



## Rhode Island

### Summary of State Firearms Law

Last updated May 4, 2012

#### Overview

In its publication [\*Gun Laws Matter: A Comparison of State Firearms Laws and Statistics\*](#), LCAV ranked each state based on a review of state laws in 25 different firearm-related policy areas. Rhode Island ranked 9<sup>th</sup> out of 50 – having enacted some of the strongest gun violence prevention laws in the nation. Among other things, Rhode Island:

- Requires a background check prior to [the transfer of a firearm between individuals](#) not licensed as firearms dealers;
- Requires [firearms dealers](#) to obtain a license, and handgun purchasers to first obtain a [safety certificate](#);
- Requires a [seven-day waiting period](#) on all firearm purchases;
- Requires firearm owners to [report the loss or theft](#) of their firearms; and
- Provides the local licensing authority with discretion to deny a [concealed handgun license](#).

Rhode Island does **not**, however:

- Prohibit the transfer or possession of [assault weapons](#), [50 caliber rifles](#) or [large capacity ammunition magazines](#);
- Limit the [number of firearms](#) that may be purchased at one time;
- Require firearm owners to [register their firearms](#);
- Regulate [unsafe handguns](#); or
- Allow [local governments to regulate](#) firearms.

## **Rhode Island Statistics**

### **Gun Deaths in Rhode Island**

In 2009, Rhode Island had the sixth lowest number of gun deaths per capita among the states. 56 people died from firearm-related injuries in Rhode Island in that year.<sup>1</sup>

### **Crime Guns in Rhode Island**

Mayors Against Illegal Guns recently developed web pages detailing [data about each state's crime gun imports and exports](#). Compared with other states, in 2009, [Rhode Island](#) supplied the seventh lowest number of crime guns to other states per capita. Rhode Island exports crime guns at less than half the national average.<sup>2</sup>

### **Number of Federally Licensed Firearms Dealers in Rhode Island**

There are 75 federally licensed firearms dealers and pawnbrokers in Rhode Island.<sup>3</sup>

---

<sup>1</sup> National Center for Injury Prevention and Control, U.S. Centers for Disease Control and Prevention, *WISQARS Fatal Injury Reports, 1999-2009, for National, Regional, and States (RESTRICTED)*, at [http://webappa.cdc.gov/sasweb/ncipc/dataRestriction\\_inj.html](http://webappa.cdc.gov/sasweb/ncipc/dataRestriction_inj.html). (Jan. 2012).

<sup>2</sup> For a more comprehensive discussion regarding the patterns of gun trafficking across the states, see Mayors Against Illegal Guns, *Trace the Guns: The Link Between Gun Laws and Interstate Gun Trafficking* (Sept. 2010), at <http://www.tracetheguns.org/report.pdf>.

<sup>3</sup> U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, *List of Federal Firearms Licensees* (Feb. 2012), at <http://www.atf.gov/about/foia/ffl-list.html>.

## **Rhode Island “Right to Bear Arms”**

The Rhode Island Constitution provides for the keeping and bearing of arms, but permits broad firearm-related regulation for public health and safety purposes. See [LCAV’s State Right to Bear Arms Provisions](#) for more-detailed information.

## **Local Authority to Regulate Firearms in Rhode Island**

Rhode Island preempts most local firearms regulation. See LCAV's [State Preemption/Local Authority to Regulate Firearms summary](#) for further information.

## State Firearms Policies

Please note that many firearm-related laws have exceptions for military and law enforcement personnel.

### Persons Prohibited from Firearm Possession

#### Rhode Island Prohibited Purchasers Generally

See [Regulating Guns in America: Prohibited Purchasers](#) for a comprehensive discussion of this issue.

[Federal law prohibits certain persons from purchasing or possessing firearms](#), such as felons, certain domestic abusers, and certain people with a history of mental illness.

