2A:151-44

November 18, 1970 COPY NO. 2

LEGISLATIVE HISTORY OF R.S.2A:151-44
(Denial of application; hearings, appeals)

L.1924 C.137. See legislative history of R.S.2A:151-41 (enclosed)

Amended by:

L.1925 C.64. See legislative history of R.S.2A:151-41 (enclosed)

L.1932 - C.61 - S67
February 1 - Introduced by Stewart.
March 21 - Passed Senate.
April 4 - Passed in Assembly.
April 11 - Approved, Chapter 61.
Not amended.
Statement (copy enclosed).

L.1933 - C.329 - Committee Substitute S397 - A524.
June 5 - Introduced by Fort.
June 12 - Passed in Assembly.
June 21 - Joint committee substitute with S397, passed in Senate.
June 21 - Passed in Assembly.
June 26 - Approved, Chapter 329.
Copies of both of these bills (A524 and S397) and the Committee Substitute are enclosed.

1937. Revision - The wording of this section did not change in any of the three drafts. A copy is enclosed of this section from the first draft. There were no revisors notes.

L.1939 - C.321 - A351
February 27 - Introduced by Huntington.
May 15 - Passed in Assembly.
August 3 - Passed in Senate.
August 8 - Approved, Chapter 321.
Not amended during passage.
Statement (copy enclosed).

1951. Revision of Title 2 to 2A.
No revisors notes; no suggested changes; copy of draft which passed as introduced is enclosed.

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L.1966 - C.60 -See legislative history of R.S.2A:151-1 (enclosed).

Hearings and reports:

J344.05
C581

~~NJ~~
~~TB 79~~
~~P5~~
~~C581~~

New Jersey Citizens Committee for Firearms Legislation.

Report on study for revisions of 2A:151. Weapons and explosives. Belle Meade, New Jersey 1966.

MG/EH
Enclosure

SENATE, No. 67

(*P. L.* 1924, *p.* 306)

(*P. L.* 1925, *p.* 186)

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 1, 1932

By Mr. STEWART

Referred to Committee on Judiciary

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act for the punishment of crimes' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," which supplementary act was approved March eleventh, one thousand nine hundred and twenty-four, approved March twelfth, one thousand nine hundred and twenty-five.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section two of the act of which this act is amendatory be and the same is hereby amended so that the same shall read as follows:

2. Any person desirous of obtaining a permit to carry a revolver, pistol or other firearm, pursuant to the provisions of this act, shall in the first instance make application therefor either to the chief police official of the municipality in which the applicant resides or to the sheriff of the county wherein the applicant resides. If such application is approved by the chief police official or by the sheriff, as the case may be, the applicant shall then present such application, so approved as aforesaid, [to a Common Pleas judge of the county or to the justice of the Supreme Court or to the judge holding the circuit for the county] to the justice of the Supreme Court presiding in the county, or to a Common Pleas judge of the county in which the applicant is resident, who, after investigation, and being satisfied of the sufficiency of the application, and of the need of such person carrying concealed upon his person, a revolver, pistol or other firearm, shall issue a permit therefore, which permit so issued shall be

subject to revocation at any time thereafter by the justice of the Supreme Court presiding as aforesaid, or by the judge of the Court of Common Pleas. A permit so issued pursuant to the provisions of this act is sufficient authority for the holder thereof to carry concealed upon his person a revolver, pistol or other firearm in all parts of the State of New Jersey. [All permits issued pursuant to the provisions of this act shall expire on the thirty-first day of December subsequent to the date of issue, and may thereafter be renewed for a period of five years.] All permits issued pursuant to the provisions of this act shall expire on the thirty-first day of December subsequent to the date of issue, and may thereafter be annually renewed in the same manner and subject to the same provisions by which the original permit was obtained. An applicant for a permit, pursuant to the provisions of this act, shall at the time of the granting of the same pay to the clerk of the county in which he resides, and in which the application is made, a license fee of one dollar. The prosecutor of the pleas of any county, the chief police official of any municipality and/or any citizen may apply to the justice of the Supreme Court, or a judge of the Court of Common Pleas of the county wherein such permit was issued, at any time for a revocation of a permit heretofore issued, and the justice of the Supreme Court, presiding as aforesaid, or a judge of the Court of Common Pleas, are authorized and empowered, after hearing upon notice, to revoke any permit, so as aforesaid issued. No person whose permit has been revoked, pursuant to the provisions hereof, shall thereafter be issued any permit under the provisions of this act. Any violation of this act shall be deemed a high misdemeanor and punished accordingly.

