

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 59, L.D. 87, Bill, "An Act  
Designed to Make the Use and Storage of Firearms Safer"

Amend the bill by striking out everything after the enacting  
clause and before the statement of fact and inserting in its  
place the following:

25 MRSA §2012 is enacted to read:

§2012. Sale of firearms to include safety brochure

1. Definitions. As used in this section, unless the  
context otherwise indicates, the following terms have the  
following meanings.

A. "Basic firearm safety brochure" means a brochure,  
produced by a national, nonprofit membership organization  
that provides a comprehensive voluntary safety program  
including the training of people in the safe handling and  
use of firearms or by any other organization, that contains  
the following information relating to firearms:

(1) Rules for safe handling, storage and use of  
firearms;

(2) Nomenclature and descriptions of various types of  
firearms; and

(3) Responsibilities of firearm ownership.

B. "Firearm" has the same meaning as in Title 17-A, section  
2, subsection 12-A.

C. "Firearm dealer" means a person who is licensed as a  
dealer under 18 United States Code, Section 923, or who is  
required to be licensed as a dealer under that section.

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2. Requirement. A firearm dealer must:

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A. Include a basic firearm safety brochure with every firearm sold at retail in this State, except that the brochure need not be supplied by the firearm dealer if the firearm manufacturer provides a basic firearm safety brochure with the firearm. The dealer may collect a charge for the brochure, which may not be greater than the dealer's cost to obtain the brochure;

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B. Offer to demonstrate to the purchaser the use of a trigger locking device; and

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C. Post in a conspicuous place information relating to the availability of known local voluntary firearm safety programs.

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3. No liability. Organizations that produce basic firearm safety brochures for distribution to firearm dealers for subsequent distribution to purchasers of firearms and firearm dealers are not liable for injuries resulting from the accidental discharge of nondefective firearms purchased from any dealer.'

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**STATEMENT OF FACT**

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The amendment strikes the requirement that firearm sales include trigger locking devices and substitutes a requirement that each firearm sold in the State be accompanied by a firearm safety brochure that includes information on the safe storage of firearms, and that the dealer offer to demonstrate the use of a trigger locking device to the purchaser. The amendment makes this requirement applicable only to retail sales of firearms, not to casual, isolated sales. The amendment provides that an organization producing a safety brochure and dealers who sell firearms are not liable for injuries resulting from the accidental discharge of firearms. The amendment also requires dealers to post information on safety courses available locally and adds a fiscal note.

Reported by Report "B" of the Committee on Legal Affairs  
Reproduced and distributed under the direction of the Clerk of the House  
(4/11/91) (Filing No. H-123)