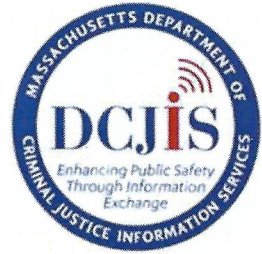




Massachusetts Firearms Dealer Inspection Requirements



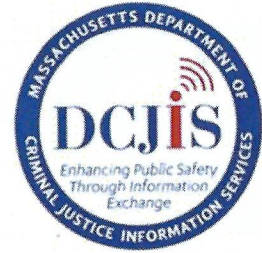
Licensing Authority:	Firearms Dealer:
_____	_____
Department	Shop Name/License Number
_____	_____
Street Address	Street Address
_____	_____
City, State ZIP	City, State ZIP
_____	_____
Phone Number	Phone Number/Email
Inspection Date: _____	

Pursuant to **MGL c. 140, § 123**, the licensing authority shall enter, one time per calendar year, during regular business hours, the commercial premises owned or leased by any licensee, wherein such records required to be maintained under this section are stored or maintained, and inspect, in a reasonable manner, such records and inventory for the purpose of enforcing the provisions of this section. If such records and inventory contain evidence of violations of this section, the inspecting officer shall produce and take possession of copies of such records and, in the event that the licensee subject to inspection does not possess copying equipment, the inspecting officer shall arrange to have copied, in a reasonable time and manner, such records that contain evidence of such violations and the costs for such copying shall be assessed against the owner of such records. Licensees found to be in violation of this section shall be subject to the suspension or permanent revocation of such license issued under section 122 and to the provisions of section 128. Nothing herein shall prohibit the licensing authority or the department of state police from conducting such inspections pursuant to a valid search warrant issued by a court of competent jurisdiction.

Please note that the violation type language is for informational purposes only. The Licensing Authority retains sole discretion with respect to whether a violation merits suspension/revocation of a dealer's license, or criminal prosecution.



Massachusetts Firearms Dealer Inspection Requirements



INSPECTION AREA: SHOP REQUIREMENTS

Requirement 1: PASS FAIL

The dealer's license and certificate are displayed on premises.

Violation Type: license suspension

Requirement 2: PASS FAIL

No firearm is displayed in an outer window or anywhere it can easily be seen from outside.

Violation Type: license suspension

Requirement 3: PASS FAIL

The following warning must be posted at the counter and be distributed with each transaction:
"IT IS UNLAWFUL TO STORE OR KEEP A FIREARM, RIFLE, SHOTGUN OR MACHINE GUN IN ANY PLACE UNLESS THAT WEAPON IS EQUIPPED WITH A TAMPER-RESISTANT SAFETY DEVICE OR IS STORED OR KEPT IN A SECURELY LOCKED CONTAINER."

Violation Type: license suspension

Requirement 4: PASS FAIL

The following suicide prevention information developed by the Department of Public Health must be posted and distributed with each transaction:

https://www.mass.gov/doc/gun-safety-reducing-suicide-risk-poster-0/download?_ga=2.174336802.144973202.1672427835-111099776.1588601535

Violation Type: license suspension

Requirement 5: PASS FAIL

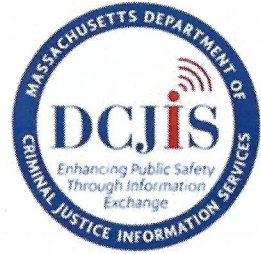
The shop is a permanent place of business on a commercial premise and is not in or on the curtilage of a residence.

Violation Type: license suspension

Examples: 1) The gun shop is in a garage attached to a residence and/or the shop is located on the same lot, detached from a residence, but does not have an official address designated by the town; 2) the building where the gun shop operates also has residential units.



Massachusetts Firearms Dealer Inspection Requirements



Requirement 6: PASS FAIL

Massachusetts firearms dealers are required to perform criminal offender record information (CORI) checks prior to hiring any person who has “direct and unmonitored” contact with firearms to determine the suitability of the employee.

Violation Type: license suspension

IMPORTANT: Prior to creating a MIRCS dealer account, the Firearms Records Bureau (FRB) requires that new dealers register for CORI accounts and complete CORI checks on current employees OR sign a “sole employee exemption” form.

It is recommended that the licensing authority contact the FRB two weeks prior to inspection for verification of CORI checks or sole employee exemption.

FRB Contact info: 617.660.4782 or FRB@mass.gov

Requirement 7: PASS FAIL

All firearms are stored and secured properly “in a locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user.”

Violation Type: misdemeanor or felony in violation of M.G.L. c. 140, § 131L

INSPECTION AREA: RECORDS

IMPORTANT: It is recommended that the licensing authority contact the FRB two weeks prior to inspection to request a spreadsheet of the dealer’s firearms transactions entered into the MIRCS Dealer Application for the previous year. This data can be used to verify that sales have been transmitted properly by spot-checking against signed FA10 forms, and also help to determine if any non-compliant firearms have been transferred.

FRB Contact info: 617.660.4782 or FRB@mass.gov

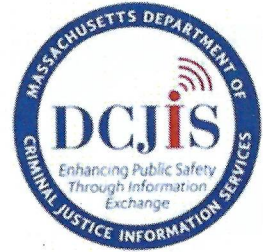
Requirement 1: PASS FAIL

All transactions must be transmitted electronically via the MIRCS Dealer Application, at the time of the transaction.

