

2C:39-6

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2C:39-6 (Firearms--require certain persons to obtain training in safe use, maintenance and storage)

LAWS OF: 1985 **CHAPTER:** 324

BILL NO: A1712

Sponsor(s): Pelly and others

Date Introduced: March 20, 1984

Committee: Assembly: Law, Public Safety and Defense

Senate: Law, Public safety and Defense

Amended during passage: Yes according to Governor's recommendations Assembly committee substitute (2nd OCR) enacted. Amendments during passage denoted by asterisks.

Date of Passage: Assembly: May 17, 1984 Re-enacted 6-7-85

Senate: May 2, 1985 Re-enacted 9-9-85

Date of Approval: September 17, 1985

Following statements are attached if available:

Sponsor statement: Yes Attached: Senate amendments, adopted 5-2-85 (with statement)

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: Yes

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

See newspaper clipping--attached:

"Special cops targeted--new laws limit use of part-time officers."
Trenton Times, 5-11-86.

9-17-85

[SECOND OFFICIAL COPY REPRINT]
 ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY Nos. 1712 and 1432

STATE OF NEW JERSEY

ADOPTED APRIL 30, 1984

Sponsored by Assemblymen PELLY and MAZUR

AN ACT requiring certain persons to obtain training in the safe use, maintenance and storage of firearms and amending N. J. S. 2C:39-6 and making an appropriation.

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

1 1. N. J. S. 2C:39-6 is amended to read as follows:

2 2C:39-6. Exemptions. a. **[Section]** *Provided a person complies*
 3 *with the requirements of subsection j. of this section, N. J. S.*
 4 *2C:39-5 does not apply to:*

5 (1) Members of the Armed Forces of the United States or of the
 6 National Guard while actually on duty, or while traveling between
 7 places of duty and carrying authorized weapons in the manner
 8 prescribed by the appropriate military authorities;

9 (2) Federal law enforcement officers, and any other federal
 10 officers and employees required to carry firearms in the perform-
 11 ance of their official duties;

12 (3) Members of the State Police***[, a motor vehicle inspector]***;

13 (4) A sheriff, undersheriff, sheriff's officer, county prosecutor,
 14 assistant prosecutor, prosecutor's detective or investigator, deputy
 15 attorney general or State investigator employed by the Division of
 16 Criminal Justice of the Department of Law and Public Safety,
 17 investigator employed by the State Commission of Investigation,
 18 inspectors ****[and investigators]**** of the ****[Division of]**** Alco-
 19 holic Beverage Control ****Enforcement Bureau of the Division of**
 20 **State Police**** in the Department of Law and Public Safety ****au-**
 20A **thorized to carry such weapons by the Superintendent of State**
 20B **Police****, State park ranger, or State conservation officer;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendments adopted October 22, 1984.

**—Senate amendments adopted May 2, 1985.

***—Assembly amendment adopted in accordance with Governor's recommendations June 17, 1985.

21 (5) A prison or jail warden of any penal institution in this State
 22 or his deputies, or an employee of the Department of Corrections
 23 engaged in the interstate transportation of convicted offenders,
 24 while in the performance of his duties, and when required to possess
 25 ****[such a]**** ****the**** weapon by his superior officer, or a correction
 26 officer or keeper of a penal institution in this State at all times
 27 while in the State of New Jersey, provided he annually passes an
 28 examination approved by the superintendent testing his proficiency
 29 in the handling of firearms;

30 (6) A civilian employee of the United States Government under
 31 the supervision of the commanding officer of any post, camp, station,
 32 base or other military or naval installation located in this State
 33 who is required, in the performance of his official duties, to carry
 34 firearms, and who is authorized to carry such firearms by said
 35 commanding officer, while in the actual performance of his official
 36 duties^[:];

37 (7) A regularly employed member, including a detective, of the
 38 police department of any county or municipality, or of any State,
 39 interstate, municipal or county park police force or boulevard
 40 police force, at all times while in the State of New Jersey, or any
 41 special policeman authorized to carry a revolver or other similar
 42 weapons while off duty within the municipality where he is em-
 43 ployed, as provided in N. J. S. 40A:14-146, or a special policeman
 44 or airport security officer appointed by the governing body of
 45 any county or municipality, except as provided in this paragraph,
 46 or by the commission, board or other body having control of a
 47 county park or airport or boulevard police force, while engaged
 48 in the actual performance of his official duties and when specifically
 49 authorized by the governing body to carry weapons; or

50 (8) A ****full-time**** paid member of a paid or part-paid fire de-
 51 partment or force of any municipality who is assigned full-time
 51A ****or part-time**** to an arson investigation unit created pursuant
 52 to section 1 of P. L. 1981, c. 409 (C. 40A:14-7.1) ****or to the county**
 52A **arson investigation unit in the county prosecutor's office****, while
 53 ****either**** engaged in the actual performance of arson investigation
 54 duties ****or while actually on call to perform arson investigation**
 54A **duties**** and when specifically authorized by the governing body
 55 ****or the county prosecutor, as the case may be,**** to carry weapons.
 55A ****Prior to being permitted to carry a firearm, such a member shall**
 55B **take and successfully complete a firearms training course adminis-**
 55C **tered by the Police Training Commission, pursuant to P. L. 1961,**
 55D **c. 56 (C. 52:17B-66 et seq.), and shall annually qualify in the use**

55E of a revolver or similar weapon prior to being permitted to carry
55F a firearm.**

56 b. Subsections a., b. and c. of [section] *N. J. S. 2C:39-5* do not
57 apply to:

58 (1) A law enforcement officer employed by a governmental
59 agency outside of the State of New Jersey while actually engaged
60 in his official duties, provided, however, that he has first notified
61 the superintendent or the chief law enforcement officer of the mu-
62 nicipality or the prosecutor of the county in which he is engaged; or

63 (2) A licensed dealer in firearms and his registered employees
64 during the course of their normal business while traveling to and
65 from their place of business and other places for the purpose of
66 demonstration, exhibition or delivery in connection with a sale,
67 provided, however, that **[any such]** **the** weapon is carried
68 in the manner specified in subsection g. of this section.

