



MARYLAND STATE POLICE

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ADVISORY

LD-HQL-17-003

NOVEMBER 17, 2017

INTERPRETATION OF “RECEIVE” IN PS §5-117.1

PUBLIC SAFETY §5-117.1(c) states that “A person may purchase, rent, or receive a handgun only if the person:

(1) (i) possesses a valid handgun qualification license issued to the person by the Secretary in accordance with this section;...”

The Maryland State Police (MSP) has applied the ruling in *Chow v. State*, 393 Md. 431 (2006) to interpret the definition of “receive” as it pertains to PS §5-117.1(c). *Chow* held “the temporary gratuitous exchange or loan of a regulated handgun between two adult individuals, who are otherwise permitted to own and obtain a regulated handgun, does not constitute an illegal “transfer” of a firearm...” The MSP views “transfer” and “receive” as equivalent for purposes of Maryland’s firearms laws and interprets “receive” as including the gratuitous **permanent** exchange of title or possession, but excluding temporary gratuitous exchanges or loans of handguns.

Therefore, an individual, not otherwise prohibited from owning or possessing regulated firearms, is not required to possess an active HQL in order to borrow a regulated firearm from another individual on a temporary basis.

If you have any questions regarding this matter, please contact the Handgun Qualification License Unit, by email, at mshql@maryland.gov, or call the Licensing Division at 410-653-4500. Thank you for your attention to this matter.

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