2. This act shall take effect immediately.

STATEMENT

The purpose of this act is to strengthen the supplement to the Crimes Act pursuant to which revolver permits are issued, by reducing the period for which a permit is issued from five years to one year; fixing an annual license fee; providing for the revocation of permits so issued, and for the punishment of offenders against the act.

SENATE, No. 397

(*Chap.* 61, *P. L.* 1932)

STATE OF NEW JERSEY

INTRODUCED MAY 22, 1933

By Mr. DURAND

Referred to Committee on Miscellaneous Business

AN ACT to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,' which supplementary act was approved March eleventh, one thousand nine hundred and twenty-four," approved March twelfth, one thousand nine hundred and twenty-five.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section two of the act of which this act is amendatory be and the same is hereby amended so that the same shall read as follows:

2. Any person desirous of obtaining a permit to carry a revolver, pistol or other firearm, pursuant to the provisions of this act, shall in the first instance make application therefor either to the chief police official of the municipality in which the applicant resides or to the sheriff of the county wherein the applicant resides. If such application is approved by the chief police official or by the sheriff, as the case may be, the applicant shall then present such application, so approved as aforesaid, to the [justice of the Supreme Court presiding in the county, or to a common pleas judge of the county in which the applicant is resident] superintendent of the New Jersey State Police, who, after investigation which shall include obtaining the fingerprints of the person making said application, and being satisfied of the

sufficiency of the application, and of the need of such person carrying concealed upon his person, a revolver, pistol or other firearm, shall issue a permit therefor, which permit so issued shall be subject to revocation at any time thereafter by the justice of the Supreme Court presiding [as aforesaid] in the county in which the applicant is resident, or by the judge of the court of common pleas of the county in which the applicant is resident, or by the superintendent of the New Jersey State Police. A permit so issued pursuant to the provisions of this act is sufficient authority for the holder thereof to carry concealed upon his person a revolver, pistol or other firearm in all parts of the State of New Jersey. All permits issued pursuant to the provisions of this act shall expire on the thirty-first day of December subsequent to the date of issue, and may thereafter be annually renewed [in the same manner and subject to the same provisions by which the original permit was obtained] by direct application to the superintendent of the New Jersey State Police. An applicant for a permit, pursuant to the provisions of this act, shall at the time of granting of the same pay to the [clerk of the county in which he resides,] New Jersey State Police for the State of New Jersey [and in which the application is made,] a license fee of one dollar. The prosecutor of the pleas of any county, the chief police official of any municipality and/or any citizen may apply to the justice of the Supreme Court, or a judge of the court of common pleas of the county wherein such permit [was issued] originated, or to the superintendent of the New Jersey State Police, at any time for a revocation of a permit heretofore issued, and the justice of the Supreme Court, presiding as aforesaid, of a judge of the court of common pleas, or the superintendent of the New Jersey State Police, are authorized and empowered, after hearing upon notice, to revoke any permit, so as aforesaid issued. No person whose permit has been revoked pursuant to the provisions hereof, shall thereafter be issued any permit under the provisions of this act. Any violation of this act shall be deemed a high misdemeanor and punished accordingly.

2. This act shall take effect immediately.

STATEMENT

This amendment is proposed to prevent criminals and persons known to have no legitimate use for concealed firearms from obtaining a permit as authorized under the present act.

ASSEMBLY, No. 524

(*P. L.* 1932, *Chap.* 61, *p.* 92)

See Senate 397

STATE OF NEW JERSEY

INTRODUCED JUNE 5, 1933

By Mr. FORT

Referred to Committee on Economy and Reorganization

AN ACT to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,' which supplementary act was approved March eleventh, one thousand nine hundred and twenty-four," approved March twelfth, one thousand nine hundred and twenty-five, approved April eleventh, one thousand nine hundred and thirty-two.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section two of the act of which this act is amendatory be and the same is hereby amended to read as follows:

