

GUN DEALER CODE OF CONDUCT



BRADY
UNITED AGAINST GUN VIOLENCE

The Gun Dealer Code of Conduct is a tool to highlight responsible firearms dealers and acknowledge the important role that responsible dealers play in gun violence prevention. It recognizes the role of firearms dealers in protecting the public from gun violence while providing firearms to law-abiding, responsible citizens who wish to exercise their right to keep and bear arms.

The Code is intended to prevent access of firearms to people who should not have them by encouraging firearms dealers to adopt responsible business practices and take reasonable measures to prevent straw purchasers, firearms traffickers, prohibited purchasers, and other dangerous people from acquiring firearms.

The Code is designed to address the foreseeable dangers that may arise when firearms dealers engage in negligent business practices that enable dangerous people access to guns used to injure and kill innocent people, and it sets forth the appropriate minimum standards to prevent such gun violence.

I/We, _____ (dealer name), commit to take reasonable measures to:

1. PREVENT THE TRANSFER OF FIREARMS TO STRAW PURCHASERS OR FIREARMS TRAFFICKERS BY:

- a. Screening for indicators of straw purchases and firearms trafficking. Measures include but are not limited to: 1) asking questions of all prospective purchasers to determine if they are a legitimate, responsible purchaser; 2) asking all prospective purchasers if they have or will obtain sufficient training and knowledge of the firearm(s); and 3) asking all prospective purchasers whether they intend to provide the firearm to someone other than the prospective purchaser.
- b. Maintaining and reviewing requests received from any federal, state, or local law enforcement agency concerning guns later traced to crime. Identifying the names of purchasers that bought a gun later traced to crime and identifying any patterns in sales of guns later traced to crime may help you expand your best practices to avoid similar sales in the future.
- c. Ensuring that the name on the method of payment, if such name is provided on the method of payment, matches the name of the prospective purchaser.

- d. In the case of transfers of firearms that were purchased over the internet, the telephone, or by other electronic means, ensuring that the person who ordered and paid for the firearm is the same person who completes the transfer in person.
- e. Prohibiting dealer personnel from directing a customer as to how to answer questions or forms required to be completed in connection with the sale.
- f. Limiting purchases of firearms to one per 30 days per civilian, non-law enforcement customer.

2. PREVENT THE TRANSFER OF FIREARMS TO PERSONS PROHIBITED FROM PURCHASING FIREARMS AND PERSONS TOO DANGEROUS TO POSSESS FIREARMS BY:

- a. Refusing to transfer a firearm until a background check has been completed and the purchaser is cleared to purchase the firearm.
- b. Refusing to transfer guns or ammunition to any person that exhibits signs of alcohol intoxication, drug use or possession, or cognitive or mental instability.
- c. In addition to performing a background check, searching available state court and criminal government databases that may provide information on whether the prospective purchaser is prohibited.
- d. Refusing to transfer a firearm to a person if you or your staff have information that person may be a danger to themselves or others.
- e. Refusing to sell firearms at gun shows unless all firearm sales at such shows require the completion of a background check.
- f. Performing background checks for private sellers for a reasonable fee.

Signed	Date
Dealer Name	City, State

ADDITIONAL MEASURES

3. PREVENT THE THEFT OF FIREARMS AND AMMUNITION BY:

PLEASE
INITIAL IF YOU
CURRENTLY
HAVE A
PRACTICE
IN PLACE

PLEASE INITIAL
IF YOU WOULD
CONSIDER
PUTTING A
PRACTICE IN
PLACE

- a. Developing and implementing a plan to protect inventory that includes precautions such as adequate locks, exterior lighting, surveillance cameras, alarm systems, and other anti-theft measures and practices. The plan shall also address the safe storage of weapons and ammunition that are displayed during business hours. _____
- b. Electronically recording the make, model, caliber or gauge, and serial number of all firearms that are acquired into inventory no later than one business day after their acquisition and electronically recording their purchaser no later than one business day after their disposition. Maintain monthly backups of these records in a secure manner. Conduct a daily electronic inventory check for all firearms acquired but not yet disposed of. _____
- c. Electronically recording the make, model, caliber or gauge, and serial number of all firearms temporarily in your possession during the conduct of an internet or private sale. _____
- d. Providing immediate notification of any and all loss or theft of any firearms to local and federal law enforcement authorities. _____

4. ADOPT REASONABLE EMPLOYMENT PRACTICES AND POLICIES TO ENSURE MAXIMUM COMPLIANCE WITH THE LAW BY:

- a. Requiring each employee to pass a pre-employment background check, which includes a criminal history check that is the same as what firearms purchasers have to complete, and contact with a prospective employee's references and prior employment. _____
- b. Requiring each employee who transfers firearms to attend a training session prior to transferring any firearms. The training session shall cover, at a minimum, the law governing firearm transfers; how to recognize straw purchases; how to recognize indicators that a person is attempting to purchase firearms illegally and may be diverting them _____

for later sale or transfer, and how to respond to those attempts. Each employee shall attend a similar refresher training session on a regular basis thereafter.

c. Requiring each employee who transfers firearms to review findings from the review of trace requests received from any law enforcement agency, including a review of the videotape or electronic recording of the sales. _____

d. Terminating any employee who participates in a clear or obvious straw purchase in violation of store policy or law. If appropriate, seeking and supporting criminal prosecution. _____

e. Annually reviewing and updating compliance policies, procedures, and training materials regarding firearms transactions. _____

5. ASSIST LAW ENFORCEMENT TO INVESTIGATE AND PREVENT CRIMINAL ACCESS TO GUNS BY:

a. Immediately notifying local, state, and federal authorities of any suspected straw purchasers, prohibited purchasers, or dangerous individuals who attempt to obtain guns. _____

b. Immediately notifying local, state, and federal authorities of any multiple handgun purchases by the same customer that occur within any ninety-day period. _____

c. Videotaping and audio recording the point-of-sale of all firearms transactions and maintaining the videos or electronic recordings for at least five years. _____