into the police facility unloaded in a locked case with ammunition (if any) kept separate from the firearm.
10. Regardless of the type of firearm license held, the licensee may legally transport a firearm between the location where the firearm is kept or stored to/ from any place where the firearm will be bought, sold, repaired, used for familiarization, target practice or other incidental purpose. Unless the licensee holds a carry license, during such transport, the firearm must be kept unloaded in a locked case. Ammunition, if any, must be kept separate from the firearm.

II. PREMISE DWELLING or PREMISE BUSINESS:

1. Every person licensed to possess a pistol or revolver on particular premises shall have the license on such premises.
2. Upon demand, the license shall be exhibited for inspection to any peace officer, who is acting pursuant to his or her special duties, or police officer.
3. If the firearm is removed from the licensed premise for a legitimate purpose, e.g. sale, repair, target practice at a range or other incidental purpose, the following procedure applies during transport:
 - (a) The firearm must be kept unloaded in a locked case. Ammunition, if any, must be kept separate from the firearm.

III. GUNSMITH / FIREARM DEALER:

1. A license as a gunsmith or dealer in firearms shall be prominently displayed on the licensed premises.
2. A gunsmith or firearms dealer is subject to specific record keeping requirements pursuant to Penal Law §400.00(12) Note: Record keeping requirements as to Gunsmiths engaged in the business of assembling or manufacturing firearms are also referred to in Penal Law §400.00(12-a).
3. A gunsmith or dealer in firearms shall keep a record book approved as to form, except in the city of New York, by the superintendent of state police. In the record book shall be entered at the time of every transaction involving a firearm the date, name, age, occupation and residence of any person from whom a firearm is received or to whom a firearm is delivered, and the caliber, make, model, manufacturer's name and serial number, or if none, any other distinguishing number or identification mark on such firearm.
4. Before delivering a firearm to any person, the gunsmith or dealer in firearms shall require him to produce either a license valid under this section to carry or possess the same, or proof of lawful authority as an exempt person pursuant to Penal Law §265.20.
5. The record book shall be maintained on the premises mentioned and described in the license and shall be open at all reasonable hours for inspection by any peace officer, acting pursuant to his special duties, or police officer. In the event of cancellation or revocation of the license for gunsmith or dealer in firearms, or discontinuance of business by a licensee, such record book shall be immediately surrendered to the executive department, division of state police.
6. A gunsmith or dealer of firearms may conduct business temporarily at a location other than the location specified on the license if such temporary location is the location for a gun show or event sponsored by any national, state, or local organization, or any affiliate of any such organization devoted to the collection, competitive use or other sporting use of firearms. See Penal Law §400.00[8] for further guidelines.
7. The licensed premises or temporary premises of a gunsmith or firearms dealer is subject to reasonable inspection during business hours by a sworn member of the Department of Public Safety. Such inspections are to ensure compliance with license record keeping requirements and the security of the premises and firearms contained therein.

CHAPTER 7

ADMINISTRATIVE PROCEDURES AND DUTIES

I. NOTIFICATIONS:

1. NAME CHANGE: You must notify the Westchester County Clerk if your name changes because of marriage or for any other reason, with information necessary to change the firearm license records accordingly.
2. ADDRESS CHANGE: You must within ten (10) days of such change notify in writing the Westchester County Clerk and the New York State Police if your residence address changes for any reason, and a record of such changes shall be inscribed by the licensee on the reverse side of the license (Penal Law §400.00[9]).
3. LOSS OR THEFT OF A FIREARM: You must, within 24 hours of the discovery of the loss or theft notify both the local police agency where the incident occurred and the Westchester County Police Pistol License Unit (Penal Law §400.10).
4. LOSS OR THEFT OF FIREARM LICENSE: You must immediately report the loss or theft to both the local police agency where the incident occurred and the Westchester County Police Pistol License Unit.
5. DISCHARGE OR FIRING OF A FIREARM: Other than during the course of legal firearm practice, familiarization, target shooting or hunting, discharge of a firearm must be immediately reported to both the local police agency where the incident occurred and the Westchester County Police Pistol License Unit.
6. If any of the below listed incidents occur, you must immediately notify the Westchester County Police Pistol License Unit:
 - (a) Change of status or justification supporting issuance of your firearm license, e.g. you hold a firearm license allowing the purpose of Employment and you are no longer employed in that capacity (you must also file a license amendment form with the Westchester County Clerk to remove the Employment purpose).
 - (b) Any arrest, criminal charge, indictment, issuance of warrant of arrest or bench warrant, issuance of an order of protection by a court, or conviction of a crime in any jurisdiction (inside or outside New York State).
 - (c) If you have suffered from mental illness, or been confined to any hospital or institution, public or private, for the treatment of mental illness (Penal Law §400.00[1][d]).

