

Office of Attorney General

# NORTH DAKOTA CONCEALED WEAPON LICENSE



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# NOTICE

IT IS THE RESPONSIBILITY OF THE APPLICANT/RENEWAL APPLICANT TO COMPLY FULLY WITH ALL RULES, REGULATIONS, AND PROCESSES RELATING TO APPLYING FOR A LICENSE TO CARRY A CONCEALED WEAPON.

IT IS THE CONCEALED WEAPON LICENSE HOLDER'S DUTY AND RESPONSIBILITY TO KNOW, UNDERSTAND, AND COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS.

A LICENSE HOLDER MAY NOT CARRY CONCEALED IF THE LICENSE HAS EXPIRED, EVEN IF THE RENEWAL APPLICATION IS BEING PROCESSED. TIMELY RENEWAL IS THE RESPONSIBILITY OF THE LICENSE HOLDER.

THE OFFICE OF ATTORNEY GENERAL AND THE BCI ARE PROHIBITED BY LAW FROM PROVIDING LEGAL ADVICE OR ASSISTANCE TO THE PUBLIC. FOR AN INTERPRETATION OF STATE OR FEDERAL LAWS AND THEIR APPLICABILITY, CONTACT AN ATTORNEY IN PRIVATE PRACTICE.

# THE CONCEALED WEAPONS WEBSITE

It is *extremely important* that all initial and renewal applicants review the information on the Concealed Weapon License pages of the Attorney General's website:

[www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov).

## Why?

Because ... your license is good for five years BUT the legislature meets every two years. If, during a legislative session, any of the laws that affect possession of weapons or concealed weapons are changed ...

- **AS A LICENSE HOLDER, YOU HAVE AN OBLIGATION TO BE AWARE OF, AND COMPLY WITH, THE LAWS, EVEN IF THEY HAVE CHANGED SINCE YOUR LICENSE WAS ISSUED.**

That means between the time you get your license and the time to renew it, the laws may have been changed twice or even three times – and the application and renewal process may have changed, too.

As a service to our license holders, the information on our website is **always** current. When the laws, forms, procedures or rules change, we update the information on our website. If you have a question about the application or renewal process - what you need to do, where to do it, or how long it takes - go to the website. **The answers are there!**

- Go to [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov) then click on the "Concealed Weapon Licenses" link.

**Please do not call the BCI to inquire about the status of your application – we are prohibited by law from providing status information, even to the applicant.**

# GENERAL INFORMATION

## APPLICATION FORMS

The BCI does not provide hard copies of the form. You can complete the application form ONLINE by going to the Concealed Weapon License page of the Attorney General's website, at [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov).

If you are a new applicant, once you have completed the application form and printed it off, you will need to take the test. A list of certified test administrators is online at [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov), on the Concealed Weapons License link.

### **TAKE THE COMPLETED APPLICATION FORM WITH YOU.**

The same form (03/2019) is used for both NEW applications and RENEWAL applications.

## APPLICATION STATUS

An applicant must be a **lawful resident of the United States**.

## TYPE OF LICENSE

There are two types of licenses: **Class 1** and **Class 2**. The licenses cost the same and are equally valid within North Dakota, but because of the additional testing requirements, the holders of a Class 1 license have reciprocity in many more states than those who hold a Class 2 license.

## MINIMUM AGE

An applicant must be at least 21 years old to apply for a Class 1 License, or at least 18 years old to apply for a Class 2 License.

## LICENSE PERIOD

Licenses are valid for five years.

## PROHIBITED APPLICANTS

Concealed weapon licenses may only be issued to those who legally may possess a firearm or dangerous weapon. Individuals may be prohibited by state or federal law from owning, possessing, or having a firearm under their control.

## ADDRESS CHANGE

License holders are **required** to submit a change of address in writing via regular mail to the BCI within 30 days after an address change. The notification must include license holder's name, license number, old address and new address.

**Upon request of the license holder**, the BCI will issue an updated license. There is no charge for an updated license, but the old license must be **returned** to the BCI before the updated one can be issued. Generally it takes about 2 – 3 weeks for a license to be reissued. For security reasons, the BCI will not accept change of address notification by e-mail or telephone.

- Instructions are on the Concealed Weapons License page at [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov).

## LOST OR DESTROYED LICENSES

If a license is lost or destroyed, a replacement may be obtained from BCI. Send a written request to the BCI indicating the license holder's name, address, date of birth, and the reason a replacement is needed. There is no charge for a replacement license. It generally takes two to three weeks for the replacement license to be issued.

- Instructions are on the Concealed Weapons License page at [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov).

## RESTORATION OF FIREARM PRIVILEGES

An individual who has been convicted of a non-violent felony offense or a misdemeanor offense may be eligible to petition the court for restoration of firearm privileges.

The Office of Attorney General and the BCI are prohibited from providing legal advice or assistance to the public and therefore we cannot provide any further information about this process. For more information, or to initiate a petition, contact an attorney in private practice.