69 c. [Subsections] *Provided a person complies with the require-*
70 *ments of subsection j. of this section, subsections b. and c. of [sec-*
71 *tion] N. J. S. 2C:39-5* do not apply to:

72 (1) A special agent of the Division of Taxation who has passed
73 an examination in an approved police training program testing
74 proficiency in the handling of any firearm which he may be required
75 to carry, while in the actual performance of his official duties and
76 while going to or from his place of duty, a campus police officer
77 appointed pursuant to P. L. 1970, c. 211 (C. 18A:6-4.2 et seq.) or
78 any other police officer, while in the actual performance of his
79 official duties;

80 (2) A State deputy conservation officer or a full-time employee
81 of the Division of Parks and Forestry having the powers of arrest
82 and authorized to carry weapons, while in the actual performance
83 of his official duties:

84 (3) A full-time member of the marine patrol force or a special
85 marine patrolman authorized to carry **[such a]** **the** weapon
86 by the Commissioner of Environmental Protection, while in the
87 actual performance of his official duties;

88 (4) A court attendant serving as such under appointment by the
89 sheriff of the county or by the judge of any municipal court or other
90 court of this State, while in the actual performance of his official
91 duties;

92 (5) A guard in the employ of any railway express company,
93 banking or building and loan or savings and loan institution of
94 this State, while in the actual performance of his official duties;

95 (6) A member of a legally recognized military organization while
96 actually under orders or while going to or from the prescribed

97 place of meeting and carrying the weapons prescribed for drill,
98 exercise or parade;

99 (7) An officer of the Society for the Prevention of Cruelty to
100 Animals, while in the actual performance of his duties;

101 (8) An employee of a public utilities corporation actually en-
102 gaged in the transportation of explosives; or

103 (9) A railway policeman, at all times while in the State of New
104 Jersey, provided that he has passed an approved police academy
105 training program consisting of at least 280 hours. The training
106 program shall include, but need not be limited to, the handling of
107 firearms, community relations, and juvenile relations.

108 d. (1) Subsections c. and d. of ~~section~~ *N. J. S. 2C:39-5* do not
109 apply to antique firearms, provided that such antique firearms are
110 unloaded or are being fired for the purposes of exhibition or dem-
111 onstration at an authorized target range or in such other manner
112 as has been approved in writing by the chief law enforcement
113 officer of the municipality in which the exhibition or demonstration
114 is held, or if not held on property under the control of a particular
115 municipality, the superintendent.

116 (2) Subsection a. of *N. J. S. 2C:39-3* and subsection d. of *N. J. S.*
117 *2C:39-5* do not apply to an antique cannon that is capable of being
118 fired but that is unloaded and immobile, provided that the antique
119 cannon is possessed by (a) a scholastic institution, a museum, a
120 municipality, a county or the State, or (b) a person who obtained
121 a firearms purchaser identification card as specified in *N. J. S.*
122 *2C:58-3*.

123 (3) Subsection a. of *N. J. S. 2C:39-3* and subsection d. of *N. J. S.*
124 *2C:39-5* do not apply to an unloaded antique cannon that is being
125 transported by one eligible to possess it, in compliance with regula-
126 tions the superintendent may promulgate, between its permanent
127 location and place of purchase or repair.

128 (4) Subsection a. of *N. J. S. 2C:39-3* and subsection d. of *N. J. S.*
129 *2C:39-5* do not apply to antique cannons that are being loaded or
130 fired by one eligible to possess an antique cannon, for purposes of
131 exhibition or demonstration at an authorized target range or in the
132 manner as has been approved in writing by the chief law enforce-
133 ment officer of the municipality in which the exhibition or demon-
134 stration is held, or if not held on property under the control of a
135 particular municipality, the superintendent, provided that per-
136 former has given at least 30 ~~days~~ *days*' notice ~~of such~~ to
137 the superintendent.

138 (5) Subsection a. of *N. J. S. 2C:39-3* and subsection d. of *N. J. S.*
139 *2C:39-5* do not apply to the transportation of unloaded antique

140 cannons directly to or from exhibitions or demonstrations autho-
 141 rized under paragraph (4) of subsection d. of this section, provided
 142 that the transportation is in compliance with safety regulations the
 143 superintendent may promulgate. Nor do those subsections apply to
 144 transportation directly to or from exhibitions or demonstrations
 145 authorized under the law of another jurisdiction, provided that the
 146 superintendent has been given 30 **[days]** *days'* notice ****[of such]****
 147 and that the transportation is in compliance with safety regula-
 148 tions the superintendent may promulgate.

149 e. Nothing in subsections b., c. and d. of **[section]** *N. J. S.*
 150 *2C:39-5* shall be construed to prevent a person keeping or carry-
 151 ing about his place of business, residence, premises or other land
 152 owned or possessed by him, any firearm, or from carrying the same,
 153 in the manner specified in subsection g. of this section, from any
 154 place of purchase to his residence or place of business, between
 155 his dwelling and his place of business, between one place of busi-
 156 ness or residence and another when moving, or between his dwell-
 157 ing or place of business and place where such firearms are repaired,
 158 for the purpose of repair. For the purposes of this section, a place
 159 of business shall be deemed to be a fixed location.

160 f. Nothing in subsections b., c. and d. of **[section]** *N. J. S. 2C:39-5*
 161 shall be construed to prevent:

162 (1) A member of any rifle or pistol club organized in accordance
 163 with the rules prescribed by the National Board for the Promotion
 164 of Rifle Practice, in going to or from a place of target practice,
 165 carrying such firearms as are necessary for said target practice,
 166 provided that the club has filed a copy of its charter with the su-
 167 perintendent and annually submits a list of its members to the
 168 superintendent and provided further that the firearms are carried
 169 in the manner specified in subsection g. of this section;

170 (2) A person carrying a firearm or knife in the woods or fields
 171 or upon the waters of this State for the purpose of hunting, target
 172 practice or fishing, provided that the firearm or knife is legal and
 173 appropriate for hunting or fishing purposes in this State and he
 174 has in his possession a valid hunting license, or, with respect to
 175 fresh water fishing, a valid fishing license;

176 (3) A person transporting any firearm or knife while traveling:
 177 (a) Directly to or from any place for the purpose of hunting or
 178 fishing, provided ****[such]**** ****the**** person has in his possession
 179 a valid hunting or fishing license; or

180 (b) Directly to or from any target range, or other authorized
 181 place for the purpose of practice, match, target, trap or skeet shoot-
 182 ing exhibitions, provided in all cases that during the course of

183 **["such"]** *the* travel all firearms are carried in the manner
 184 specified in subsection g. of this section and the person has complied
 185 with all the provisions and requirements of Title 23 of the Revised
 186 Statutes and any amendments thereto and all rules and regulations
 187 promulgated thereunder; or

188 (c) In the case of a firearm, directly to or from any exhibition
 189 or display of firearms which is sponsored by any law enforcement
 190 agency, any rifle or pistol club, or any firearms collectors club,
 191 for the purpose of displaying **["of"]** the firearms to the public
 192 or to the members of **["such"]** *the* organization or club, pro-
 193 vided, however, that not less than 30 days prior to **["such"]**
 194 *the* exhibition or display, notice of **["such"]** *the* exhibi-
 195 tion or display shall be given to the Superintendent of the State
 196 Police by the sponsoring organization or club, and the sponsor has
 197 complied with such reasonable safety regulations as the superin-
 198 tendent may promulgate. Any firearms transported pursuant to
 199 this section shall be transported in the manner specified in subsec-
 199A tion g. of this section;

200 (4) A person from keeping or carrying about a private or com-
 201 mercial aircraft or any boat, or from transporting to or from such
 202 vessel for the purpose of installation or repair a visual distress
 203 signaling device approved by the United States Coast Guard.