Violation Type: license suspension



Massachusetts Firearms Dealer Inspection Requirements



Requirement 2: PASS FAIL

Dealer maintains a signed copy of the printed FA10 form.

Violation Type: license suspension

Best Practice: for Requirements 1 and 2, use the data from the FRB to match up against the paper FA10 forms. If a signed form exists, but there is no electronic transaction, then the dealer did not fully transmit the transaction. You can also request to see the dealer's "drafts" in the MIRCS Dealer Application. The printed FA10 forms should also be matched against federal 4473 forms.

Requirement 3: PASS FAIL

All sales are made to appropriately licensed individuals.

Violation Type: felony offense in violation of M.G.L. c. 140, § 128.

Requirement 4: PASS FAIL

All records are kept on premises.

Violation Type: license suspension

Requirement 5: PASS FAIL

Lost or stolen firearms must be reported electronically to DCJIS.

Violation Type: license suspension

INSPECTION AREA: TRANSFER/SALE REQUIREMENTS

Requirement 1: PASS FAIL

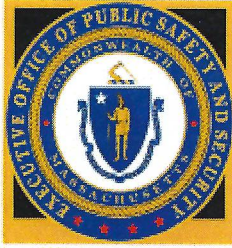
Firearms are unloaded when delivered to the purchaser.

Violation Type: felony offense in violation of M.G.L. c. 140, § 128

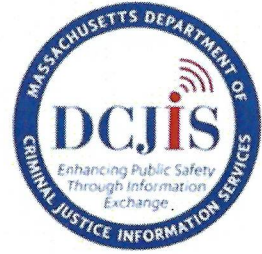
Requirement 2: PASS FAIL

All transactions are completed on premises.

Violation Type: license suspension



Massachusetts Firearms Dealer Inspection Requirements



Requirement 3: PASS FAIL

Dealers may not transfer assault weapons and large capacity feeding devices not otherwise lawfully possessed on September 13, 1994.

Violation Type: felony offense pursuant to M.G.L. c. 140, § 128

Best Practice: use the data from the FRB to identify potential violations and make further inquiry to the dealer.

Attorney General Assault Weapon Ban Enforcement Notice and FAQ:

<https://www.mass.gov/enforcing-the-massachusetts-assault-weapons-ban>

Requirement 4: PASS FAIL

All handguns transferred meet the conditions of the Approved Firearms Roster Regulations (501 CMR 7.00).

Violation Type: felony offense pursuant to M.G.L. c. 140, § 128

The most current Rosters are available here: <https://www.mass.gov/lists/approved-firearms-rosters>

Best Practice: compare data from the FRB to the Approved Firearms Roster to identify potential violations and make further inquiry to the dealer.

Example: 1) a particular handgun sold does not appear on the Roster, and the handgun was not owned in Massachusetts prior to October 21, 1998, it is a violation.

IMPORTANT: The Attorney General's Consumer Protection Regulations may be found here:

<https://www.mass.gov/doc/940-cmr-16-handgun-sales/download?qa=2.121527936.927867122.1675364668-111099776.1588601535>

Requirement 5: PASS FAIL

All sales require the in-person presentation of a current firearms license.

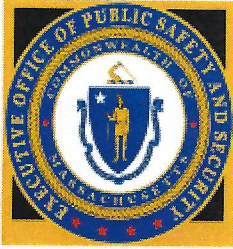
Violation Type: license suspension

Requirement 6: PASS FAIL

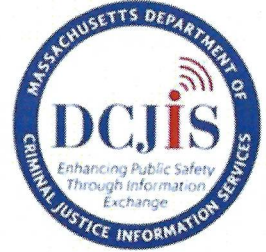
State-approved trigger locks must be provided with each handgun or large capacity weapon sold.

Violation Type: license suspension





Massachusetts Firearms Dealer Inspection Requirements



GUN DEALER INSPECTION RESULTS

Passed: No further action required.

Failed: Corrective Action Required. Subject to re-inspection or prosecution referral

Comments of Inspecting Official:

Inspecting Official:

Licensee:

Name

Name

Title

Shop Name

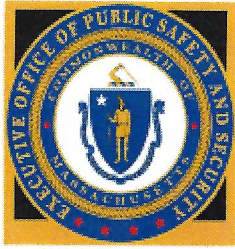
Signature

Signature

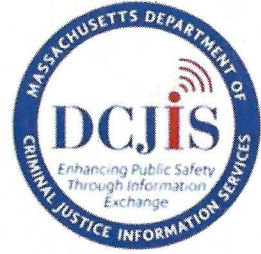
Date

Date





**Massachusetts Firearms Dealer Inspection
Attestation of Compliance**



ATTESTATION OF COMPLIANCE – M.G.L. c. 140, § 123

I hereby certify that I have performed an onsite inspection in accordance with G.L. c. 140 s. 123 of the following Massachusetts licensed firearms dealer:

Firearms Dealer:

Shop Name _____

Dealer Name _____

Dealer License Number _____

Date(s) of Inspection _____

Licensing Official:

Name _____

Title _____

Signature _____

Date _____

**Upon completion, scan and email a fully executed copy of this document to the
Firearms Records Bureau: FRB@mass.gov**