## LEAVING NORTH DAKOTA?

If you have a ND-resident concealed weapon license and you move out of state, the ND resident license will become invalid – you will need to have it reissued as a non-resident license (there is no charge).

- Instructions are on the concealed weapon license page of the website, [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov).

## RECIPROCITY

North Dakota has reciprocity with many, but not all, other states. This means that a North Dakota concealed weapon license is valid while in those states, and licenses from those states are recognized as valid in North Dakota.

- BCI maintains a list of states with which North Dakota has reciprocity on the Concealed Weapon License page online at [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov).

Reciprocity with another state may be conditional; for example, if the other state has a residency requirement, then it may allow reciprocity for ND licenses held by ND residents but not those held by non-ND residents. Many states limit reciprocity to only ND Class 1 licenses, not the Class 2 license.

**It is the responsibility of the license holder to review the laws of both the issuing state and reciprocal state to ensure full compliance.**



# TESTING

The concealed weapon testing may only be administered by a law enforcement officer who has registered as an instructor with the BCI or a certified civilian test administrator. A list of instructors is available online at [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov), on the Concealed Weapons License pages.

- All classroom instruction and testing must be completed within the State of North Dakota and cannot be held in conjunction with any other state's concealed weapons laws or procedures.
- Testing requirements cannot be waived for any applicant other than ND POST Board certified active duty officers. Holders of a valid license/permit from another state are not exempt from the testing required for a ND license.
- Applicants are allowed a maximum of 1 hour to complete the written test.

## TESTING FEE

A test administrator may charge a maximum of \$50.00 (plus range fees, if applicable). The fee *includes* a complete copy of the current ND Concealed Weapon License Manual for the applicant to keep.

- Range fees may not be paid directly to the test administrator.

## TESTING REQUIREMENTS – CLASS 1 LICENSE

An applicant for a Class 1 license must:

1. Participate in a classroom instruction that sets forth weapon safety rules and the deadly force law of North Dakota;
2. Successfully complete an open book test based on information contained in this manual and the North Dakota Century Code;
3. Demonstrate familiarity with a firearm;\* and
4. Successfully complete a certified proficiency (shooting) exercise.

### \* EVIDENCE OF FAMILIARITY

Evidence of familiarity with a firearm (one of four requirements of the Class 1 test) may be satisfied by one of the following:

- Certification of familiarity with a firearm by an individual who has been certified by the attorney general, which may include a law enforcement officer, military or civilian firearms instructor, hunter safety instructor, or dangerous weapons instructor;
- Evidence of equivalent experience with a firearm through participation in an organized shooting competition, law enforcement, or military service;

- Possession of a license from another state to carry a firearm, concealed or otherwise, which is granted by that state upon completion of a course described above; or
- Evidence that the applicant, during military service, was found to be qualified to operate a firearm.

A Class 1 license may be downgraded to a Class 2 license on renewal, with no additional testing required.

## **TESTING REQUIREMENTS – CLASS 2 LICENSE**

An applicant for a Class 2 license must:

1. Successfully complete an open book test based upon this manual and the North Dakota Century Code.

## **UPGRADING FROM A CLASS 2 TO A CLASS 1 LICENSE**

An individual who has a valid Class 2 license may apply to upgrade to a Class 1 license within five years from the date the Class 2 license was issued, by completing the additional testing requirements of a Class 1 license and submitting an application form along with the \$60 application fee and required documents.

- Fingerprints and photographs are not required to be submitted with an application for an upgraded license, but a copy of the state driver's license and (if not from ND) a copy of a home state concealed carry license or military PCS orders must be submitted.

The upgraded license is valid for five years from the date it is issued. An expired license **cannot** be upgraded.

## **CONVERTING A CLASS 1 LICENSE TO A CLASS 2**

An individual who has a valid Class 1 license may convert the license to a Class 2 by returning the Class 1 license to the BCI along with a written request to convert it to a Class 2.

# APPLICATIONS

## THE APPLICATION FORM

COMPLETE THE APPLICATION FORM ONLINE. The form is on the Concealed Weapon License page of the Attorney General's website at [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov). The same application form (dated 03/2019) is used for both INITIAL and RENEWAL applications.

Provide all requested information. Make sure you answer **every** question.

- **Applicants' responses to the questions must fully disclose all offenses for which they have EVER been charged, arrested, plead guilty or found guilty at any time in their life, EVEN if the charge or conviction was later dismissed and even if the charge was expunged from the court record.**
- We suggest you review your complete criminal history record. See "Requesting a Criminal History Record Check" online at <https://attorneygeneral.nd.gov/public-safety/criminal-history-records>.
- Failure to make full disclose will result in a denial on the grounds that the applicant has made a material misstatement.

## SIGNATURES

When you have completed the form online, you will need to PRINT IT so that you can sign and date it in TWO PLACES.

