



BUREAU OF CRIMINAL APPREHENSION

1246 University Avenue
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August 17, 1992

Commissioner Thomas H. Frost
Department of Public Safety
211 DOT Building
395 John Ireland Boulevard
St. Paul, MN 55155

Dear Commissioner Frost:

Enclosed are the proposed emergency rules relating to Firearms Dealers Security Standards which were developed by your Firearms Security Standards Task Force as mandated by Minnesota Statute.

Be assured that these proposals are the product of considerable reflection and discussion among the task force members. The task force included firearms dealers, crime prevention officers, and other interested persons as required by the statute. In fact, some 14 persons participated in the task force, and a roster of members is attached for your reference.

The proposed rules were unanimously approved by the task force and have been reviewed by the Revisor's Office. On behalf of the task force, I would urge you to adopt our recommendations as specified in these proposed rules.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Gundersen".

John D. Gundersen
Chairman

JDG:jm

Enc.

Office of the Revisor of Statutes

Administrative Rules

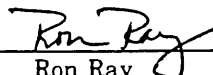


TITLE: Proposed Emergency Rules Relating to Firearms Dealers Security Standards

AGENCY: Department of Public Safety

MINNESOTA RULES: Chapter 7504

The attached rules are approved for
publication in the State Register



Ron Ray
Senior Assistant Revisor

1 Department of Public Safety

2

3 Proposed Emergency Rules Relating to Firearms Dealers Security
4 Standards

5

6 Rules as Proposed (all new material)

7 7504.0100 [Emergency] DEFINITIONS.

8 Subpart 1. Scope. For purposes of this chapter, the terms
9 in subparts 2 to 6 have the meanings given them.

10 Subp. 2. Firearms dealer. "Firearms dealer" means a
11 dealer federally licensed to sell pistols who operates a retail
12 business in which pistols are sold from a permanent business
13 location other than the dealer's home. For the purposes of this
14 chapter, a dealer's home does not include the following:

15 A. a building located on property that is zoned
16 commercial;

17 B. a business location where the square footage used
18 for the business of selling firearms exceeds the square footage
19 used for the dealer's residence; or

20 C. a building located on the same property as the
21 dealer's home that is not attached to the dealer's home.

22 Subp. 3. Small firearms dealer. "Small firearms dealer"
23 means a firearms dealer who operates a retail business at which
24 no more than 50 pistols are displayed for sale at any time.

25 Subp. 4. Large firearms dealer. "Large firearms dealer"
26 means a firearms dealer who operates a retail business at which
27 more than 50 pistols are displayed for sale at any time.

28 Subp. 5. Pistol. "Pistol" includes a weapon designed to
29 be fired by the use of a single hand and with an overall length
30 less than 26 inches, or having a barrel or barrels of a length
31 less than 18 inches in the case of a shotgun or having a barrel
32 of a length less than 16 inches in the case of a rifle (1) from
33 which may be fired or ejected one or more solid projectiles by
34 means of a cartridge or shell or by the action of an explosive
35 or the igniting of flammable or explosive substances; or (2) for

1 which the propelling force is a spring, elastic band, carbon
2 dioxide, air or other gas, or vapor. Pistol does not include a
3 device firing or ejecting a shot measuring .18 of an inch or
4 less in diameter and commonly known as a BB gun, a scuba gun, a
5 stud gun or nail gun used in the construction industry, or
6 children's pop guns or toys.

7 Subp. 6. Displayed for sale. "Displayed for sale" means a
8 pistol available for sale to customers that is either displayed
9 or stored at the dealer's place of business. This does not
10 include pistols temporarily stored at the place of business for
11 repair or servicing.

12 7504.0200 [Emergency] SECURITY MEASURES FOR SMALL FIREARMS
13 DEALERS.

14 After business hours when the dealer's place of business is
15 unattended, a small firearms dealer shall place all pistols that
16 are located in the dealer's place of business in a locked safe
17 or locked steel gun cabinet, or on a locked, hardened steel rod
18 or cable that runs through the pistols' trigger guards.

19 A. The door to a safe must be recessed or flush and
20 at least 3/16-inch thick. The body of a safe must be made of
21 hot rolled steel at least one-eighth inch thick. A safe must
22 have an Underwriters Laboratory (UL) listed Group 2 combination
23 lock.

24 B. A rod or cable used to secure a pistol must be
25 hardened steel. The rod or cable must be at least one-fourth
26 inch in diameter. The rod or cable must be secured with a
27 hardened steel lock which has a shackle that is protected or
28 shielded from attack by a bolt cutter.

29 C. No more than five pistols may be affixed to any
30 one rod or cable.

31 D. The safe, gun cabinet, rod, or cable must be
32 anchored to prevent its removal from the premises.

33 E. The door to a gun cabinet must be recessed and at
34 least 14 gauge steel. The door must be reinforced and must be
35 attached to the body by at least two hinges that are located

1 inside the body. The body of a gun cabinet must be made of hot
2 rolled steel at least 14 gauge, and must be continuously welded
3 to create a single, solid structure. A gun cabinet must have
4 either a UL-listed group two combination lock or a UL-listed key
5 lock that is encased in a high security, drill-resistant lock
6 body. A key lock must use a restricted key that can only be
7 duplicated by a factory-authorized source.