Rhode Island has adopted its own classes of prohibited persons, and incorporated some federal prohibitions as state offenses. Subject to limited exceptions, no person shall purchase, own, carry, transport, or possess a firearm if he or she:

- Has been convicted of a crime of violence;
- Is a fugitive from justice;
- Is in community confinement or under electronic surveillance or monitoring devices as a condition of parole and has been convicted of a crime of violence;
- Has been convicted of a felony domestic violence offense within the past two years;<sup>4</sup>
- Is under guardianship, treatment or confinement “by virtue of being a mental incompetent”;
- Has been adjudicated or is under treatment or confinement as a drug addict or habitual drunkard; or
- Is an illegal alien.<sup>5</sup>

As noted above, Rhode Island prohibits any person from purchasing, owning, carrying, transporting or possessing or controlling any firearm if he or she is under guardianship, treatment or confinement “by virtue of being a mental incompetent.”<sup>6</sup> Unless the person has been pronounced criminally insane by competent medical authority, after the duration of five years, the person may apply to purchase a firearm upon presentation of an affidavit issued by competent medical authority stating that the person is mentally stable and a “proper person” to possess a gun.<sup>7</sup>

---

<sup>4</sup> See [R.I. Gen. Laws § 12-29-5](#).

<sup>5</sup> [R.I. Gen. Laws §§ 11-47-5, 11-47-6](#) and [11-47-7](#).

<sup>6</sup> [R.I. Gen. Laws § 11-47-6](#).

<sup>7</sup> *Id.*

Rhode Island generally prohibits any person under age 18 from possessing or using any firearm or ammunition.<sup>8</sup> See the [Rhode Island Minimum Age to Purchase / Possess](#) section.

If a court, following notice to the respondent and a hearing, issues a protective order that requires the subject of that order to surrender his or her firearms, that person may not purchase or receive, or attempt to purchase or receive, any firearm for the duration of the order.<sup>9</sup> See the [Rhode Island Domestic Violence & Firearms](#) section.

---

<sup>8</sup> [R.I. Gen Laws § 11-47-32, 11-47-33.](#)

<sup>9</sup> [R.I. Gen. Laws §§ 8-8.1-3\(a\)\(4\), \(c\), 15-15-3\(a\)\(5\), \(c\).](#)

## Rhode Island Minimum Age to Purchase / Possess Firearms

A person must be at least 21 years of age to purchase a handgun in Rhode Island.<sup>10</sup> The state also prohibits any person from selling a handgun to any individual under age 21.<sup>11</sup>

To possess and use any firearms and ammunition, Rhode Island citizens must be at least 18 years of age, unless:

- The minor holds a permit to be engaged in training at a camp or rifle range under the written consent of a parent or guardian and in the presence of a parent, guardian or other supervising adult;<sup>12</sup>
- The minor is engaged in hunting under the supervision of a parent, guardian or qualified adult; or
- The minor is in reserve officer training, target shooting or parade activities.<sup>13</sup>

Rhode Island generally prohibits any person from selling, transferring, giving, conveying or causing to be sold, transferred, given or conveyed, any firearm or ammunition to any person under age 18, when the person knows or has reason to know that the recipient is under age 18.<sup>14</sup>

See [Regulating Guns in America: Minimum Age to Purchase / Possess Firearms](#) for a comprehensive discussion of this issue.

---

<sup>10</sup> [R.I. Gen. Laws § 11-47-35\(a\)\(1\)](#).

<sup>11</sup> [R.I. Gen. Laws § 11-47-37](#).

<sup>12</sup> [R.I. Gen. Laws §§ 11-47-33, 11-47-34](#).

<sup>13</sup> [R.I. Gen. Laws §§ 11-47-32, 11-47-33](#).

<sup>14</sup> [R.I. Gen. Laws §§ 11-47-30, 11-47-31](#).

## Domestic Violence and Firearms in Rhode Island

*(This section was last updated April 25, 2011.)*

### Firearm Prohibitions for Domestic Violence Misdemeanants

Rhode Island does not prohibit persons convicted of domestic violence misdemeanors from purchasing or possessing firearms or ammunition. [Federal law](#), however, prohibits the purchase and possession of firearms and ammunition by certain domestic abusers.