- If testing is required, take the completed form with you. The test administrator must complete the testing information and also sign and date the form.

## ATTACHMENTS TO THE APPLICATION

The following must be attached to the application form. Applications that do not have the proper attachments will be returned.

### ALL APPLICANTS:

- (1) **Two passport photographs**—write your name on the back of each photograph;
  - The BCI will not accept alternate or substitute photographs.
    - i. For the photograph, applicants may not wear glasses (including prescription eye glasses), hats, scarves, head coverings, uniforms, or any items that obscure the facial features.
    - ii. Photographs that do not conform to the BCI requirements will be rejected and the application will be returned to applicant.
- (2) **A photocopy of your current state driver's license** or (if you do not drive) your state issued non-driving identification card;
- (3) **The nonrefundable application processing fee.**

**AND**, if applicable:

- **NEW Applicants:** You must submit **two fingerprint cards**. Contact your local law enforcement agency or test administrator. There may be a separate charge for fingerprinting.
  - Fingerprints are not required for renewal of the same class license or if you are upgrading from a Class 2 license to a Class 1 license within five years of the date the Class 2 license was issued.
- **NON-RESIDENT Applicants:** State of residency is determined by your state-issued license/identification card. If you are a resident of a state that has reciprocity with North Dakota, you must possess a concealed carry/concealed weapon license from your home state and submit a copy of the valid license with your application for a ND license. If your home state does not have reciprocity with ND, you are not eligible for a ND concealed weapon license.
- **APPLICANTS BORN OUTSIDE THE UNITED STATES:** If you were born outside the United States or its territories (the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam and the Northern Mariana Islands), you must attach a copy of your:
  - US-issued Born Abroad birth certificate, or
  - Alien Registration/INS Registration documentation (be sure also to write the registration number on your application form), or
  - Certificate of naturalization, or
  - Valid US Passport.
- **ACTIVE DUTY MILITARY ONLY:** Attach a copy of your PCS orders to ND. You are not required to have a concealed carry permit in your home state. If you do not have a concealed carry permit in your home state, your ND license is valid only until you PCS out of ND.

## **APPLICATION PROCESSING TIME**

**IT TAKES ABOUT 60 DAYS (8 WEEKS) FROM THE DATE THE BCI RECEIVES A SATISFACTORILY COMPLETED APPLICATION OR RENEWAL APPLICATION FORM.**

**It will take longer** than 60 days if the application form is not properly completed or any of the required attachments are missing. Incomplete application forms may be denied or returned to the applicant to correct. The processing time for BCI begins **after** the *satisfactorily completed* application form is returned.

**\*\*\*YOU CAN HELP US GET YOUR APPLICATION PROCESSED FASTER – COMPLETE THE APPLICATION FORM ONLINE! The online application checks to make sure you have provided all required information, and the computer generated form is quicker for us to process than the handwritten form.\*\*\***

- TO AVOID UNNECESSARY DELAYS IN PROCESSING YOUR APPLICATION, DOUBLE CHECK THE APPLICATION FORM AND ATTACHMENTS BEFORE SUBMITTING TO BCI.

## “SATISFACTORILY COMPLETED”

An application/renewal form must be **satisfactorily completed** before it can be accepted as submitted to BCI. This means that all requested information has been provided, all applicable questions have been answered, applicant has signed and dated the form, the test administrator section is properly completed, all attachments have been included, and the application has been mailed to BCI within the applicable time period(s).

## INCOMPLETE APPLICATIONS

An incomplete application will be returned to the applicant for completion. An incomplete application is not deemed submitted to the BCI until it is returned satisfactorily completed.

**The satisfactorily completed application must be returned to the agency no later than thirty days from the post-mark date the incomplete application was returned to the applicant.** Failure to return the satisfactorily completed application within the time required may result in denial of the application and the applicant will be required to recommence the entire application process.

Renewal applicants must return the satisfactorily completed renewal form to the BCI prior to the date of expiration of the license or the application may be denied and applicant will be required to recommence the entire application process.

## STATUS OF APPLICATION / RENEWAL

If you completed the form correctly and it has all necessary signatures and all required attachments, it takes 60 days (8 weeks) to complete the processing of your application.

If your form is not correctly completed, or you are missing information/signatures/attachments, your application will be returned to you for correction. The time for processing your application does not begin until after the properly completed, corrected, form is returned to the BCI.

- **PLEASE NOTE: The BCI is prohibited by law from providing information about the status of a concealed weapon license application, EVEN to the applicant.**

## WEAPON PURCHASE / NICS ALTERNATIVE

A federal fingerprint based (III) record check and a National Instant Check System (NICS) check is completed during the application process and the NICS number printed on the license for a North Dakota resident. The requirement for an NICS check for a firearm purchase by a Class 1 or Class 2 license holder may be waived at the dealer’s discretion. The NICS number is not printed on a non-resident’s license, so it cannot be used to purchase firearms.