204 g. All weapons being transported under **["subsections"]** **["sub-**
 205 *section b. (2), e. or f. (1) or (3)]* *paragraph (2) of subsection*
 206 *b., subsection e., or paragraph (1) or (3) of subsection f.* of this
 207 section shall be carried unloaded and contained in a closed and
 208 fastened case, gunbox, securely tied package, or locked in the trunk
 209 of the automobile in which it is being transported, and the course
 209A of travel shall include only such deviations as are reasonably nec-
 209B essary under the circumstances.

210 h. Nothing in subsection d. of **["section"]** *N. J. S. 2C:39-5* shall be
 211 construed to prevent any employee of a public utility, as defined
 212 in R. S. 48:2-13, doing business in this State or any United States
 213 Postal Service employee, while in the actual performance of duties
 214 which specifically require regular and frequent visits to private
 215 premises, from possessing, carrying or using any device which pro-
 216 jects, releases or emits any substance specified as being nonin-
 217 jurious to canines or other animals by the Commissioner of Health
 218 and which immobilizes only on a temporary basis and produces
 219 only temporary physical discomfort through being vaporized or
 220 otherwise dispensed in the air for the sole purpose of repelling
 221 canine or other animal attacks.

222 The device shall be used solely to repel only those canine or other
 223 animal attacks when the canines or other animals are not restrained
 224 in a fashion sufficient to allow the employee to properly perform
 225 his duties.

226 Any device used pursuant to this act shall be selected from a list
 227 of products, which consist of active and inert ingredients, per-
 228 mitted by the Commissioner of Health.

229 i. Nothing in subsection d. of *N. J. S. 2C:39-5* shall be construed
 230 to prevent any person who is 18 years of age or older and who has
 231 not been convicted of a felony, from possession for the purpose
 232 of personal self-defense of one pocket-sized device which contains
 233 and releases not more than three-quarters of an ounce of chemical
 234 substance not ordinarily capable of lethal use or of inflicting serious
 235 bodily injury, but rather, is intended to produce temporary physical
 236 discomfort or disability through being vaporized or otherwise
 237 dispensed in the air. Any person in possession of any device in
 238 violation of this subsection shall be deemed and adjudged to be a
 239 disorderly person, and upon conviction thereof, shall be punished
 240 by a fine of not less than \$100.00.

241 j. *A person shall qualify for an exemption from the provisions*
 242 *of N. J. S. 2C:39-5, as specified under subsections a. and c. of this*
 243 *section, if the person has satisfactorily completed a firearms train-*
 244 *ing course approved by the Police Training Commission. ***[A]****
 245 **Such exempt* person shall not possess or carry a firearm until the*
 246 *person has satisfactorily completed a firearms training course*
 247 ****and shall annually qualify in the use of a revolver or similar*
 248 *weapon***. For purposes of this subsection, a "firearms training*
 249 *course" means a course of instruction in the safe use, maintenance*
 250 *and storage of firearms which is approved by the Police Training*
 251 *Commission. The commission shall approve a firearms training*
 252 *course if the requirements of the course are substantially equiva-*
 253 *lent to the requirements for firearms training provided by police*
 254 *training courses which are certified under section 6 of P. L. 1961,*
 255 *c. 56 (C. 52:17B-71). A person who is specified in ****[para-***
 256 *graphs]** ***paragraph** (1), (2)*, (3)* or (6) of subsection a.*
 257 *of this section shall be exempt from the requirements of this para-*
 258 *graph.**

1 2. The sum of \$35,000.00 is appropriated out of the general
 2 treasury to the Police Training Commission in the Department
 3 of Law and Public Safety for the purpose of implementing the
 4 provisions of subsection j. of ****[section 1 of this act]**** *N. J. S.*
 5 *2C:39-6**.*

1 3. This act shall take effect on the 180th day after enactment.

ASSEMBLY, No. 1712

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1984

By Assemblymen PELLY, LARocca, PENN, SCHUBER
and BOCCHINI

AN ACT requiring certain persons to obtain training in the safe use,
maintenance and storage of firearms and amending N. J. S.
2C:39-6.

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

1 1. N. J. S. 2C:39-6 is amended to read as follows:

2 2C:39-6. Exemptions. a. **[Section]** *Provided a person complies*
3 *with the requirements of subsection j. of this section, N. J. S.*
4 2C:39-5 does not apply to:

5 (1) Members of the Armed Forces of the United States or of the
6 National Guard while actually on duty, or while traveling between
7 places of duty and carrying authorized weapons in the manner pre-
8 scribed by the appropriate military authorities;

9 (2) Federal law enforcement officers, and any other federal
10 officers and employees required to carry firearms in the perfor-
11 mance of their official duties;

12 (3) Members of the State Police, a motor vehicle inspector;

13 (4) A sheriff, undersheriff, sheriff's officer, county prosecutor,
14 assistant prosecutor, prosecutor's detective or investigator, deputy
15 attorney general or State investigator employed by the Division of
16 Criminal Justice of the Department of Law and Public Safety,
17 investigator employed by the State Commission of Investigation,
18 inspectors and investigators of the Division of Alcoholic Beverage
19 Control in the Department of Law and Public Safety, State park
20 ranger, or State conservation officer;

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.
Matter printed in italics thus is new matter.**

21 (5) A prison or jail warden of any penal institution in this State
22 or his deputies, or an employee of the Department of Corrections
23 engaged in the interstate transportation of convicted offenders,
24 while in the performance of his duties, and when required to possess
25 such a weapon by his superior officer, or a correction officer or
26 keeper of a penal institution in this State at all times while in the
27 State of New Jersey, provided he annually passes an examination
28 approved by the superintendent testing his proficiency in the han-
29 dling of firearms;

30 (6) A civilian employee of the United States Government under
31 the supervision of the commanding officer of any post, camp, station,
32 base or other military or naval installation located in this State
33 who is required, in the performance of his official duties, to carry
34 firearms, and who is authorized to carry such firearms by said com-
35 manding officer, while in the actual performance of his official
36 duties[.];

37 (7) A regularly employed member, including a detective, of the
38 police department of any county or municipality, or of any State,
39 interstate, municipal or county park police force or boulevard police
40 force, at all times while in the State of New Jersey, or any special
41 policeman authorized to carry a revolver or other similar weapons
42 while off duty within the municipality where he is employed, as
43 provided in N. J. S. 40A:14-146, or a special policeman or airport
44 security officer appointed by the governing body of any county or
45 municipality, except as provided in this paragraph, or by the com-
46 mission, board or other body having control of a county park or
47 airport or boulevard police force, while engaged in the actual per-
48 formance of his official duties and when specifically authorized by
49 the governing body to carry weapons; or

50 (8) A paid member of a paid or part-paid fire department or force
51 of any municipality who is assigned full-time to an arson investiga-
52 tion unit created pursuant to section 1 of P. L. 1981, c. 409 (C.
53 40A:14-7.1), while engaged in the actual performance of arson
54 investigation duties and when specifically authorized by the govern-
55 ing body to carry weapons.

