

**PISTOL PERMIT RECERTIFICATION  
UPDATE  
October 4, 2016  
Mike Jankowski, Wayne County Clerk**

Recently at a County Clerks Conference, the New York State Police gave a presentation on the Pistol Permit Recertification that is required under the SAFE act. Please note this information is not final and is subject to change. As I learn further details, I will make them available to the public.

Here is the information that I received:

- 1) The State Police will be launching a web site where Pistol Permit Licensees can be recertified either online or by downloaded paper form. There is no Scheduled launch date for this web site. Only the due date, January 31, 2018 for all licenses issued prior to January of 2013.
- 2) The filer will need to list on this application all firearms that they possess. This is for pistols only, not long rifles.
- 3) The recertification transaction is between the State Police and the Filer, not the County.
- 4) The State Police will contact the filer to resolve any discrepancies between the application and their existing records.
- 5) The goal of the State Police is to create a database for use by Law Enforcement, Licensing Officers, and Mental Health. All applications will be cross checked against the data bases of the DMV, Mental Health, and Federal Criminal Data Files.
- 6) It was not clear if the State Police would be sending out individual notification letters to permit holders by mail or use other means such as email.
- 7) The State Police WILL NOT be issuing a card stating a permit holder is recertified. The permit holder will be receiving a letter stating that their permit has been recertified. There will be no requirement that a permit holder carry proof of recertification.
- 8) The responsibility of the permit holder will be fulfilled when the recertification form is submitted to the State Police.

- 9) If the form is submitted electronically the permit holder will receive a receipt that can be printed out. If submitted by mail it was recommended that the application be sent by certified mail so that there will be proof of mailing.
- 10) At the end of recertification, the State Police will send to the licensing officer a list of people who are in their records and did not recertify. The exact process of revocation has not been determined and remains murky. This includes who would be responsible for investigations of the lapsed permits for either gun location or retrieval. There is an exemption from revocation in the law for persons who have not been notified of their need to be recertified because of a change of address.
- 11) It was stressed that the Role of the State Police is as record keepers, not licensing officers making decisions on individual permits.

Below is the section of the safe act that refers to recertification:

#### Penal Law 400.10 (B)

(b) All licensees shall be recertified to the division of state police every five years thereafter. Any license issued before the effective date of the chapter of the laws of two thousand thirteen which added this paragraph shall be recertified by the licensee on or before January thirty-first, two thousand eighteen, and not less than one year prior to such date, the state police shall send a notice to all license holders who have not recertified by such time. Such recertification shall be in a form as approved by the superintendent of state police, which shall request the license holder's name, date of birth, gender, race, residential address, social security number, firearms possessed by such license holder, email address at the option of the license holder and an affirmation that such license holder is not prohibited from possessing firearms. The form may be in an electronic form if so designated by the superintendent of state police. Failure to recertify shall act as a revocation of such license. If the New York state police discover as a result of the recertification process that a licensee failed to provide a change of address, the New York state police shall not require the licensing officer to revoke such license.

#### QUESTIONS:

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