## NON RESIDENTS

A non-resident ND concealed weapon license cannot be used as an alternate to a NICS check when purchasing firearms.

## **INVALID APPLICATIONS**

The BCI may destroy invalid applications. The applicant will receive a notification by mail that the application/renewal was invalid and has been destroyed.

**An application is invalid if it is:**

- submitted more than 30 days after completion of required testing,
- a renewal submitted outside the renewal period or after the expiration of an existing license, or
- an outdated form (issue date prior to 03/2019).

Applicant will be required to restart the application process, including all testing.

**The BCI encourages applicants to ensure the application/renewal form is valid and satisfactorily completed before submitting it.**

## MORE THAN 60 DAYS

**DO NOT CALL THE BCI TO INQUIRE ABOUT THE STATUS OF YOUR APPLICATION. The BCI is prohibited by law from providing any information about the status of an application, EVEN to the applicant.**

Occasionally, we experience difficulties while processing an application form – we need to obtain additional information or records from the applicant, from another state, or the fingerprints or photographs were not sufficient. While we are waiting to resolve the problem, the application is put on “hold.” The 60-day processing time resumes after the problem has been corrected.

If it has been more than 60 days since you submitted a *satisfactorily completed application*, you can mail a letter to notify the BCI that you have not received the license. The BCI cannot accept notification by telephone or e-mail.

- **For complete instructions, refer to the Concealed Weapon License page online at [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov).**

# RENEWAL

TIMELY RENEWAL IS THE RESPONSIBILITY OF THE LICENSE HOLDER. An expired license cannot be renewed. Please carefully read the form and ALL questions – the laws may have changed since the last time you completed an application form.

## TESTING

No testing is required for timely renewal of a Class 2 license.

A Class 1 license may be renewed upon successful completion of all class 1 testing requirements (including the proficiency test) within 30 days before submission to the BCI of a satisfactorily completed renewal application.

A Class 2 license may be upgraded to a Class 1 license upon successful completion of all Class 1 requirements.

## RENEWAL PROCESS

THE LICENSE IS INVALID THE DAY AFTER IT EXPIRES. THERE IS NO GRACE PERIOD. An invalid license cannot be renewed.

- **The license renewal period begins 180 days prior to the license expiration date and continues until the date of expiration.**

If an applicant wants to be assured of an uninterrupted ability to carry concealed, the applicant must complete and submit to BCI all requirements necessary to renew prior to 60 days before the expiration date on the permit.

If the applicant completes the renewal requirements fewer than 60 days before the license expiration date, the license may still be renewed, however, the applicant's license to carry concealed will be invalid from the date of its expiration until the renewed license is issued.

- An incomplete renewal application will be returned by the BCI to the applicant. An incomplete application is **not** deemed to have been submitted to the BCI until after it has been returned satisfactorily completed. Therefore, the BCI recommends the applicant start the renewal process as soon as allowed to avoid the risk of the license expiring before the applicant can return a satisfactorily completed application. If that happens, the applicant will have to start over as a new applicant and retake the required testing.
- Renewal applications may not be submitted to BCI after the date the current license expires. Renewal applications received by BCI after the current license expires are invalid. Invalid application forms may be destroyed by the BCI. The license holder will be required to reapply as a new applicant and complete all required testing.



## **EXPIRED LICENSE**

IF YOUR LICENSE HAS EXPIRED, DO NOT CARRY CONCEALED!

If the license has expired, it is not a valid license. It is a criminal offense to carry a concealed weapon without a valid license. A license holder must be able to produce a valid concealed weapon license upon demand at all times while carrying concealed.

- **Even if you have already submitted a renewal application, once your license has expired you cannot carry concealed until you receive the new license.**

## **STUN GUNS AND TASERS™:**

**Stun guns** and **defense sprays** (such as pepper spray) are exempt from the definition of "dangerous weapons" and therefore you do not need a concealed weapon license to carry those items concealed (e.g. in a purse or bag, under clothing, under the vehicle seat or in the vehicle's glove box) within North Dakota.

A **Taser** is not considered a dangerous weapon *unless* you are an individual who is prohibited from possessing a firearm. If you are prohibited from possessing a firearm, you may not possess a device that uses a projectile *or* one that is capable of delivering multiple applications of voltage in a single incident.

You should be aware, however, that in other states, possession or carry (open or concealed) of *any* of these items may be prohibited, even if the state has reciprocity with North Dakota. You must comply with the laws in the state you are visiting or in which you are traveling – please contact that state directly.

# DENIAL/REVOCAION

## DENIAL

An application for, or renewal of, a concealed weapon license may be denied if the applicant is prohibited by state or federal law from possessing any weapon or if the applicant made a “material misstatement” on the application. As noted on the application form, an applicant is required to list all offenses for which they have been charged, arrested, plead guilty or found guilty, **even** if the charge or the guilty plea is later dismissed.