56 b. Subsections a., b. and c. of [section] N. J. S. 2C:39-5 do not
57 apply to:

58 (1) A law enforcement officer employed by a governmental
59 agency outside of the State of New Jersey while actually engaged
60 in his official duties, provided, however, that he has first notified
61 the superintendent or the chief law enforcement officer of the mu-
62 nicipality or the prosecutor of the county in which he is engaged; or

63 (2) A licensed dealer in firearms and his registered employees

64 during the course of their normal business while traveling to and
 65 from their place of business and other places for the purpose of
 66 demonstration, exhibition or delivery in connection with a sale,
 67 provided, however, that any such weapon is carried in the manner
 68 specified in subsection g. of this section.

69 c. **[Subsections]** *Provided a person complies with the require-*
 70 *ments of subsection j. of this section, subsections b. and c. of [sec-*
 71 *tion] N. J. S. 2C:39-5 do not apply to:*

72 (1) A special agent of the Division of Taxation who has passed
 73 an examination in an approved police training program testing
 74 proficiency in the handling of any firearm which he may be required
 75 to carry, while in the actual performance of his official duties and
 76 while going to or from his place of duty, a campus police officer
 77 appointed pursuant to P. L. 1970, c. 211 (C. 18A:6-4.2 et seq.) or any
 78 other police officer, while in the actual performance of his official
 78A duties;

79 (2) A State deputy conservation officer or a full-time employee
 80 of the Division of Parks and Forestry having the powers of arrest
 81 and authorized to carry weapons, while in the actual performance
 82 of his official duties;

83 (3) A full-time member of the marine patrol force or a special
 84 marine patrolman authorized to carry such a weapon by the Com-
 85 missioner of Environmental Protection, while in the actual per-
 86 formance of his official duties;

87 (4) A court attendant serving as such under appointment by the
 88 sheriff of the county or by the judge of any municipal court or other
 89 court of this State, while in the actual performance of his official
 90 duties;

91 (5) A guard in the employ of any railway express company,
 92 banking or building and loan or savings and loan institution of
 93 this State, while in the actual performance of his official duties;

94 (6) A member of a legally recognized military organization while
 95 actually under orders or while going to or from the prescribed
 96 place of meeting and carrying the weapons prescribed for drill,
 97 exercise or parade;

98 (7) An officer of the Society for the Prevention of Cruelty to
 99 Animals, while in the actual performance of his duties;

100 (8) An employee of a public utilities corporation actually en-
 101 gaged in the transportation of explosives; or

102 (9) A railway policeman, at all times while in the State of New
 103 Jersey, provided that he has passed an approved police academy
 104 training program consisting of at least 280 hours. The training
 105 program shall include, but need not be limited to, the handling of
 106 firearms, community relations, and juvenile relations.

107 d. (1) Subsections c. and d. of [section] *N. J. S.* 2C:39-5 do not
108 apply to antique firearms, provided that such antique firearms are
109 unloaded or are being fired for the purposes of exhibition or
110 demonstration at an authorized target range or in such other
111 manner as has been approved in writing by the chief law enforce-
112 ment officer of the municipality in which the exhibition or demon-
113 stration is held, or if not held on property under the control of a
114 particular municipality, the superintendent.

115 (2) Subsection a. of *N. J. S.* 2C:39-3 and subsection d. of *N. J. S.*
116 2C:39-5 do not apply to an antique cannon that is capable of being
117 fired but that is unloaded and immobile, provided that the antique
118 cannon is possessed by (a) a scholastic institution, a museum, a
119 municipality, a county or the State, or (b) a person who obtained a
120 firearms purchaser identification card as specified in *N. J. S.*
121 2C:58-3.

122 (3) Subsection a. of *N. J. S.* 2C:39-3 and subsection d. of *N. J. S.*
123 2C:39-5 do not apply to an unloaded antique cannon that is being
124 transported by one eligible to possess it, in compliance with regula-
125 tions the superintendent may promulgate, between its permanent
126 location and place of purchase or repair.

127 (4) Subsection a. of *N. J. S.* 2C:39-3 and subsection d. of *N. J. S.*
128 2C:39-5 do not apply to antique cannons that are being loaded or
129 fired by one eligible to possess an antique cannon, for purposes of
130 exhibition or demonstration at an authorized target range or in the
131 manner as has been approved in writing by the chief law enforce-
132 ment officer of the municipality in which the exhibition or demon-
133 stration is held, or if not held on property under the control of a
134 particular municipality, the superintendent, provided that per-
135 former has given at least 30 days' notice of such to the superin-
136 tendent.

137 (5) Subsection a. of *N. J. S.* 2C:39-3 and subsection d. of *N. J. S.*
138 2C:39-5 do not apply to the transportation of unloaded antique
139 cannons directly to or from exhibitions or demonstrations autho-
140 rized under paragraph (4) of subsection d. of this section, provided
141 that the transportation is in compliance with safety regulations the
142 superintendent may promulgate. Nor do those subsections apply to
143 transportation directly to or from exhibitions or demonstrations
144 authorized under the law of another jurisdiction, provided that the
145 superintendent has been given 30 *days'* notice of such and that the
146 transportation is in compliance with safety regulations the super-
147 intendent may promulgate.

148 e. Nothing in subsections b., c. and d. of [section] *N. J. S.* 2C:39-5
149 shall be construed to prevent a person keeping or carrying about

150 his place of business, residence, premises or other land owned or
151 possessed by him, any firearm, or from carrying the same, in the
152 manner specified in subsection g. of this section, from any place of
153 purchase to his residence or place of business, between his dwelling
154 and his place of business, between one place of business or residence
155 and another when moving, or between his dwelling or place of
156 business and place where such firearms are repaired, for the pur-
157 pose of repair. For the purposes of this section, a place of business
158 shall be deemed to be a fixed location.