8 7504.0300 [Emergency] SECURITY MEASURES FOR LARGE FIREARMS
9 DEALERS.

10 A large firearms dealer shall either comply with the
11 requirements of part 7504.0200 [Emergency], items A to D, or the
12 requirements of items A to H.

13 A. The dealer shall install vehicle-resistant
14 barriers to prevent the penetration of the dealer's place of
15 business by a motor vehicle. The barriers must protect any
16 areas that are accessible to vehicles and that have a free run
17 distance of 50 feet or more.

18 B. The dealer shall secure each perimeter doorway
19 according to subitem (1), (2), or (3).

20 (1) The dealer may use a windowless steel
21 security door equipped with both a dead bolt and a doorknob lock.

22 (2) The dealer may use a windowed metal door that
23 is equipped with both a dead bolt and a doorknob lock. The
24 window must be made of one-half inch polycarbonate or glass
25 reinforced with metal mesh. If the window has an opening of
26 five inches or more measured in any direction, then the window
27 must be covered with steel bars or metal grating affixed to the
28 interior of the door.

29 (3) The dealer may use a metal grate that is
30 padlocked and affixed to the premises independent of the door
31 and door frame.

32 C. A dealer shall cover all windows with steel bars
33 that are anchored internally to the wall joists.

34 D. A dealer shall secure a room where pistols are
35 stored after hours with a locked steel door or metal grating.

1 E. A dealer shall not display pistols within four
2 feet of a window unless the window is covered by metal screen
3 that is anchored internally to the wall joists.

4 F. A dealer shall secure heating, ventilating, air
5 conditioning, and service openings with steel bars, metal
6 grating, or an alarm system as described in part 7504.0400
7 [Emergency].

8 G. A dealer shall illuminate each perimeter doorway
9 so that the doorway is clearly visible after dark from a
10 distance of 100 feet.

11 H. Metal grates and grating must have spaces no
12 larger than six inches on center along any diagonal. Metal
13 screen must have spaces no larger than three inches along any
14 diagonal. Steel bars must be no more than six inches apart on
15 center.

16 7504.0400 [Emergency] ELECTRONIC SECURITY FOR ALL FIREARMS
17 DEALERS.

18 A firearms dealer shall install and maintain an electronic
19 security system that meets the requirements of items A to I.

20 A. The system must emit an audible alarm at the
21 dealer's place of business when triggered.

22 B. The system must transmit a silent alarm when
23 triggered. The silent alarm must be transmitted directly to a
24 public safety answering point where this service is available.
25 If no local public safety answering point provides an
26 alarm-monitoring service, the silent alarm must automatically
27 transmit a violation signal to a UL-approved monitoring station
28 that must notify an appropriate law enforcement agency within
29 two minutes of receiving the violation signal.

30 C. A large firearms dealer's system must include a
31 backup silent alarm that transmits the alarm as provided in item
32 B if the primary transmission system fails.

33 D. The system must include a line cut alarm unless
34 the incoming phone lines are hardened by routing them through
35 underground conduit or similar protective barrier. The line cut

1 alarm must be triggered when the phone line is cut, and must
2 emit an audible alarm.

3 E. The system must monitor all exterior doors,
4 windows, and other entry points, including but not limited to
5 heating, ventilating, air conditioning, and customer and service
6 entry points.

7 F. The system must use motion and heat sensors to
8 monitor pistol storage areas and alarm control boards.

9 G. The system must monitor all interior doors that
10 provide access to pistol storage areas.

11 H. All components of the system must be UL-approved.

12 I. All components of the system must be independently
13 tested and certified to comply with this part at least once per
14 year. The test must be conducted by an alarm system
15 installation or monitoring firm or a person approved by the
16 alarm system manufacturer or distributor. Written certification
17 must be available for inspection by a local law enforcement
18 authority.

19 7504.0500 [Emergency] INSPECTION BY LAW ENFORCEMENT.

20 A firearms dealer shall make its place of business
21 available to local law enforcement officials during normal
22 business hours for the purpose of verifying compliance with this
23 chapter. A local law enforcement official is not required to
24 give advance notice of an inspection.

25 7504.0600 [Emergency] EXEMPTIONS.

26 Upon written request from a firearms dealer, the
27 commissioner of public safety shall grant an exemption from
28 compliance with a requirement of this chapter if the following
29 conditions are met:

30 A. the request shows that the firearms dealer is
31 unable to comply with the requirement because of local
32 ordinances, covenants, lease conditions, or similar
33 circumstances not under the control of the firearms dealer;

34 B. the request identifies security measures used in
35 lieu of complying with the requirement;

- 1 C. the requirement is not mandated by statute; and
- 2 D. the commissioner determines that the security
- 3 measures will provide a degree of security similar to the degree
- 4 of security provided by the requirement or will cause a delay in
- 5 the unauthorized entry into the dealer's business premises
- 6 equivalent to the delay provided by complying with the
- 7 requirement.

ADVISORY TASK FORCE FOR FIREARMS DEALERS'
SECURITY STANDARDS

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