- **Failure to disclose this information WILL result in a denial on the grounds that the applicant has materially misstated their criminal record.**

### MATERIAL MISSTATEMENT

We find that sometimes an applicant does not disclose an incident either because it was some years ago or because applicant did not realize that a seemingly minor issue (such as an NSF check) may have triggered a criminal record, but these all show up when the BCI does the criminal history record check. Unfortunately, by law, even if the offense itself is not something that would make you ineligible to have a concealed weapon license, the fact that you did not fully disclose that offense is what makes you ineligible for one year.

By law, when requesting a ND Criminal History Record by mail, the result may only show back three (3) years for any charges that were dismissed or deferred. This does not mean it is off your record; it only means that this information cannot be released via mail, to protect you. Your complete criminal record is always available to law enforcement. To obtain your **complete** criminal history record:

1. Make a request IN PERSON to view your COMPLETE NORTH DAKOTA CRIMINAL HISTORY RECORD at your local law enforcement agency or by coming to the Bureau of Criminal Investigation in Bismarck. You will need a valid government-issued photo ID. There is no charge to view your record, but you cannot take a copy with you.
2. Federal law allows full disclosure of your national record if you request it directly from the FBI. For more information, go to [www.fbi.gov](http://www.fbi.gov), or call the FBI regional office at (763) 569-8000. If you have lived or worked in states other than North Dakota, you also may need to request a record check from the FBI. To obtain a criminal history record from another state, contact that state.
3. Some ND offense information is contained in publically available court records. You can search these records on the North Dakota Courts Records Inquiry page at [www.ndcourts.gov](http://www.ndcourts.gov), by selecting the ‘District Court Case/Calendar Search’ option under the “Quick Links” section on the right hand side.

## REVOCAION OF LICENSE

Once issued, a concealed weapon license may be revoked if an individual becomes prohibited by state or federal law from possessing a firearm, or if another valid reason to revoke a license exists. Examples include: a criminal violation while the permit holder was in the possession of a concealed weapon, a conviction of any weapons law, false statements on the renewal application, etc. In addition, a Class 1 license may be revoked if the license holder is convicted of an offense that is a prohibitor for those licenses (such as an alcohol-related offense).

# FEDERAL PROHIBITIONS ON POSSESSION OF WEAPONS

Section 62.1-04-03 of the North Dakota Century Code (N.D.C.C.) provides that a concealed weapon license may not be issued to any applicant who is prohibited under federal law from owning, possessing, or having a firearm under that person's control. Because federal law may change after the printing and distribution of this manual, it is the responsibility of the concealed weapon license holder or applicant to be familiar with, and to comply with, all current federal laws regarding the purchase, possession, and use of firearms and dangerous weapons.

The Gun Control Act (GCA) makes it unlawful for certain categories of persons to ship, transport, receive, or possess firearms. 18 USC 922(g). Transfers of firearms to any such prohibited persons are also unlawful.

**For detailed information about the Gun Control Act and individuals who may be prohibited under federal law, see: <https://www.atf.gov/firearms/identify-prohibited-persons>**

The BCI is prohibited by law from providing legal advice or interpreting state and federal laws. For assistance in determining whether you are eligible under state or federal law to possess a firearm please contact an attorney in private practice.

# BASIC HANDGUN USE

## FIREARMS SAFETY

**YOU** are ultimately responsible for your weapons, at home, at a shooting range and everywhere else. This includes cleaning, dry-firing and storage of the weapons. There is no such thing as an “accidental discharge,” only an unintentional discharge! It wasn’t an accident; someone didn’t practice safety.

## SAFETY RULES

**(1) TREAT EVERY WEAPON AS IF IT IS LOADED.**

**Never** point any weapon at anything you do not intend to shoot. Most unintentional discharges occur as a result of someone thinking it was unloaded (but it goes off anyway).

**(2) KEEP THE FIREARM POINTED IN A SAFE DIRECTION.**

Should an unintentional discharge occur, having your firearm pointed in a safe direction offers an additional layer of safety.

**(3) KEEP YOUR FINGER OUTSIDE THE FIREARM’S TRIGGER GUARD AND OFF THE TRIGGER UNTIL YOU ARE READY TO FIRE THE WEAPON.**

Many people have had a gun discharge when not expected because they placed their finger on the trigger when handling the weapon.

**(4) BE CERTAIN THAT YOUR TARGET AND SURROUNDING AREA ARE SAFE BEFORE FIRING.**

**(5) A LOADED WEAPON IN THE HOME HAS A MUCH GREATER DANGER POTENTIAL THAN AN UNLOADED WEAPON.**

Many people feel that they need to have loaded weapons within reach in their homes for security reasons. Weapons should be secured, unloaded and/or locked to prevent children or untrained adults from being able to access them.