2. Any person desirous of obtaining a permit to carry a revolver, pistol or other firearm, pursuant to the provisions of this act, shall in the first instance make application therefor either to the chief police official of the municipality in which the applicant resides or to the sheriff of the county wherein the applicant resides. If such application is approved by the chief police official or by the sheriff, as the case may be, the applicant shall then present such application, so approved as aforesaid, to the justice of the Supreme Court presiding in the county, or to a common pleas judge of the county in which the applicant is resident, who, after investigation, which shall include the taking of the finger prints of the applicant and the com-

parison of the same with any and all records of finger prints in the municipality and county in which the applicant is a resident, and also the records of the supervisor of the State Bureau of Identification of this State and the National Bureau in the Department of Justice in Washington, D. C., and being satisfied of the sufficiency of the application, and of the need of such person carrying concealed upon his person, a revolver, pistol or other firearm, shall issue a permit therefor, which permit so issued shall be subject to revocation at any time thereafter by the Justice of the Supreme Court presiding as aforesaid, or by the judge of the court of common pleas. A permit so issued pursuant to the provisions of this act is sufficient authority for the holder thereof to carry concealed upon his person a revolver, pistol or other firearm in all parts of the State of New Jersey. All permits issued pursuant to the provisions of this act shall expire on the thirty-first day of December subsequent to the date of issue, and may thereafter be annually renewed in the same manner and subject to the same provisions by which the original permit was obtained. An applicant for a permit, pursuant to the provisions of this act, shall at the time of the granting of the same pay to the clerk of the county in which he resides, and in which the application is made, a license fee of one dollar. The prosecutor of the pleas of any county, the chief police official of any municipality and/or any citizen may apply to the justice of the Supreme Court, or a judge of the court of common pleas of the county wherein such permit was issued, at any time for a revocation of a permit heretofore issued, and the justice of the Supreme Court, presiding as aforesaid, or a judge of the court of common pleas are authorized and empowered, after hearing upon notice, to revoke any permit, so as aforesaid issued. No person whose permit has been revoked pursuant to the provisions hereof, shall thereafter be issued any permit under the provisions of this act. Any violation of this act shall be deemed a high misdemeanor and punished accordingly.

2. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed and this act shall take effect immediately.

STATEMENT

The purpose of this act is to require further investigation of possible criminal records of applicants for permits to carry concealed weapons in this State.

[OFFICIAL COPY REPRINT]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE No. 397 & ASSEMBLY No. 524

STATE OF NEW JERSEY

ADOPTED JUNE 21, 1933

AN ACT to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,' which supplementary act was approved March eleventh, one thousand nine hundred and twenty-four," approved March twelfth, one thousand nine hundred and twenty-five, approved April eleventh, one thousand nine hundred and thirty-two.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section two of the act of which this act is amendatory be and the same is hereby amended to read as follows:

2. Any person desirous of obtaining a permit to carry a revolver, pistol or other firearm, pursuant to the provisions of this act, shall in the first instance make application therefor either to the chief police official of the municipality in which the applicant resides or to the sheriff of the county wherein the applicant resides. If such application is approved by the chief police official or by the sheriff, as the case may be, the applicant shall then present such application, so approved as aforesaid, to the justice of the Supreme Court presiding in the county, or to a common pleas judge of the county in which the applicant is resident, who, after investigation, which shall include the name and address of the manufacturer of such revolver, pistol or other firearm, also any and all of the manufacturer's identification numbers, letters and marks and a complete description of the kind and type of revolver,

pistol or other firearm which said applicant intends to carry pursuant to the provision of this act; *provided, however,* that one permit shall be sufficient for such revolvers, pistols or other firearms of the applicant, and also the taking of the finger prints of the applicant and the comparison of the same with any and all records of finger prints in the municipality and county in which the applicant is a resident, and also the records of the supervisor of the State Bureau of Identification of this State and the National Bureau in the Department of Justice in Washington, D. C., and being satisfied of the sufficiency of the application, and of the need of such person carrying concealed upon his person, a revolver, pistol or other firearm, shall issue a permit therefor, which permit so issued shall be subject to revocation at any time thereafter by the justice of the Supreme Court presiding as aforesaid, or by the judge of the court of common pleas. A permit so issued pursuant to the provisions of this act is sufficient authority for the holder thereof to carry concealed upon his person a revolver, pistol or other firearm in all parts of the State of New Jersey. All permits issued pursuant to the provisions of this act shall expire on the thirty-first day of December subsequent to the date of issue, and may thereafter be annually renewed in the same manner and subject to the same provisions by which the original permit was obtained. An applicant for a permit, pursuant to the provisions of this act, shall at the time of the granting of the same pay to the clerk of the county in which he resides, and in which the application is made, a license fee of one dollar. The prosecutor of the pleas of any county, the chief police official of any municipality and/or any citizen may apply to the justice of the Supreme Court, or a judge of the court of common pleas of the county wherein such permit was issued, at any time for a revocation of a permit heretofore issued, and the justice of the Supreme Court, presiding as aforesaid, or a judge of the court of common pleas are authorized and empowered, after hearing upon notice, to revoke any permit, so as aforesaid issued. No person whose permit has been revoked pursuant to the provisions hereof, shall thereafter be issued any permit under the provisions of this act. Any violation of this act shall be deemed a high misdemeanor and punished accordingly.

2. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed and this act shall take effect immediately.

1st draft —1937 Revision

ing or carrying about his place of business, dwelling house, premises, or on land possessed by him, any such revolver, pistol, firearm or other weapon; or from carrying the same from any place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from any place where repairing is done, to have the same repaired, nor to prevent any person from carrying a gun, rifle or knife in the woods or fields or upon the waters of the state for the purpose of hunting or target practice.

Sources. L. 1924, c. 137, §1, p. 305 [1924 Suppl. §52–43j], as am. by L. 1925, c. 64, §1, p. 185, L. 1925, c. 207, §1, p. 494, L. 1926, c. 270, §1, p. 453, L. 1927, c. 96, §1, p. 183, L. 1934, c. 74, §1, p. 197, suppl. to L. 1898, c. 235, p. 794. L. 1927, c. 321, §11, p. 747, as am. by L. 1928, c. 212, §1, p. 384, suppl. to L. 1898, c. 235, p. 794.

2:176–43. Carrying concealed weapons; persons excepted from provisions of section 2:176–41. The provisions of section 2:176–41 of this title shall not apply to:

a. The United States marshal or his deputies;

b. Members of the army, navy or marine corps of the United States or of the national guard when on duty;

c. Any sheriff, undersheriff, prosecutor of the pleas, assistant prosecutor or prosecutor's detectives;

d. The regularly employed members, including detectives, of the police department of any municipality, or any special policemen appointed by the governing body of any municipality;

e. Any member of the state police, or any motor vehicle inspector or state detective;

f. Any jailer, constable, railway police, canal or steamboat police, or any other peace officer, when in discharge of his duties;

g. The fish and game commissioners, or the regular fish and game wardens;

h. Any prison or jail wardens or their deputies, or any guard or keeper of any penal institution in this state;

i. Any court attendant engaged in attending the circuit court, court of oyer and terminer, court of common pleas or general court of quarter sessions, or justices of the peace;

j. Any member of a legally organized detective agency;

k. Any guard in the employ of any railway express company, banking, or building and loan institution of this state;

l. Any officer of the society for the prevention of cruelty to animals;

m. Any duly authorized military organization when under orders, or any member thereof when going to or from places of meeting of their respective organizations, carrying the weapons prescribed for drill, exercise or parade;

n. Persons having a hunter's license in going to or from places of hunting;

o. Members of government civilian rifle clubs duly organized in accordance with the rules prescribed by the national board for the promotion of rifle practice, in going to or from their several places of target practice and carrying weapons necessary for such practice;

p. The commissioner, deputy commissioners, inspectors and investigators of the department of alcoholic beverage control; or

q. Public utility corporations in the transportation of explosives.

Sources. L. 1909, c. 17, §1, p. 34 [C. S. p. 1759, §43a], suppl. to L. 1898, c. 235, p. 794. L. 1912, c. 225, §1, p. 364, as am. by L. 1921, c. 108, §1, p. 206, L. 1922, c. 31, §1, p. 60 [1924 Suppl. §52–43b], suppl. to L. 1898, c. 235, p. 794. L. 1922, c. 138, §1, p. 238 [1924 Suppl. §52–43f], suppl. to L. 1898, c. 235, p. 794. L. 1924, c. 137, §1, p. 305 [1924 Suppl. §52–43j], as am. by L. 1925, c. 64, §1, p. 185, L. 1925, c. 207, §1, p. 494, L. 1926, c. 270, §1, p. 453, L. 1927, c. 96, §1, p. 183, L. 1934, c. 74, §1, p. 197, suppl. to L. 1898, c. 235, p. 794. L. 1927, c. 321, §11, p. 747, as am. by L. 1928, c. 212, §1, p. 384, suppl. to L. 1898, c. 235, p. 794.