### Firearm Prohibitions for Persons Subject to Domestic Violence Restraining/Protective Orders

In Rhode Island, if a court, following notice to the respondent and a hearing, issues a protective order that requires the subject of that order to surrender his or her firearms, that person may not purchase or receive, or attempt to purchase or receive, any firearm for the duration of the order.<sup>15</sup>

### Removal or Surrender of Firearms When Domestic Violence Restraining/Protective Orders Are Issued

A court issuing a protective order may require the subject of the order to surrender possession or control of any firearms he or she owns or possesses.<sup>16</sup>

If the defendant is present in court at a duly noticed hearing, the court may order the defendant to physically surrender any firearms in his or her immediate physical possession or control, or subject to his or her immediate physical possession or control, within 24 hours of the order, by: 1) surrendering the possession of the guns to the control of any individual not legally prohibited from possessing a firearm who is not related to the defendant by blood, marriage, or other familial or intimate relationship; 2) surrendering the guns to the Rhode Island state police or local police department; or 3) surrendering the firearms to a licensed gun dealer.<sup>17</sup>

If the defendant is not present at the hearing, he or she must surrender his or her firearms within 48 hours after being served with the order, and must file with the court a receipt showing that his or her firearms were either physically surrendered to an individual not legally prohibited from possessing a firearm who is not related to the defendant by blood, marriage, or other familial or intimate relationship, or to a licensed gun dealer within 72 hours after receiving the order.<sup>18</sup>

For general information on the background check process and categories of prohibited purchasers/possessors, see the [Rhode Island Background Checks](#) and [Rhode Island Prohibited Purchasers Generally](#) sections.

See [Regulating Guns in America: Domestic Violence and Firearms](#) for a comprehensive discussion of this issue.

---

<sup>15</sup> [R.I. Gen. Laws §§ 8-8.1-3\(a\)\(4\), \(c\); R.I. Gen. Laws § 15-15-3\(a\)\(5\), \(c\).](#)

<sup>16</sup> [R.I. Gen. Laws §§ 8-8.1-3\(c\); 15-15-3\(a\)\(5\).](#)

<sup>17</sup> [R.I. Gen. Laws §§ 8-8.1-3\(d\); 15-15-3\(d\).](#)

<sup>18</sup> [R.I. Gen. Laws §§ 8-8.1-3\(d\); 15-15-3\(d\).](#)

## **Disarming Prohibited Persons in Rhode Island**

*(This section was last updated April 25, 2011.)*

A Rhode Island court that issues a protective order may require the subject of the order to surrender possession or control of any firearms he or she owns or possesses.<sup>19</sup> See the [Rhode Island Domestic Violence & Firearms](#) section for further information.

---

<sup>19</sup> [R.I. Gen. Laws §§ 8-8.1-3\(c\), 15-15-3\(a\)\(5\)](#).

## Sales & Transfers

### Rhode Island Background Checks

Federal law requires federally licensed firearms dealers (but not private sellers) to initiate a background check on the purchaser prior to sale of a firearm. Federal law provides states with the option of serving as a state “point of contact” and conducting their own background checks using state, as well as federal, records and databases, or having the checks performed by the FBI using only the federal National Instant Criminal Background Check System (“NICS”) database. (Note that state files are not always included in the federal database.)

Rhode Island is not a point-of-contact state for NICS. In Rhode Island, licensed dealers are required to contact the FBI for the federally required background check.<sup>20</sup> However, Rhode Island also requires both licensed dealers and unlicensed sellers to conduct background checks through the state police or local chief of police. All prospective firearms purchasers in Rhode Island must complete and sign an application form which the seller must send to the state police or local chief of police for the background check. The police authority has seven days to verify the applicant’s background meets state requirements.<sup>21</sup>

Note that concealed handgun license holders in Rhode Island are exempt from the Rhode Island background check requirement, but not the federal background check requirement (which applies only when the seller is a licensed dealer).<sup>22</sup>

See *Regulating Guns in America: Background Checks* for a comprehensive discussion of this issue.

---

<sup>20</sup> Federal Bureau of Investigation, *National Instant Criminal Background Check System Participation Map*, at <http://www.fbi.gov/about-us/cjis/nics/general-information/participation-map> (last visited Apr. 27, 2012).

<sup>21</sup> R.I. Gen. Laws §§ 11-47-35(a)(2), 11-47-35.2(b). A similar, but somewhat expedited, procedure exists for persons seeking to purchase a handgun from out-of-state. R.I. Gen. Laws § 11-47-36. Federal law requires all out-of-state sales to Rhode Island residents to be made through a licensed firearms dealer in Rhode Island. 18 U.S.C. § 922(a)(3), (5), (b)(3).