**(6) NEVER FULLY DEPEND ON THE MECHANICAL SAFETY DEVICE.**

Just like everything else that is mechanical, safeties can fail. Having the safety on is a good practice but never depend on it entirely. Keep the weapon pointed in a safe direction at all times and unload and secure it when you are not planning on using it.

**(7) ANYTIME A WEAPON IS GIVEN TO YOU, CHECK THE WEAPON TO SEE IF IT IS LOADED.**

Open the cylinder or action. Look and feel to make sure the weapon is empty.

- Most semi-automatic handguns will fire even if the magazine is out.

**(8) IF A COCKED WEAPON IS GIVEN TO YOU, POINT THE WEAPON IN A SAFE DIRECTION.**

The proper procedure to follow:

Revolver: Hold the hammer with the thumb of one hand. Pull the trigger slowly to release the hammer. Once the hammer is released, let go of the trigger and slowly let the hammer down to the rest position. Open the cylinder to ensure there is nothing in the cylinder. (Note: some revolvers have hidden or partially concealed hammers or have been made unable to be cocked.)

Pistol: Remove the magazine from the magazine well. Work the slide to the rear and (if possible) lock it in the open position. Look and feel to ensure there is nothing in the chamber. (Note: Some pistols do not have hammers and some work on a “double action only” mechanism (and cannot be cocked). Of those that have external exposed hammers, there may be several ways to lower the hammer – by the action of a “decocker” or manually (as with a revolver)).

**(9) IF YOU ARE GOING TO PASS A WEAPON TO SOMEONE ELSE, PASS IT TO THEM WITH THE MAGAZINE OUT AND THE ACTION LOCKED BACK OR WITH THE CYLINDER OPEN.**

Be courteous to others. Show them that you are practicing safety in your actions. Then make sure that they check the weapon anyway.

**(10) INSPECT YOUR WEAPONS FOR PROPER CARE AND MAINTENANCE.**

Follow the manufacturer’s specifications for care and maintenance.

If you have any questions or concerns, seek the assistance of a professional (certified armorer or reputable gun smith).

# TYPES OF HANDGUNS

## REVOLVERS

- Single Action – Hammer must be cocked by hand to fire.
- Double Action – May be fired after manually cocking the hammer, or trigger pulled with the hammer at the rest position for every shot.
- Double Action only – Hidden hammer design or may have trigger/hammer made to not allow cocking.

## SEMI-AUTOMATIC (PISTOLS)

- Single Action – Hammer must be in cocked position to fire.
- Double/Single – The first round fired is double action and subsequent shots are single action. Weapon may have manual decocking levers.
- Full Double Action – For every shot the hammer returns to the at rest position.
- Striker fired – No external hammer; all action takes place internally.

# BASIC INSPECTION GUIDE

## EXTERIOR

- Make sure that there are no spots of rust or corrosion;
- Make sure there are no bulges or bent parts;
- Make sure that the weapon is clean;
- Make sure that the sights are not loose.

## BARREL

- Look to see that there is nothing lodged in the barrel;
- Look for any deposits and that the barrel is clean.

## FUNCTION

- Make sure that the weapon functions properly mechanically:
  - For a pistol
    - Slide locks back (if design allows);
    - Slide release works (if design includes);
    - Magazine locks in and releases properly.
  - For a revolver
    - Cylinder opens and closes properly;
    - Cylinder rotates without binding.

IF ANY MECHANICAL PROBLEM IS FOUND, take the weapon to a qualified armorer or gunsmith.



# SHOOTING FUNDAMENTALS

## BREATH CONTROL

There are many schools of thought with hunters and competition shooters depending on the weapon. The key is to keep breathing. The first visible sign of the lack of oxygen to the brain is trembling.

## STANCE

Many different stances are available and have been taught in the past including Modern Isosceles, Point shoulder, Weaver and Modified weaver. A proper shooting stance must provide a **Stable Shooting Platform**, good mobility and - for your body type and mechanics - be one you are comfortable in.

## GRIP

The proper grip differs with the type of handgun being used. For a pistol the hand is placed high, right under the tang. Grip strength must be appropriate with a very firm grip needed to allow action to cycle.

For a revolver, the hand is placed high up on the back strap with the webbing between thumb and trigger finger at very top of the grip - handshake grip strength.

For either handgun, the support hand should not exert uneven pressure but should provide support. Both thumbs should be on the same side of the weapon and should not impede the weapon's function. Watch the position of the support hand index finger.

Depending on the firearm type and trigger pull, the trigger finger should make contact with the trigger between the first joint and the pad.

- Revolver grips may be changed to fit hand.
- Pistol grips may or may not be adjustable, so hand position can be important.

## TRIGGER PULL

Depending on your level of experience, you may not know exactly when the gun will fire:

- The shot going off may be a "surprise break"
- Don't anticipate (flinch)
- Don't make the gun shoot when you want it to (jerk)

"Trigger pull" should be a smooth press straight to the rear.