- (d) If you have renounced your United States citizenship.
 - (e) If you have suffered from any condition or illness that might preclude you from handling or safeguarding your licensed firearm.
 - (f) If you have been prescribed or are otherwise taking any controlled substance, narcotic, substance that is listed in 21 USC § 802 or other substance that causes impairment and can affect your ability to safely handle a firearm.
 - (g) The surrender or confiscation of any licensed firearm by any agency.
7. A written notarized statement of fact is required to be submitted to the Pistol License Unit in all cases for subsection(s) 3, 4, 5, and 6 above.
 8. The licensee is responsible for making any required notifications as stated herein. Do not assume that another law enforcement agency will make any required notification for you.
 9. A licensee making any name change, address change, loss or theft of a firearm or firearm license or having a change of status or justification supporting issuance of a firearm license must also submit a license amendment form to the Westchester County Clerk with the appropriate information listed.

Note: The failure to make any required notification may result the cancelation, suspension or revocation of your pistol license.

II. PRIVATE SALE OR DISPOSAL OF FIREARMS
 (New York State General Business Law §898):

1. All sales, exchanges or disposals of firearms, rifles or shotguns shall be conducted by a licensed importer, licensed manufacturer or licensed dealer, as those terms are defined in 18 United States Code §922, unless the sale, exchange or disposal is between members of an immediate family. For purposes of this section, “immediate family” shall mean only spouses, domestic partners, children and step-children.
2. Before any sale, exchange or disposal of a firearm, rifle or shotgun, a National Instant Criminal Background Check (NIC) must be completed by a licensed firearms dealer, who upon completion of such background check, shall complete a document, the form of which shall be approved by the superintendent of state police, that identifies and confirms that such check was performed (unless the sale, exchange or disposal is between members of an “immediate family,” as defined in the previous paragraph).

3. All firearm dealers shall maintain a record of such transactions conducted pursuant to this section and such record shall be maintained on the premises mentioned and described in the license and shall be open at all reasonable hours for inspection by any peace officer, acting pursuant to his or her special duties, or police officer.
4. A firearms dealer may require that any sale or transfer conducted pursuant to this section be subject to a fee of not to exceed ten dollars per transaction.
5. Any record produced pursuant to this section and any transmission thereof to any government agency shall not be considered a public record for purposes of article six of the public officer's law.
6. Any person who knowingly violates the provisions of this article shall be guilty of a class A misdemeanor punishable as provided for in the Penal Law.

III. ADD / DELETE / PURCHASE / SELL FIREARM:

1. When you purchase or sell a firearm, you must also add or delete it from your firearm license. To do this, you are required to complete and submit an original application for a firearm license or amendment to your existing firearm license (in duplicate / two original forms) to the Westchester County Clerk's Office.
2. To add or delete a firearm, submit your amendment forms and an invoice from a licensed firearms dealer listing the firearm dealer's license number and the firearm(s) being added or deleted by make, model and serial number. You must also submit the required fee (see fee schedule), payable to the Westchester County Clerk.

Note: An invoice from a New York State Firearm Dealer must be submitted in all cases, unless the transfer is between members of an immediate family (which shall mean **only** spouses, domestic partners, children and step-children).