159 f. Nothing in subsections b., c. and d. of [section] *N. J. S. 20:39-5*
160 shall be construed to prevent:

161 (1) A member of any rifle or pistol club organized in accordance
162 with the rules prescribed by the National Board for the Promotion
163 of Rifle Practice, in going to or from a place of target practice,
164 carrying such firearms as are necessary for said target practice,
165 provided that the club has filed a copy of its charter with the su-
166 perintendent and annually submits a list of its members to the
167 superintendent and provided further that the firearms are carried
168 in the manner specified in subsection g. of this section;

169 (2) A person carrying a firearm or knife in the woods or fields
170 or upon the waters of this State for the purpose of hunting, target
171 practice or fishing, provided that the firearm or knife is legal and
172 appropriate for hunting or fishing purposes in this State and he
173 has in his possession a valid hunting license, or, with respect to
174 fresh water fishing, a valid fishing license;

175 (3) A person transporting any firearm or knife while traveling:

176 (a) Directly to or from any place for the purpose of hunting or
177 fishing, provided such person has in his possession a valid hunting
178 or fishing license; or

179 (b) Directly to or from any target range, or other authorized
180 place for the purpose of practice, match, target, trap or skeet shoot-
181 ing exhibitions, provided in all cases that during the course of
182 such travel all firearms are carried in the manner specified in sub-
183 section g. of this section and the person has complied with all the
184 provisions and requirements of Title 23 of the Revised Statutes
185 and any amendments thereto and all rules and regulations promul-
186 gated thereunder; or

187 (c) In the case of a firearm, directly to or from any exhibition
188 or display of firearms which is sponsored by any law enforcement
189 agency, any rifle or pistol club, or any firearms collectors club,
190 for the purpose of displaying of the firearms to the public or to the
191 members of such organization or club, provided, however, that not
192 less than 30 days prior to such exhibition or display, notice of such

193 exhibition or display shall be given to the Superintendent of the
194 State Police by the sponsoring organization or club, and the spon-
195 sor has complied with such reasonable safety regulations as the
196 superintendent may promulgate. Any firearms transported pur-
197 suant to this section shall be transported in the manner specified in
198 subsection g. of this section;

199 (4) A person from keeping or carrying about a private or com-
200 mercial aircraft or any boat, or from transporting to or from such
201 vessel for the purpose of installation or repair a visual distress
202 signalling device approved by the United States Coast Guard.

203 g. All weapons being transported under **subsections** *subsection*
204 b. (2), e. or f. (1) or (3) of this section shall be carried unloaded
205 and contained in a closed and fastened case, gunbox, securely tied
206 package, or locked in the trunk of the automobile in which it is being
207 transported, and the course of travel shall include only such devia-
208 tions as are reasonably necessary under the circumstances.

209 h. Nothing in subsection d. of **section** *N. J. S. 2C:39-5* shall be
210 construed to prevent any employee of a public utility, as defined in
211 R. S. 48:2-13, doing business in this State or any United States
212 Postal Service employee, while in the actual performance of duties
213 which specifically require regular and frequent visits to private
214 premises, from possessing, carrying or using any device which
215 projects, releases or emits any substance specified as being non-
216 injurious to canines or other animals by the Commissioner of
217 Health and which immobilizes only on a temporary basis and pro-
218 duces only temporary physical discomfort through being vaporized
219 or otherwise dispensed in the air for the sole purpose of repelling
220 canine or other animal attacks.

221 The device shall be used solely to repel only those canine or other
222 animal attacks when the canines or other animals are not restrained
223 in a fashion sufficient to allow the employee to properly perform
224 his duties.

225 Any device used pursuant to this act shall be selected from a list
226 of products, which consist of active and inert ingredients, per-
227 mitted by the Commissioner of Health.

228 i. Nothing in subsection d. of *N. J. S. 2C:39-5* shall be construed
229 to prevent any person who is 18 years of age or older and who has
230 not been convicted of a felony, from possession for the purpose of
231 personal self-defense of one pocket-sized device which contains and
232 releases not more than three-quarters of an ounce of chemical sub-
233 stance not ordinarily capable of lethal use or of inflicting serious
234 bodily injury, but rather, is intended to produce temporary physical
235 discomfort or disability through being vaporized or otherwise dis-

236 pensed in the air. Any person in possession of any device in viola-
 237 tion of this subsection shall be deemed and adjudged to be a dis-
 238 orderly person, and upon conviction thereof, shall be punished by
 239 a fine of not less than \$100.00.

240 *j. A person shall qualify for an exemption from the provisions*
 241 *of N. J. S. 2C:39-5, as specified under subsections a. and c. of this*
 242 *section, if the person satisfactorily completes a firearms training*
 243 *course approved by the Police Training Commission. A person*
 244 *shall not possess or carry a firearm until the person has satis-*
 245 *factorily completed a firearms training course. For purposes of this*
 246 *subsection, a "firearms training course" means a course of instruc-*
 247 *tion in the safe use, maintenance and storage of firearms which is*
 248 *approved by the Police Training Commission. The commission shall*
 249 *approve a firearms training course if the requirements of the course*
 250 *are substantially equivalent to the requirements for firearms train-*
 251 *ing prescribed under section 6 of P. L. 1961, c. 56 (C. 52:17B-71).*
 252 *A person who is described in paragraphs (1), (2) or (6) of sub-*
 253 *section a. or in paragraphs (1) or (9) of subsection c. of this section*
 254 *shall be exempt from the requirements of this subsection.*

1 2. This act shall take effect on the 180th day after enactment.

STATEMENT

Under existing law, certain specified persons may possess fire-
 arms without first obtaining a permit to carry a handgun or a fire-
 arms purchaser identification card. These persons include law en-
 forcement personnel who are trained in the safe use of firearms.
 However, some persons, by reason of their elected or appointed
 office, are exempt from the requirement of obtaining a permit or
 card even though they are not required to receive firearms training.

The purpose of this bill is to require those persons to receive
 training in the safe use of firearms before they may qualify for the
 exemption. A person shall not possess or carry a firearm until that
 person has satisfactorily completed a firearms training course.

ASSEMBLY, No. 1432

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 27, 1984

By Assemblymen MAZUR, KERN, GORMLEY and BRYANT

AN ACT requiring certain persons to obtain training in the safe use, maintenance and storage of firearms and amending N. J. S. 2C:39-6.

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

1 1. N. J. S. 2C:39-6 is amended to read as follows:

2 2C:39-6. Exemptions. a. **[Section]** *Provided the person is quali-*
3 *fied under subsection j. of this section, N. J. S. 2C:39-5 does not*
4 *apply to:*

5 (1) Members of the Armed Forces of the United States or of the
6 National Guard while actually on duty, or while traveling between
7 places of duty and carrying authorized weapons in the manner
8 prescribed by the appropriate military authorities;

9 (2) Federal law enforcement officers, and any other federal
10 officers and employees required to carry firearms in the perfor-
11 mance of their official duties;

12 (3) Members of the State Police, a motor vehicle inspector;

13 (4) A sheriff, undersheriff, sheriff's officer, county prosecutor,
14 assistant prosecutor, prosecutor's detective or investigator, deputy
15 attorney general or State investigator employed by the Division of
16 Criminal Justice of the Department of Law and Public Safety,
17 investigator employed by the State Commission of Investigation,
18 inspectors and investigators of the Division of Alcoholic Beverage
19 Control in the Department of Law and Public Safety, State park
20 ranger, or State conservation officer;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.
Matter printed in italics *thus* is new matter.