## PISTOL

Follow-through:

- What your finger does after the shot
- Hold trigger back until recoil is over and gun is back on line

## TRIGGER RESET

- How far you let the trigger go forward for the next shot
- Should go forward only far enough to re-engage the sear
- FINGER MUST STAY IN CONTACT WITH THE TRIGGER FROM THE TIME IT GOES ON UNTIL NO MORE SHOTS WILL BE TAKEN.
- You should not know the exact instant a handgun will fire. There are two most common mistakes made while shooting that affect accuracy. The first is to anticipate the gun going off. This is a “flinch” and will cause the bullets to go high. The second and more common mistake is to make the gun go off when you want it to. This is called a “jerk” and will cause the bullets to go low.

## SIGHTING A FIREARM

Which eye should be used for aiming?

- Right-handed, right eye?
- Left handed, left eye?
- Dominant eye?
  - Cross-eye dominance
- Both eyes?

## SIGHT ALIGNMENT

There are three components used for sighting:



Front sight



Rear Sight



Target

The relationship between the front sight, rear sight and where you want the bullet to strike is called **SIGHT ALIGNMENT**.

Proper sight alignment is: the front sight blade is centered and level with the top of the rear sight and just below where you want the bullet to strike on the target.



## SIGHT PICTURE

Sight picture is what you will see or how you will see the sights. Vision should be focused on the front sight. The rear sight and where the bullet will strike will look a little blurry.



## ADJUSTING THE SIGHTS

Weapons should come from the manufacturer with the sights adjusted properly. A weapon does not shoot where it has not been pointed.

Sight alignment and sight picture are key. Unless the sights are damaged or have been moved, there is usually no reason to adjust the sights. People sometimes adjust the sights to cover for improper shooting technique.

If the sights have been damaged or previously moved, it is typically the rear sight that is adjusted.

- Move the rear sight in the same direction that you want the bullet impact to move.
  - If bullet impact is low, move rear blade up;
  - If bullet impact is left, move rear blade right;
  - If bullet impact is high and right, move rear blade down and left.

## LOADING A HANDGUN

Prior to loading a handgun that is completely empty it should be inspected to ensure it is clean and a function check done.

### REVOLVER

A revolver may be loaded by pointing the weapon in a safe direction, opening the cylinder and placing a round into each charge hole in the cylinder. Once fully charged, properly close the cylinder of the revolver.

## **PISTOL**

A pistol may be loaded by pointing the weapon in a safe direction and inserting a loaded magazine into the magazine well of the weapon, seating the magazine by pushing it in until a click is heard/felt.

Once the magazine is properly seated, continuing to keep the pistol pointed in a safe direction, “work” the slide to chamber a round.

If you wish to “top off” your magazine, the best practice is to holster your pistol, then activate the magazine catch and remove the magazine. Load one round into the magazine, then reinsert the magazine into the magazine well of the pistol.

You can make sure the magazine is properly seated by pulling on the floor plate.

## **ADMINISTRATIVE UNLOADING**

A **revolver** may be unloaded by pointing the weapon in a safe direction, activating the thumb piece to open the cylinder, then pointing the muzzle up to allow the rounds to fall out of the charge holes.

A **pistol** may be unloaded by pointing the pistol in a safe direction, pressing the magazine button to allow the magazine to fall free of the magazine well, then, using your support hand and keeping your fingers clear of the muzzle and ejection port, pull back on and lock the slide to the rear. Do not attempt to catch the loose round; the loose round should fall on the floor.

## **RELOADING**

To reload a **revolver**, empty (unload) just as with the administrative unloading process however, you may need to press the extractor rod to remove the empty brass while the muzzle is pointed up. Allow the brass/rounds to fall to the ground. Once unloaded, point the muzzle downward and new ammunition may be placed into the weapon (as with the loading process). Close the cylinder properly.

To reload a **pistol**, the slide may lock back on an empty magazine. With your support hand, obtain the spare magazine and while holding it properly, bring it towards the weapon while simultaneously releasing the magazine from the pistol, allowing it to fall to the ground. Insert the new magazine into the magazine well. Use the support hand to retract and release the slide allowing it to chamber a fresh round.

## **MALFUNCTIONS WITH A HANDGUN**

Anything mechanical may fail at some time. It is important that handguns be inspected, cleaned and maintained regularly. It is rare that a revolver will malfunction while shooting. Bad ammunition may cause a problem but anything else will probably be something that has broken in the weapon and it must be fixed.

**Pistols** are another matter; there are several reasons a pistol may fail while shooting. The vast majority of malfunctions are caused by the shooter including the lack of cleaning, poor maintenance and improper grip while shooting. Bad magazines are the next leading cause. Clean and check the magazines on a regular basis just as you do with the pistol (no oil).

Bad ammunition may also cause malfunctions. Some manufacturer's warranties will be void if reloaded ammunition is used. Follow manufacturer guidelines as it relates to the type of ammunition used (new vs reloaded; lead vs jacketed).