3. When purchasing a firearm, do not assume that your application for a firearm license or amendment will be approved. Your purchase of a firearm should be made conditional on approval of your license application or amendment. If your application is approved by the Licensing Officer, you will be provided with a purchase coupon that you must present to the firearms dealer in order to receive your firearm. You cannot take possession of any firearm unless you receive approval from the Licensing Officer.

Note: A purchase coupon is not required if the firearm purchase is a personal transaction between members of an immediate family (which shall mean **only** spouses, domestic partners, children and step-children).

4. If your application or amendment is approved, your new or amended firearm license and purchase coupon (if applicable) will be issued by the Licensing Officer. The documents will be mailed to you by the Office of the Westchester County Clerk. Your new or amended firearm license and purchase coupon must be presented to the firearm dealer in order for you to take possession of the firearm. Note: The firearms dealer is required by law to maintain a copy of your firearm license and the purchase coupon to show the legality of the transfer.
5. Before completing the sale or transfer of a firearm, the seller or transferor must ensure completion of a National Instant Criminal Background Check (NIC) on the purchaser or transferee by a licensed firearms dealer, importer or manufacturer. New York State General Business Law §898.

Note: A NIC is not required if the firearm purchase is a personal transaction between members of an immediate family, which shall mean **only** spouses, domestic partners, children and step-children.

6. If for any reason you wish to surrender your firearm license or any firearm(s) that you may own, or if your firearm license has expired or has been suspended or revoked, such firearm license and firearm(s) may be surrendered to the Westchester County Department of Public Safety, to a local Police Department, or may be legally transferred to a licensed dealer.

Note: Any firearm that has been surrendered to a police agency will, after the statutory holding period of one year has expired, be declared a nuisance and destroyed (Penal Law §400.05[2]).

IV. CONSIGNMENT SALES:

1. Consignment is a method of selling a firearm by loaning it to a licensed gun dealer for the purpose of sale by the dealer. The dealer enters the transaction into the applicable New York State and Federal Dealer records. The dealer must provide the licensee with a receipt for the firearm.
2. A consignment loan is considered to be a transfer of a firearm. The licensee must report the transfer to the Westchester County Clerk by submission of an amendment to his/ her firearm license to reflect the transfer (see the section “Add/Delete a Firearm”).

3. If the consignment sale fails (the firearm is not sold by the firearm dealer), the firearm may be transferred from the dealer back to the original licensee (if there are no bars that would prevent the original licensee from again taking possession of the firearm). The licensee must report the transfer to the Westchester County Clerk by submission of an amendment to his/ her firearm license to reflect the transfer (see the section “Add/ Delete a Firearm”).
4. When the amendment to add the firearm has been processed and approved, a new firearm license and a purchase coupon will be issued to the licensee. Your new firearm license and purchase coupon must be presented to the firearm dealer in order for you to take legal possession of the firearm.

V. DECEASED FAMILY MEMBER:

1. Penal Law Section 265.20(f) requires the executor or administrator of an estate (or family member) of a deceased person who was also a licensed firearm holder fifteen (15) days to lawfully dispose of the deceased’s firearms and other weapons.
2. If firearms or weapons are not legally disposed of within the fifteen (15) day time period, they must be surrendered to the Westchester County Police Department of Public Safety, to a local police department or to a licensed firearms dealer. Any firearm surrendered to a law enforcement agency will be held by the agency for the statutory holding period of one (1) year (Penal Law §265.20[f]). If no request to dispose of such surrendered firearm is received by the law enforcement agency within the one (1) year period, the firearm will be declared a nuisance and destroyed (P.L. § 400.05[2]).
3. If the executor of the estate or family member lawfully disposes of the deceased person’s firearm(s) within the statutory fifteen (15) day period, he must then surrender, in person or by mail, the deceased person’s firearm license along with a statement explaining the disposition of the firearm(s) and a copy of the deceased person’s death certificate. If the weapons are to be sold or transferred to another firearm licensee, the standard amendment procedures must be followed.

