

## NEW YORK'S GUN LAWS

# GUN DEALER REGULATIONS

### **Legal Standards & Procedures for Gun Dealers in NY State**

Gun dealers, or those who engage “in the business of purchasing, selling, keeping for sale, loaning, leasing, or in any manner disposing of, any assault weapon, large capacity ammunition feeding device, pistol or revolver,” must obtain a state license in order to conduct business according to New York law. (N.Y. Penal Law §§ 400.00(2)).

Gun dealers must apply for this license in the city or county where their business is located, and are subject to the same background checks as those wanting to carry or possess handguns. (N.Y. Penal Law §§ 400.00(3)). The license is valid for up to three years from the date of issuance in New York City. (N.Y. Penal Law §§ 400.00 (10)(a)).

In Nassau, Suffolk and Westchester County, any license to carry or possess a pistol or revolver is valid for up to five years from date of issuance. Elsewhere than New York City and Nassau, Suffolk and Westchester County, any license to carry or possess a pistol or revolver the license shall remain in effect until revoked.



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### **Sale of Guns & Ammunition**

“Seller of ammunition” is any person, firm or corporate entity engaging in the business of purchasing, selling, or keeping ammunition, but this does not apply to private sellers (N.Y. Penal Law §§ 265.00(24)). If ammunition sellers are not already licensed firearm dealers in the state of New York, they must register with local police.

A licensed dealer in firearms or registered seller of ammunition must be the intermediary between the transferor and the ultimate transferee in all commercial sales of ammunition (N.Y. Penal Law § 400.03(7)). Physical transfer of ammunition must be in person. (N.Y. Penal Law § 400.03(7)).

A seller of ammunition shall not transfer any ammunition to any other person who is not a dealer in firearms or a seller of ammunition unless:

- the seller conducts a check with the state’s electronic database and,
- receives a number identifying the transaction and signifying that the transferee is not prohibited by law from possessing the firearm or ammunition.

Before the transfer, the ammunition seller or gun dealer must also check the valid driver’s license or other photo identification of the prospective purchaser.

### **Gun Dealer Recordkeeping Requirements**

At the time of sale, ammunition sellers and firearm dealers must record

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the date, name, age, occupation, and residences of anyone transferring or receiving ammunition.

Sellers and dealers must also record the amount, caliber, manufacturer's name, serial number, and other distinguishing features of the ammunition. This record must be on site and available for inspection by law enforcement. This record is not considered public record. (N.Y. Penal Law Section 400.03(2)).