

15 January 2020

James I. McGuire III  
3482 Augusta Drive  
Ijamsville, MD 21754

**IN OPPOSITION TO HOUSE BILL 4**

Public Safety – Rifles and Shotguns – Secondary Transactions

For the following reasons, I strongly OPPOSE House Bill 4 and request an unfavorable report:

- The mandate in [5-201.4(C)(2)(I)] that a Licensee perform a “transfer” as if the firearm were being issued from the Licensee’s inventory explicitly describes and requires a transfer-of-title to the firearm. This is in direct conflict with the concepts associated with “rentals, loans, and other deliveries” where ownership is NOT being transferred. For the Licensee to take possession of the firearm and enter that firearm’s data into his bound book (as required by Federal law) he MUST take ownership of the firearm at that point. Similarly, the transfer from his inventory to the transferee is also a title-transfer event.
- Broadening the definition of “transfer” in 5-201(K) to include “rentals, loans, and any other delivery, with or without consideration” creates the legal-equivalent of a drift-net which will cause collateral damage within our communities. The Supreme Court of the United States has directed that, to avoid overbreadth, governments must tailor laws narrowly so they are using the least restrictive means to achieve their purposes. The expanded definition of “transfer” moves in opposition to this directive.

House Bill 4 fails to enhance “public safety” in any tangible fashion, creates a legal morass with respect to Federal NICS usage restrictions, and stands to transform non-violent citizens into felons through unreasonable administrative legislation.

As noted earlier, I strongly urge an unfavorable report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. I. McGuire III', with a stylized flourish at the end.

James I. McGuire III