VI. RECORDS TRANSFER TO ANOTHER JURISDICTION:

1. If you should relocate from Westchester County to another county within New York State, Penal Law §400.00[5], allows you to transfer your firearm records to your new County of residence. If you wish to transfer your license, you must notify the Westchester County Clerk in writing and request that your records be transferred to your new licensing jurisdiction, file a transfer form and remit the transfer fee to both Westchester County and to the receiving County (both payments are submitted to Westchester County).
2. Your new licensing jurisdiction may or may not immediately issue you a new firearm license. Please be advised that, until your new licensing jurisdiction issues you a license, Westchester County will continue to be your licensing agency and all firearm related transactions must continue to be done through Westchester County (Penal Law § 400.00[9]).

VIII. RESTRICTION CHANGE/ AMENDMENT:

1. Firearm licensees may request to add or delete a restriction contained on their firearm license at any time through submission of an amendment application and any additional forms, attachments or documents as deemed appropriate by the Licensing Officer.
2. An amendment application is required for any change in justification for the license, e.g. firearm license allowing the purpose of Employment; license holder no longer employed in that capacity, the license holder must file an amendment to remove the Employment purpose, etc.

IX. MULTIPLE FIREARMS:

1. With the addition of a fifth firearm to your license, the Licensing Officer may require an inspection of your premises to assure that all firearm(s) are properly safeguarded. This inspection will be conducted by an investigator assigned to the Pistol License Unit.
2. All firearm(s) not in the immediate possession of the licensee must be stored in a safe, vault or secure locking gun cabinet (Laws of Westchester, Chapter 527).
3. Other factors that will be considered with respect to security of firearms are the type and adequacy of locks on doors and windows and whether or not the premises are equipped with a security alarm system.

X. FIREARM LICENSE RECERTIFICATION:

1. Firearm licenses issued by Westchester County require recertification by the Licensing Officer every five (5) years. The recertification (expiration) date is printed on the face of your license. Should you wish to continue your firearm license beyond the expiration date, you must submit a recertification application to the Westchester County Clerk, who will submit it to the Licensing Officer for approval.

Note: To allow timely processing, the recertification application should be submitted no more than four months (120 days) and no less than three months (90 days) prior to the license expiration date.

2. To recertify a firearm license, complete the recertification application and provide the following information to the Licensing Officer: 1) licensee name, 2) date of birth, 3) current address, 4) make, model, caliber and serial number of all firearm(s) currently possessed, and 5) any additional information required by the Licensing Officer or by the Department of Public Safety.
3. A firearm license that is not recertified within thirty (30) days of its expiration date is invalid. You cannot possess or carry firearms without a valid firearm license.
4. A firearm license that is under disability cannot be recertified by the license holder. If the disability is removed, if the person desires to hold a firearm license, he or she must submit a new application for a firearm license for approval by the Licensing Officer.
5. If you do not wish to recertify your firearm license, you must legally dispose of all firearms held prior to license expiration and then surrender the firearm license to the Westchester County Clerk or to the Westchester County Pistol License Unit.

Note: If you do not wish to sell or otherwise transfer your firearms, you may surrender them to a local police agency or to the Westchester County Department of Public Safety.

6. The failure to recertify a firearm license operates as an expiration of the license. If you fail to recertify your firearm license it will be invalid 30 days after the expiration date. You cannot possess a firearm with an expired firearm license.
7. If your firearm license has expired, you must immediately surrender your firearm license and any firearms that you still own to a licensed firearms dealer, to a local police agency or to the Westchester County Department of Public Safety.

XI. HOW TO CANCEL OR SURRENDER A FIREARM LICENSE:

1. If you are canceling or surrendering your pistol license, you must first legally dispose of all firearms held on your license, then surrender the firearm license to the Pistol License Unit or to the Westchester County Clerk. Note: if you do not wish to sell or otherwise transfer your firearms, you may surrender them to a local police agency or to the Westchester County Department of Public Safety.
2. In all cases, attach a statement briefly describing the reason for the cancellation or surrender of your firearm license and explaining the disposition of your firearms, i.e. receipt from firearm dealer, receipt from police department, etc.