21 (5) A prison or jail warden of any penal institution in this State
 22 or his deputies, or an employee of the Department of Corrections
 23 engaged in the interstate transportation of convicted offenders,
 24 while in the performance of his duties, and when required to possess
 25 such a weapon by his superior officer, or a correction officer or
 26 keeper of a penal institution in this State at all times while in the
 27 State of New Jersey, provided he annually passes an examination
 28 approved by the superintendent testing his proficiency in the han-
 29 dling of firearms;

30 (6) A civilian employee of the United States Government under
 31 the supervision of the commanding officer of any post, camp, station,
 32 base or other military or naval installation located in this State
 33 who is required, in the performance of his official duties, to carry
 34 firearms, and who is authorized to carry such firearms by said com-
 35 manding officer, while in the actual performance of his official
 36 duties[.];

37 (7) A regularly employed member, including a detective, of the
 38 police department of any county or municipality, or of any State,
 39 interstate, municipal or county park police force or boulevard
 40 police force, at all times while in the State of New Jersey, or any
 41 special policeman authorized to carry a revolver or other similar
 42 weapons while off duty within the municipality where he is em-
 43 ployed, as provided in N. J. S. 40A:14-146, or a special policeman
 44 or airport security officer appointed by the governing body of any
 45 county or municipality, except as provided in this paragraph, or
 46 by the commission, board or other body having control of a county
 47 park or airport or boulevard police force, while engaged in the
 48 actual performance of his official duties and when specifically
 49 authorized by the governing body to carry weapons; or

50 (8) A paid member of a paid or part-paid fire department or
 51 force of any municipality who is assigned full-time to an arson
 51A investigation unit created pursuant to section 1 of P. L. 1981, c. 409
 51B (C. 40A:14-7.1), while engaged in the actual performance of arson
 51C investigation duties and when specifically authorized by the govern-
 51D ing body to carry weapons.

51E b. Subsections a., b. and c. of section 2C:39-5 do not apply to:

51F (1) A law enforcement officer employed by a governmental
 51G agency outside of the State of New Jersey while actually engaged
 51H in his official duties, provided, however, that he has first notified
 51I the superintendent or the chief law enforcement officer of the mu-
 51J nicipality or the prosecutor of the county in which he is engaged; or

52 (2) A licensed dealer in firearms and his registered employees
 53 during the course of their normal business while traveling to and

54 from their place of business and other places for the purpose of
55 demonstration, exhibition or delivery in connection with a sale,
56 provided, however, that any such weapon is carried in the manner
57 specified in subsection g. of this section.

58 c. **【Subsections】** *Provided the person is qualified under sub-*
59 *section j. of this section, subsections b. and c. of section 2C:39-5*
60 *do not apply to:*

61 (1) A special agent of the Division of Taxation **【who has passed**
62 **an examination in an approved police training program testing**
63 **proficiency in the handling of any firearm which he may be required**
64 **to carry】**, while in the actual performance of his official duties and
65 while going to or from his place of duty, a campus police officer
66 appointed pursuant to P. L. 1970, c. 211 (C. 18A:6-4.2 et seq.) or
67 any other police officer, while in the actual performance of his
68 official duties;

68A (2) A State deputy conservation officer or a full-time employee
68B of the Division of Parks and Forestry having the powers of arrest
68C and authorized to carry weapons, while in the actual performance
68D of his official duties;

69 (3) A full-time member of the marine patrol force or a special
70 marine patrolman authorized to carry such a weapon by the Com-
71 missioner of Environmental Protection, while in the actual per-
72 formance of his official duties;

73 (4) A court attendant serving as such under appointment by the
74 sheriff of the county or by the judge of any municipal court or
75 other court of this State, while in the actual performance of his
76 official duties;

77 (5) A guard in the employ of any railway express company,
78 banking or building and loan or savings and loan institution of
79 this State, while in the actual performance of his official duties;

80 (6) A member of a legally recognized military organization while
81 actually under orders or while going to or from the prescribed
82 place of meeting and carrying the weapons prescribed for drill,
83 exercise or parade;

84 (7) An officer of the Society for the Prevention of Cruelty to
85 Animals, while in the actual performance of his duties;

86 (8) An employee of a public utilities corporation actually en-
87 gaged in the transportation of explosives; or

88 (9) A railway policeman, at all times while in the State of New
89 Jersey, provided that he has passed an approved police academy
90 training program consisting of at least 280 hours. The training
91 program shall include, but need not be limited to, the handling of
92 firearms, community relations, and juvenile relations.

93 d. (1) Subsections c. and d. of section 2C:39-5 do not apply to
94 antique firearms, provided that such antique firearms are unloaded
95 or are being fired for the purposes of exhibition or demonstration
96 at an authorized target range or in such other manner as has been
97 approved in writing by the chief law enforcement officer of the
98 municipality in which the exhibition or demonstration is held, or if
99 not held on property under the control of a particular municipality,
100 the superintendent.

101 (2) Subsection a. of N. J. S. 2C:39-3 and subsection d. of N. J. S.
102 2C:39-5 do not apply to an antique cannon that is capable of being
103 fired but that is unloaded and immobile, provided that the antique
104 cannon is possessed by (a) a scholastic institution, a museum, a
105 municipality, a county or the State, or (b) a person who obtained a
106 firearms purchaser identification card as specified in N. J. S.
107 2C:58-3.

108 (3) Subsection a. of N. J. S. 2C:39-3 and subsection d. of N. J. S.
109 2C:39-5 do not apply to an unloaded antique cannon that is being
109A transported by one eligible to possess it, in compliance with regula-
109B tions the superintendent may promulgate, between its permanent
109C location and place of purchase or repair.

109D (4) Subsection a. of N. J. S. 2C:39-3 and subsection d. of N. J. S.
109E 2C:39-5 do not apply to antique cannons that are being loaded or
110 fired by one eligible to possess an antique cannon, for purposes of
111 exhibition or demonstration at an authorized target range or in the
112 manner as has been approved in writing by the chief law enforce-
113 ment officer of the municipality in which the exhibition or demon-
114 stration is held, or if not held on property under the control of a
115 particular municipality, the superintendent, provided that per-
116 former has given at least 30 **[days]** *days'* notice of such to the
117 superintendent.

118 (5) Subsection a. of N. J. S. 2C:39-3 and subsection d. of N. J. S.
119 2C:39-5 do not apply to the transportation of unloaded antique
120 cannons directly to or from exhibitions or demonstrations autho-
121 rized under paragraph (4) of subsection d. of this section, provided
122 that the transportation is in compliance with safety regulations the
123 superintendent may promulgate. Nor do those subsections apply to
124 transportation directly to or from exhibitions or demonstrations
125 authorized under the law of another jurisdiction, provided that the
126 superintendent has been given 30 **[days]** *days'* notice of such and
127 that the transportation is in compliance with safety regulations
128 the superintendent may promulgate.