2:176–44. Permit to carry firearms; application; investigation of fingerprints; fee. Any person desiring to obtain a permit to carry a revolver, pistol or other firearm, shall in the first instance make application therefor either to the chief police official of the municipality in which the applicant resides or to the sheriff of the county wherein the applicant resides.

If such application is approved by the chief police official or by the sheriff, as the case may be, the applicant shall then present the same to the justice of the supreme court presiding in the county, or to a common pleas judge of the county in which the applicant is a resident, who, after investigation, which shall include the name and address of the manufacturer of such revolver, pistol or other firearm, also any and all of the manufacturer's identification numbers, letters and marks and a complete description of the kind and type of revoler, pistol or other firearm which the applicant intends to carry; provided, however, that one permit shall be sufficient for such revolvers, pistols or other firearms of the applicant, and also the taking of the fingerprints of the applicant and the comparison of the same with any and all records of fingerprints in the municipality and county in which the applicant is a resident and also the records of the supervisor of the state bureau of identification of this state and the national bureau in the department of justice in Washington, D. C., and being satisfied of the sufficiency of the application and the need of such person to carry concealed upon his person a revolver, pistol or other firearm, shall issue a permit therefor.

Each applicant for such a permit shall at the time of granting of the same pay to the clerk of the county in which he resides and in which the application is made, a license fee of one dollar.

Source. L. 1924, c. 137, §2, p. 305 [1924 Suppl. §52–43k], as am. by L. 1925, c. 64, §2, p. 186, L. 1932, c. 61, §1, p. 92, L. 1933, c. 329, §1, p. 857, suppl. to L. 1898, c. 235, p. 794.

2:176–45. Permit to carry firearms; authority; expiration and renewal; revocation. A permit issued pursuant to section 2:176–44 of this title shall be sufficient authority for the holder thereof to carry concealed upon his person a revolver, pistol or other firearm in all parts of the state. All permits issued pursuant to said section 2:176–44 shall expire on the thirty-first day of

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ASSEMBLY, No. 351

(*Revised Statutes, section* 2:176–44.)

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 27, 1939

By Mr. HUNTINGTON

Referred to Committee on Miscellaneous Business

AN ACT concerning carrying of concealed weapons, and amending section 2:176–44 of the Revised Statutes of New Jersey.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2:176–44 is hereby amended to read as follows:

2:176–44. Any person desiring to obtain a permit to carry a revolver, pistol or other firearm shall in the first instance make application therefor either to the chief police official of the municipality in which the applicant resides or to the sheriff of the county wherein the applicant resides.

If such application is approved by the chief police official or by the sheriff, as the case may be, the applicant shall then present the same to the justice of the Supreme Court presiding in the county, or to a common pleas judge of the county in which the applicant is a resident, who, after investigation, which shall include the name and address of the manufacturer of such revolver, pistol or other firearm, also any and all of the manufacturer's identification numbers, letters and marks and a complete description of the kind and type of revolver, pistol or other firearm which the applicant intends to carry; *provided, however,* that one permit shall be sufficient for such revolvers, pistols or other firearms of the applicant, and also the taking of the fingerprints of the applicant and the comparison of

the same with any and all records of fingerprints in the municipality and county in which the applicant is a resident and also the records of the supervisor of the State Bureau of Identification of this State and the national bureau in the Department of Justice in Washington, District of Columbia, and being satisfied of the sufficiency of the application and the need of such person to carry concealed upon his person a revolver, pistol or other firearm, shall issue a permit therefor.

Each applicant for such a permit shall at the time of granting the same pay to the clerk of the county in which he resides and in which the application is made, a license fee of [one dollar] three dollars.

2. All acts and parts of acts inconsistent herewith are hereby repealed and this act shall take effect immediately.

STATEMENT

The purpose of this bill is to approximate as nearly as possible the cost of investigational service required in order to adequately inform the judges regarding the character and reputation of applicants and the purposes for which they desire to carry weapons.