Each time the trigger is pulled on a revolver, the cylinder rotates and a new round is struck by the firing pin.

If a malfunction occurs with a revolver you have two options:

- Pull the trigger again
- Unload and then reload the cylinder

A pistol has four distinct operations that must be completed for each shot.

- Feed, fire, extract and eject.

The first step in the process to clear a basic malfunction of a pistol is called "tap - rack." To properly perform the tap-rack the finger must come off of the trigger. The flat open support hand slaps the bottom of the magazine and the slide is racked just as when initially loading the weapon. Do not cover the ejection port. The weapon may be canted to the right to let gravity assist in removing anything from the pistol.

- If either a fail to extract or fail to eject occurs, it is likely that a double feed condition will be created.
  - One empty and one live round, both trying to occupy the same space.
- The slide will probably not be in battery and a simple "tap - rack" will not alleviate your problem.

The remedy for a double feed is called "rip - work - tap - rack."

- **Rip** means to remove the magazine. There will be one round partially in the weapon and partially in the magazine so it may be difficult to rip the magazine out. Point the weapon in a safe direction and the finger must be off the trigger. Press the magazine catch and grab the floor plate of the magazine to pull it out.
- **Work** means to work the action back and forth rapidly several times.
- **Tap-rack** Tap - Rack: The finger comes off of the trigger. The flat open support hand slaps the bottom of the magazine, and the slide is racked (just as when initially loading the weapon). Do not cover the ejection port! The weapon may be canted to the right to let gravity assist in removing anything from the pistol.



# APPLICATION CHECKLIST

**1. COMPLETE THE FORM ONLINE** – it's quick and easy to do, and a computer-generated form is easier and faster for BCI to process. Go to [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov) and click on the **Concealed Weapon License page**.

Provide all requested information (if something is not applicable to you, put N/A in the box). Make sure you answer EVERY question. Provide ALL information about arrests, convictions, dismissals, etc., EVEN if the charges were later dropped, or the conviction dismissed or expunged from your court record.

- When you have completed the online form, PRINT IT, SIGN AND DATE THE APPLICATION IN BOTH PLACES.
- If you are required to complete testing, TAKE THE COMPLETED FORM WITH YOU TO THE TESTING SITE because the test administrator will also need to sign and date the form.

**2. COMPLETE TESTING.** Contact a certified test administrator (download the list of test administrators on the Concealed Weapon page at [www.attorneygeneral.nd.gov](http://www.attorneygeneral.nd.gov)). After testing is successfully completed, make sure the test administrator has signed and dated the form.

- You MUST mail the completed application form and all required documents to the BCI within thirty days after the testing date.
- No additional testing is required to renew a valid Class 2 license. In order to renew a Class 1 license, applicant must repeat all required testing. An expired license is not valid and cannot be renewed.
  - TIMELY RENEWAL IS THE RESPONSIBILITY OF THE LICENSEHOLDER.

**3. COMPILE THE APPLICATION PACKET.** Double-check the form again. Make sure it is signed and dated by the test administrator, you have answered all the questions, you have signed and dated the form in TWO places, that you have all the required documents attached (photos, fingerprints, copy driver's license, copy concealed weapon license, copy of alien registration/citizenship/birth certificate).

- Did you write your name on the back of the photos?
- Did you include the non-refundable application processing fee (certified check or money order only)?
- Fingerprints are not required for timely renewals.

**4. MAIL THE APPLICATION PACKET TO THE BCI.**

- Only ONE application form with attachments per envelope. No joint (husband/wife) or bulk submissions. The BCI does not accept applications by hand, fax or email.
- EACH individual application form must have a separate fee attached – no joint (husband/wife) fee payments.

# THE TEST & THE LAWS

The questions on the open book test are taken from the information in this manual and the relevant chapters of the North Dakota Century Code (N.D.C.C.), which are listed below.

Please carefully review this information. All applicants must score 100% on Part 1 (questions 1-28) and 70% on Part 2 (questions 29-35 – at least 5 correct answers) in order to pass the test.

The full text of the chapters of the North Dakota Century Code referenced is available for view and download, at no charge, on the Legislative Council's website,

- <http://www.legis.nd.gov/general-information/north-dakota-century-code>.

## **TITLE 62.1 - WEAPONS**

### **CHAPTER 62.1-01 DEFINITIONS – GENERAL PROVISIONS**

### **CHAPTER 62.1-02 POSSESSION OF WEAPONS**

### **CHAPTER 62.1-03 HANDGUNS**

### **CHAPTER 62.1-04 CONCEALED WEAPONS**

### **CHAPTER 62.1-05 MACHINE GUNS, AUTOMATIC RIFLES, SILENCERS, BOMBS**

### **SECTION 12.1-01-04 GENERAL DEFINITIONS**

### **CHAPTER 12.1-05 JUSTIFICATION**