129 e. Nothing in subsections b., c. and d. of section 2C:39-5 shall
130 be construed to prevent a person keeping or carrying about his

131 place of business, residence, premises or other land owned or
 132 possessed by him, any firearm, or from carrying the same, in the
 133 manner specified in subsection g. of this section, from any place of
 134 purchase to his residence or place of business, between his dwelling
 135 and his place of business, between one place of business or resi-
 136 dence and another when moving, or between his dwelling or place
 137 of business and place where such firearms are repaired, for the
 138 purpose of repair. For the purposes of this section, a place of
 139 business shall be deemed to be a fixed location.

140 f. Nothing in subsections b., c. and d. of section 2C:39-5 shall
 141 be construed to prevent:

142-144 (1) A member of any rifle or pistol club organized in accordance
 145 with the rules prescribed by the National Board for the Promotion
 146 of Rifle Practice, in going to or from a place of target practice,
 147 carrying such firearms as are necessary for said target practice,
 148 provided that the club has filed a copy of its charter with the super-
 149 intendent and annually submits a list of its members to the
 150 superintendent and provided further that the firearms are carried
 151 in the manner specified in subsection g. of this section;

152 (2) A person carrying a firearm or knife in the woods or fields
 153 or upon the waters of this State for the purpose of hunting, target
 154 practice or fishing, provided that the firearm or knife is legal and
 155 appropriate for hunting or fishing purposes in this State and he
 156 has in his possession a valid hunting license, or, with respect to
 157 fresh water fishing, a valid fishing license;

158 (3) A person transporting any firearm or knife while traveling:

159 (a) Directly to or from any place for the purpose of hunting or
 160 fishing, provided such person has in his possession a valid hunting
 161 or fishing license; or

162 (b) Directly to or from any target range, or other authorized
 163 place for the purpose of practice, match, target, trap or skeet shoot-
 164 ing exhibitions, provided in all cases that during the course of
 165 such travel all firearms are carried in the manner specified in sub-
 166 section g. of this section and the person has complied with all the
 167 provisions and requirements of Title 23 of the Revised Statutes
 168 and any amendments thereto and all rules and regulations promul-
 169 gated thereunder; or

170 (c) In the case of a firearm, directly to or from any exhibition
 171 or display of firearms which is sponsored by any law enforcement
 172 agency, any rifle or pistol club, or any firearms collectors club,
 173 for the purpose of displaying of the firearms to the public or to the
 174 members of such organization or club, provided, however, that not
 175 less than 30 days prior to such exhibition or display, notice of such

176 exhibition or display shall be given to the Superintendent of the
177 State Police by the sponsoring organization or club, and the spon-
178 sor has complied with such reasonable safety regulations as the
179 superintendent may promulgate. Any firearms transported pur-
180 suant to this section shall be transported in the manner specified in
181 subsection g. of this section;

182 (4) A person from keeping or carrying about a private or com-
183 mercial aircraft or any boat, or from transporting to or from such
184 vessel for the purpose of installation or repair a visual distress
185 signalling device approved by the United States Coast Guard.

186 g. All weapons being transported under ~~subsections~~ *subsection*
187 b. (2), e. or f. (1) or (3) of this section shall be carried unloaded
188 and contained in a closed and fastened case, gunbox, securely tied
189 package, or locked in the trunk of the automobile in which it is being
190 transported, and the course of travel shall include only such devia-
191 tions as are reasonably necessary under the circumstances.

192 h. Nothing in subsection d. of section 2C:39-5 shall be construed
193 to prevent any employee of a public utility, as defined in R. S.
194 48:2-13, doing business in this State or any United States Postal
195 Service employee, while in the actual performance of duties which
196 specifically require regular and frequent visits to private premises,
197 from possessing, carrying or using any device which projects, re-
198 leases or emits any substance specified as being noninjurious to
199 canines or other animals by the Commissioner of Health and which
200 immobilizes only on a temporary basis and produces only tempo-
201 rary physical discomfort through being vaporized or otherwise
202 dispensed in the air for the sole purpose of repelling canine or other
203 animal attacks.

204 The device shall be used solely to repel only those canine or other
205 animal attacks when the canines or other animals are not restrained
206 in a fashion sufficient to allow the employee to properly perform
207 his duties.

208 Any device used pursuant to this act shall be selected from a list
209 of products, which consist of active and inert ingredients, per-
210 mitted by the Commissioner of Health.

211 i. Nothing in subsection d. of 2C:39-5 shall be construed to pre-
212 vent any person who is 18 years of age or older and who has not
213 been convicted of a felony, from possession for the purpose of
214 personal self-defense of one pocket-sized device which contains
215 and releases not more than three-quarters of an ounce of chemical
216 substance not ordinarily capable of lethal use or of inflicting serious
217 bodily injury, but rather, is intended to produce temporary physical
218 discomfort or disability through being vaporized or otherwise

219 dispensed in the air. Any person in possession of any device in
 220 violation of this subsection shall be deemed and adjudged to be a
 221 disorderly person, and upon conviction thereof, shall be punished
 222 by a fine or not less than \$100.00.

223 *j. A person shall qualify for an exemption from the provisions*
 224 *of N. J. S. 2C:39-5, as specified under subsections a. and c. of this*
 225 *section, if the person has satisfactorily completed an approved*
 226 *course in firearms training. For purposes of this subsection an*
 227 *“approved course in firearms training” is a course of instruction*
 228 *in the safe use, maintenance and storage of firearms which is*
 229 *certified as approved by the Police Training Commission. The*
 230 *commission shall certify, as approved, courses in firearms training*
 231 *which meet the standards for firearms instruction prescribed by*
 232 *police training courses certified pursuant to section 6 of P. L. 1961,*
 233 *c. 56 (C. 52:17B-71). Persons included in paragraphs (1), (2) and*
 234 *(6) of subsection a. and paragraph (9) of subsection c. of this*
 235 *section shall be exempt from the qualification required by this*
 236 *subsection.*

1 2. This act shall take effect on the one hundred eightieth day
 2 following enactment.

STATEMENT

Under existing law certain specified persons may possess fire-
 arms without the requirement of obtaining a permit to carry or a
 firearms purchaser identification card. These persons include law
 enforcement personnel who are trained in the safe use of weapons.
 However, some individuals, by reason of their elected or appointed
 office, are exempt from the necessity of obtaining a permit or card
 yet they are not required to receive firearms training. The purpose
 of this bill is to require those persons to receive training in the
 safe use of weapons before they may qualify for the exemption.