Article [illegible]ARRYING CONCEALED WEAPONS.

2A:176-41. Carrying concealed weapons; penalty; license to carry pistol or revolver. Except as hereinafter provided, a person who shall carry in any automobile, carriage, motor cycle or other vehicle, or concealed on or about his clothes or person, or otherwise concealed in his possession:

a. A pistol, revolver or other firearm without having first obtained a permit to carry the same in accordance with the provisions of this chapter; or

b. Any instrument of the kinds known as a blackjack, slung shot, billy, sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife or stiletto, bomb, or any high explosive, other than fixed ammunition—

Shall be guilty of a misdemeanor.

Source. R. S. 2:176-41.

2A:176-42. Carrying weapons about one's premises or for purposes of hunting or target practice. Nothing contained in section 2A:176-41 of this title shall be construed to prevent a person from keeping or carrying about his place of business, dwelling house, premises, or on land possessed by him, any such revolver, pistol, firearm or other weapon; or from carrying the same from any place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from any place where repairing is done, to have the same repaired, nor to prevent any person from carrying a gun, rifle or knife in the woods or fields or upon the waters of the state for the purpose of hunting or target practice.

Source. R. S. 2:176-42.

2A:176-43. Carrying concealed weapons; persons excepted from provisions of section 2A:176-41. The provisions of section 2A:176-41 of this title shall not apply to:

a. The United States marshal or his deputies;

b. Members of the army, navy or marine corps of the United States or of the national guard when on duty;

c. Any sheriff, undersheriff, deputy sheriff, county prosecutor, assistant prosecutor or prosecutor's detectives;

d. The regularly employed members, including detectives, of the police department of any municipality, or any special policeman appointed by the governing body of any municipality;

e. Any member of the state police, or any motor vehicle inspector or state detective;

f. Any jailer, constable, railway police, canal or steamboat police, or any other peace officer, when in discharge of his duties;

g. The fish and game commissioners, or the regular fish and game wardens;

h. Any prison or jail wardens or their deputies, or any guard or keeper of any penal institution in this state;

i. Any court attendant serving as such under appointment by the sheriff of the county or by the judge of the superior court, county court, and magistrates;

j. Any member of a legally organized detective agency;

k. Any guard in the employ of any railway express company, banking or building and loan institution of this state;

l. Any officer of the society for the prevention of cruelty to animals;

m. Any duly authorized military organization when under orders, or any member thereof when going to or from places of meeting of their respective organization, carrying the weapons prescribed for drill, exercise or parade;

n. Persons having a hunter's license in going to or from places of hunting;

o. Members of government civilian rifle clubs duly organized in accordance with the rules prescribed by the national board for the promotion of rifle practice, in going to or from their several places of target practice and carrying weapons necessary for such practice;

p. The director, deputy directors, inspectors and investigators of the division of alcoholic beverage control in the department of law and public safety; or

q. Public utility corporations in the transportation of explosives.

Source. R. S. 2:176-43, as am. L. 1938, c. 125, p. 259, §1.

2A:176-44. Permit to carry firearms; application, investigation of fingerprints; fee. Any person desiring to obtain a permit to carry a revolver, pistol or other firearm shall in the first instance make application therefor either to the chief police official of the municipality in which the applicant resides or to the sheriff of the county wherein the applicant resides.

If such application is approved by the chief police official or by the sheriff, as the case may be, the applicant shall then present the same to a judge of the county in which the applicant is a resident, who, after investigation, which shall include the name and address of the manufacturer of such revolver, pistol or other firearm, also any and all of the manufacturer's identification numbers, letters and marks and a complete description of the kind and type of revolver, pistol or other firearm which the applicant intends to carry; provided, however, that 1 permit shall be sufficient for such revolvers, pistols or other firearms of the applicant, and also the taking of the fingerprints of the applicant and the comparison of the same with any and all records of fingerprints in the municipality and county in which the applicant is a resident and also the records of the supervisor of the state bureau of identification of this state and the national bureau in the department of justice in Washington, District of Columbia, and being satisfied of the sufficiency of the application and the need of such person to carry concealed upon his person a revolver, pistol or other firearm, shall issue a permit therefor.