XII. INTERSTATE TRANSPORTATION OF FIREARMS:

1. The Federal Gun Control Act of 1968, Public Law 90-618 and amendments, Title 18, United States Code (USC), §926(a), titled “Interstate Transportation of Firearms,” provides a limited exemption to State firearm control laws that allows the interstate transport of firearms under certain circumstances.
2. Notwithstanding any other provision of any law or any rule or regulation of a State or any political subdivision thereof, any person who is not otherwise prohibited by this chapter from transporting, shipping, or receiving a firearm shall be entitled to transport a firearm for any lawful purpose from any place where he may lawfully possess and carry such firearm to any other place where he may lawfully possess and carry such firearm if, during such transportation the firearm is unloaded, and neither the firearm nor any ammunition being transported is readily accessible or is directly accessible from the passenger compartment of such transporting vehicle.

Note: In the case of a vehicle without a compartment separate from the driver’s compartment, the firearm or ammunition shall be contained in a locked container other than the glove compartment or console.

3. Please note that you cannot rely solely on this handbook to give you authority to transport a firearm outside of New York State. You are required to do your own due diligence before attempting to transport any firearm between New York State and another state.

XIII. GROUND FOR FIREARM LICENSE REVOCATION:

1. These are some of the common reasons that may constitute grounds for revocation of a firearm license. Please note that this list is not all inclusive:
 - (a) Improper use of a firearm.
 - (b) Unnecessary display of a firearm.
 - (c) Failure to properly safeguard a firearm.
 - (d) Violation of any law related to the handling or possession of any firearm or weapon.
 - (e) Failure to timely report a lost or stolen firearm.
 - (f) Carrying a firearm in violation of any license restriction.
 - (g) The licensee is arrested, indicted, issued an appearance ticket, is the subject of an arrest warrant or a bench warrant or is the subject of an order of protection or is convicted of any criminal charge in any court.
 - (h) Submission of any false or misleading statement in connection with your firearm license application/ amendment/ recertification.
 - (i) Mental illness or admission to any hospital or institution, public or private, for the treatment of mental illness.
 - (j) Regular use of any controlled substance, narcotic, substance that is listed in 21 USC §802 or other substance that may impair the ability of the licensee to safely handle a firearm.
 - (k) The conviction of a felony or serious offense, as defined in Penal Law §265.00[17], definitions, and Penal Law §400.00(1)(d).
 - (l) The conviction of any misdemeanor crime of domestic violence.
 - (m) Entrance into a federal facility or into a courtroom while in possession of firearm (except when employed by or authorized by the court).
 - (n) Change in justification or purpose supporting the original issuance of a firearm license.
 - (o) Failure to recertify firearm license (also constitutes license expiration).

XIV. FEES:

1. All fees are non-refundable and are subject to change at any time without prior notice (see fee schedule).
2. All fees are non-refundable and are subject to change at any time without prior notice. General fees may be paid by credit card or by cash, check, or money order, payable to the Westchester County Clerk. Fees associated with the state required fingerprint based criminal background check must be paid by money order only, payable to The County of Westchester.
 - (i) Fingerprint processing fee \$105.25 (paid by Money Order only, to County of Westchester)
 - (ii) Original Application fee due AFTER approval of permit: \$10.00 plus \$10.00 photo fee.*
 - (iii) Change in Restriction/Amendment Application \$3.00
 - (iv) Recertification \$10.00**
(every five years).
 - (v) Firearm Dealer License \$10.00
(every two years).
 - (vi) Gunsmith License \$10.00
(every two years).
 - (vii) Duplicate license \$5.00.

*Photo fee is waived for qualified retired police officers and federal law enforcement officers (Penal Law §400.00-14). **Recertification fee is waived for qualified retired police officers and federal law enforcement officers (Penal Law §400.00-14).