ASSEMBLY LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 1432 and 1712

STATE OF NEW JERSEY

DATED: APRIL 30, 1984

The Assembly Committee Substitute for Assembly Bill Nos. 1432 and 1712 requires the persons specified in subsections a. and c. of N. J. S. 2C:39-6 to satisfactorily complete a firearms training course approved by the Police Training Commission in order to qualify for the exemption provided by N. J. S. 2C:39-6. Due to their occupations, the persons specified in subsections a. and c. of N. J. S. 2C:39-6 are currently exempt from the provisions of N. J. S. 2C:39-5 which sets forth the penalties for unlawful possession of weapons. The bill prohibits a person from possessing or carrying a firearm until that person satisfactorily completes a firearms training course.

Under the provisions of this bill, a course in the safe use, maintenance and storage of firearms is to be approved by the Police Training Commission. At the present time, some of the persons specified in subsections a. and c. of N. J. S. 2C:39-6 are already required by law to complete a firearms training course. This bill requires that these existing firearms training courses be approved by the Police Training Commission.

Specifically exempt from the training requirements of this bill are members of the Armed Forces of the United States, federal law enforcement officers or any other federal officers or employees required to carry firearms in the performance of their duties, and civilian employees of the federal government under the supervision of the commanding officer of a military or naval installation who are required to carry firearms in the performance of their duties.

The bill appropriates \$35,000.00 to the Police Training Commission in the Department of Law and Public Safety for the purpose of implementing the provisions of this bill.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY Nos. 1712 and 1432

with Senate committee amendment

STATE OF NEW JERSEY

DATED: OCTOBER 22, 1984

As amended by the Senate Law, Public Safety and Defense Committee, ACS for Assembly Bill Nos. 1712 and 1432 requires that certain persons now authorized by subsections a. and c. of N. J. S. 2C:39-6 to carry certain weapons without being required to obtain a permit must henceforth satisfactorily complete a firearms training course approved by the Police Training Commission before carrying a firearm.

N. J. S. 2C:39-5 makes it unlawful to possess a weapon and establishes penalties for doing so. Subsections a. and c. of N. J. S. 2C:39-6 specify the groups of persons who, because of their occupations, are permitted to possess weapons without first obtaining a permit. At the present time, some of these groups are already required by law to complete a firearms training course.

The bill requires members of specified groups to satisfactorily complete a firearms training course approved by the Police Training Commission. The Police Training Commission is authorized by the bill to approve existing firearms training courses before satisfactory completion of these courses will qualify a specified group to carry a firearm. The bill requires the commission to approve a firearms training course if the requirements of the course are "substantially equivalent to" the requirements for firearms training provided by police training courses certified under section 6 of P. L. 1961, c. 56 (C. 52:17B-71).

Specified groups that are exempt from the training requirements of this bill are members of the Armed Forces of the United States, federal law enforcement officers or any other federal officers or employees required to carry firearms in the performance of their duties, and civilian employees of the federal government under the supervision of the commanding officer of a military or naval installation who are required to carry firearms in the performance of their duties. The committee adopted an amendment exempting members of the State Police from the training requirements of the bill.

The bill appropriates \$35,000.00 to the Police Training Commission in the Department of Law and Public Safety for the purpose of implementing the provisions of this bill.

The committee also amended the bill to make it clear that only persons exempted from the provisions of N. J. S. 2C:39-5 by subsections a. and c. of N. J. S. 2C:39-6, and not ordinary citizens who are required to acquire the proper permits and identification cards before purchasing or carrying a firearm, are required to satisfactorily complete a firearms training course approved by the Police Training Commission.

Senate Amendments
(Proposed by Senator Russo 5/2/85)

to
Assembly Committee Substitute for
Assembly Bill Nos. 1712 and 1432 (SR)
(Sponsored by Assemblymen Pelly and Mazur)

Amend:

Page	Sec.	Line	
3	1	67	Omit "any such" insert "the"
3	1	85	Omit "such a" insert "the"
4	1	136	Omit "of such"
4	1	146	Omit "of such"
5	1	178	Omit "such" insert "the"
5	1	183	Omit "such" insert "the"
5	1	191	Omit "of"
5	1	192	Omit "such" insert "the"
6	1	193	After "to" omit "such" insert "the"; after "o" "such" insert "the"
6	1	204- 205	Omit "subsection b. (2), e. or f. (1) or (3) paragraph (2) of subsection b., subsection paragraph (1) or (3) of subsection f."
7	1	254	Omit "paragraphs" insert "paragraph"
7	2	4	Omit "section 1 of this act" insert "N.J. Printer's error: On page 2, section 1, 1 "where" change "is" to "he" in Roman.

STATEMENT

These amendments are of a technical nature and conform N.J.S. 2C:39-6, as represented by the Assembly Committee Substitute for Assembly Bill 1432 (SR), to incorporate amendments of the law made by P.L. 1985, c. 70, c. 150; and to make technical corrections and references.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

June 17, 1985

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY BILL NOS. 1712 AND 1432 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Assembly Committee Substitute for Assembly Bill Nos. 1712 and 1432 (OCR) with my objections for reconsideration.

The purpose of this bill is to amend N.J.S.A. 2C:39-6 to provide that those individuals exempt from the requirements of obtaining a permit to carry or a firearms purchaser identification card, by reason of their elected or appointed office (certain law enforcement officers), must receive training in the safe use of weapons before they may qualify for the exemptions. Pursuant to this amendment, they must satisfactorily complete a course in firearms training as approved by the Police Training Commission. This bill appropriates \$35,000 to the Police Training Commission to implement the training.

I have long believed that prior to a person being permitted to carry a firearm, the person must complete a course in firearms training. In fact, I have previously conditionally vetoed several bills to specifically require successful completion of a firearms training course administered by the Police Training Commission before any person may be permitted to carry a revolver or similar weapon. As this bill attempts to make this requirement applicable to all persons who are exempt from obtaining a permit to carry or a firearms purchaser identification card, it is desirable and advantageous. However, the bills which I have previously conditionally vetoed go one step farther. Not only should law enforcement officers and other exempt persons be required to successfully complete initial firearms training prior to being permitted to carry a firearm, they should also be required to annually re-qualify in the use of a revolver or similar weapon. Annual re-qualification will help ensure that the police on the street are current in the use of firearms and firearms safety. This will lessen the chance of accidents, increase public safety, and help foster professionalism in our police forces.

Accordingly, I herewith return Assembly Committee Substitute for Assembly Bill Nos. 1712 and 1432 (OCR) for reconsideration and recommend that it be amended as follows:

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

2

Page 7, Section 1, Line 246: After "course" INSERT "and shall annually
qualify in the use of a revolver or similar weapon"

Respectfully,
/s/ Thomas H. Kean
GOVERNOR

[seal]

Attest:

/s/ W. Cary Edwards
Chief Counsel