Each applicant for such a permit shall at the

time of granting the same pay to the clerk of the county in which he resides and in which the application is made, a license fee of $3.00.
Source. R. S. 2:176-44, as am. L. 1939, c. 321, p. 790, §1.

2A:176-45. Permit to carry firearms; authority; expiration and renewal; revocation. A permit issued pursuant to section 2A:176-44 of this title shall be sufficient authority for the holder thereof to carry concealed upon his person a revolver, pistol or other firearm in all parts of the state. All permits issued pursuant to said section 2A:176-44 shall expire on the 31st day of December subsequent to the date of issue, and may thereafter be renewed annually in the same manner and subject to the same provisions by which the original permit was obtained.

Any such permit may be revoked by a judge of the county court of the county wherein the permit was issued. The county prosecutor of any county, the chief of police of any municipality or any citizen may apply to such judge of the county court at any time for a revocation of any permit issued, and the judge of the county court may, after hearing upon notice, revoke any such permit. No person whose permit has been revoked pursuant to the provisions hereof shall thereafter be issued any permit under the provisions of this article.
Source. R. S. 2:176-45.

2A:176-46. Violations of provisions relating to permits to carry. A violation of any of the provisions of sections 2A:176-44 or 2A:176-45 of this title shall be deemed a misdemeanor.
Source. R. S. 2:176-46.

2A:176-47. Permits in blank for banking institutions. The president of any national bank, building and loan association, trust company or other banking institution located in any municipality of this state may make application to the chief of police of the municipality for permits, in blank, to be used by the messengers, clerks or other employees or agents of such institutions for use while engaged in the performance of their respective duties. Upon the issue of such permits, the president shall transmit to the chief of police from whom the permits were obtained, a record of the persons to whom the same were issued. Permits issued in blank in accordance with this section shall not exceed 20 in number to any one banking institution.
Source. R. S. 2:176-47.

2A:176-48. False representations in permit applications or in purchases. Any person who shall give or cause to be given any false information, or shall sign a fictitious name or address, in applying for a permit to purchase or a permit to carry a pistol, revolver or other firearm, or in purchasing or otherwise acquiring delivery of the same, shall be guilty of a high misdemeanor.
Source. R. S. 2:176-48.

Article 6. MACHINE GUNS.

2A:176-49. "Machine gun or automatic rifle" defined. The term "machine gun or automatic rifle", as used in this article, shall mean any weapon, mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir, belt or other means of storing and carrying ammunition, which can be loaded into the said weapon, mechanism or instrument and fired therefrom at the rate of 5 or more shots to the second.
Source. R. S. 2:176-49.

2A:176-50. Sale, purchase or possession of machine guns; penalty. Any person who shall sell, give, loan, furnish or deliver any machine gun or automatic rifle to another person, or a person who shall purchase, have or possess any machine gun or automatic rifle, shall be guilty of a high misdemeanor.
Source. R. S. 2:176-50.

2A:176-51. Exceptions to section 2A:176-50. Section 2A:176-50 of this title shall not apply to any person having a license to purchase, have and possess a machine gun or automatic rifle, when such license is obtained in the manner hereinafter provided; nor to the authorized agents or servants of such licensee; nor to the officers and members of any duly authorized military organization; nor to the officers and members of the police force of any municipality, or of the state; nor to any sheriff or undersheriff; nor to any county prosecutor, his assistants, detectives and employees.
Source. R. S. 2:176-51.

2A:176-52. License to procure machine gun; application; reference and approval; issue of license. Any person who desires to purchase, have and possess a machine gun or automatic rifle may apply to a judge of the county court of the county in which the applicant is a resident for a license to purchase, have and possess a machine gun or automatic rifle. The application shall be in writing and shall state in detail the reasons why the applicant desires such license. Upon such application being presented to the judge, he shall refer the same to the sheriff of the county or to the chief police officer of the municipality in which the applicant resides, for his investigation and approval. If the application is approved by the sheriff or chief police officer, said judge may, in his discretion, issue a license under his hand and the seal of his court to the applicant to purchase, have and possess a machine gun or automatic rifle, for his own protection and for the protection of his servants and employees.
Source. R. S. 2:176-52.

2A:176-52.1. Blank. See proposed additional legislation.

2A:176-53. Record and delivery of license. Upon the issuance of such license, the judge shall send or deliver the same to the county clerk of