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Appropriations Committee

Subcommittees

Capital Budget

Chair, Transportation and the
Environment

Oversight Committee on Personnel



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Firearm Dealers Safety Act (HB 1257)

Testimony of Delegate Marc Korman---Favorable

Thank you Mr. Chair, Madam Vice Chair, and the members of the Judiciary Committee. I come before you today to discuss the Firearm Dealers Safety Act. The legislation will require Maryland firearms dealers to employ best practices at their stores. As gun violence continues to be a major issue in Maryland, it is imperative that necessary steps be taken to prevent guns from falling into the wrong hands. The Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) has reported a sharp increase in the number of thefts from gun dealers or federal firearms licensees (FFL) in recent years. Between 2012 and 2018, 603 guns were stolen from gun dealers in the state of Maryland, which represents one of the highest rates of gun theft in the nation.

While the ATF has a number of recommendations for FFLs to follow to prevent theft, there are no federal laws that mandate them. Thus, leaving the matter of whether or not to mandate security measures up to state and local governments. With 353 licensed firearm dealers operating in Maryland, ATF does not have the funding or authority to enforce the guidelines at such a large number of dealers. The Firearm Dealers Safety Act puts into practice some of ATF's current recommendations to help prevent guns from ending up on the black market.

To clarify, the bill applies only to licensed firearm dealers who sell handguns. It does not apply to dealers who sell only long guns, as those dealers are not required to have a license from the state of Maryland.

The Firearm Dealers Safety Act promotes sensible business practices to recognize and deter firearm theft and loss. The bill accomplishes this by requiring licensed firearm dealers to have employees take and pass background checks and repeat such background checks annually, obtain business and liability insurance, and report stolen firearms immediately upon discovery of theft to local law enforcement. After consultation with stakeholders, we have submitted an amendment for consideration to alter the liability insurance to require a \$1,000,000 policy and clarified the intent of the insurance is to cover the dealer's own negligence. We are also working on amendments to alter the background check language to clarify that it would apply only to employees that are in close proximity to firearms, in order to prevent confusion surrounding retailers such as Walmart and Bass Pro Shops where firearms are only a small portion of the business.

Additionally, the legislation includes the implementation of security measures that require firearm dealers to display firearms during business hours with trigger locks and in locked display cases, lock up firearms outside of business hours, use electronic record-keeping of inventory, and use of standard operating procedures for site security including locks, exterior lighting, surveillance cameras, and an alarm system. These measures will be enforced by the Maryland State Police through their existing biannual inspection authority. Codifying these best practices will make it easier for State Police to protect Marylanders from gun violence. Local licensed gun dealer security standards are not preempted by the legislation.

With the passage of this legislation, Maryland will join nine other states and the District of Columbia in requiring FFLs to comply with commonsense security measures that make everyone safer. Baltimore County has also passed legislation, entitled the SAFE Act to institute new security standards at firearm stores and temporary gun shows. Additionally, some Maryland counties such as Montgomery have their own regulations for storage and security of firearms. The Firearm Dealers Safety Act will institute these commonsense gun safety practices statewide to prevent firearm theft and will be a vital step in combating gun violence in Maryland. I urge you to pass the Firearm Dealers Safety Act to help prevent gun theft and protect the lives and safety of Marylanders.