<sup>22</sup> See Bureau of Alcohol, Tobacco, Firearms & Explosives, U.S. Department. of Justice, *Brady Law: Permanent Brady Permit Chart* (Aug. 26, 2011), at: <http://www.atf.gov/firearms/brady-law/permit-chart.html>; R.I. Gen. Laws §§ 11-47-35, 11-47-35.1, and 11-47-35.2.

## Rhode Island Mental Health Reporting

Federal law prohibits possession of a firearm or ammunition by any person who has been “adjudicated as a mental defective” or involuntarily “committed to any mental institution.”<sup>23</sup> No federal law, however, requires states to report the identities of these individuals to the [National Instant Criminal Background Check System \(“NICS”\) database](#), which the FBI uses to perform background checks prior to firearm transfers.

Rhode Island has no law requiring the reporting of mental health information to NICS.

For general information on the background check process and categories of prohibited purchasers or possessors, see the [Rhode Island Background Checks](#) section and the section entitled [Rhode Island Prohibited Purchasers Generally](#).

See [Regulating Guns in America: Mental Health Reporting](#) for a comprehensive discussion of this issue.

---

<sup>23</sup> [18 U.S.C. § 922\(d\)\(4\)](#).

## **Multiple Purchases / Sales of Firearms in Rhode Island**

Rhode Island imposes no restrictions on purchases or sales of multiple firearms.

See [Regulating Guns in America: Restrictions on Multiple Purchases or Sales of Firearms](#) for a comprehensive discussion of this issue.

## Retention of Sales / Background Check Records in Rhode Island

Rhode Island requires all sellers of handguns, including private sellers, to obtain in triplicate a completed application from the prospective purchaser and submit the original and one copy of the application by registered mail or delivery in person to the Superintendent of the Rhode Island State Police or the chief of police in the city or town in which the person has his or her place of business.<sup>24</sup> One of these authorities then conducts a background check on the prospective purchaser. The triplicate copy must be sent by the seller via registered mail within seven days to the Rhode Island Attorney General.<sup>25</sup>

If the police authority finds no disqualifying information on the applicant, or in any case no later than 30 days after the application date, the duplicate and triplicate copies must be destroyed.

The original application will be stamped as received by the background check authority and returned to the handgun seller. The seller is required to retain the original copy of the application with the other records of sale for six years.<sup>26</sup>

Any person, firm or corporation selling firearms (except wholesale dealers selling to licensed retail dealers) must maintain a register of the sales of all firearms.<sup>27</sup> The section requires that at the time of sale, the seller record the following in the register:

- The date of sale;
- The name, age and residence of the purchaser; and
- The caliber, make, model, and manufacturer's number on the firearm.<sup>28</sup>

This register must be open "at all reasonable hours for the mandatory monthly inspection" by state and local police officials.<sup>29</sup>

See [\*Regulating Guns in America: Retention of Firearm Sales and Background Check Records\*](#) for a comprehensive discussion of this issue.

---

<sup>24</sup> [R.I. Gen. Laws § 11-47-35\(a\)\(2\)](#).

<sup>25</sup> *Id.* See R.I. Gen. Laws § 11-47-36 regarding sales to Rhode Island citizens from out-of-state. Note, however, that Federal law requires all out-of-state sales to Rhode Island residents to be made through a licensed firearms dealer in Rhode Island. [18 U.S.C. § 922\(a\)\(3\), \(5\), \(b\)\(3\)](#).

<sup>26</sup> *Id.*

<sup>27</sup> [R.I. Gen. Laws § 11-47-40](#).

<sup>28</sup> [R.I. Gen. Laws § 11-47-40\(a\)](#).

<sup>29</sup> *Id.*

## Rhode Island Waiting Periods

Rhode Island imposes a seven-day waiting period for all purchases of firearms unless the purchaser is a law enforcement officer.<sup>30</sup> The seller must deliver the firearm to the purchaser if within seven days he or she does not receive background check information that would disqualify the potential buyer from purchasing the firearm, however.<sup>31</sup>

See [Regulating Guns in America: Waiting Periods](#) for a comprehensive discussion of this issue.

---

<sup>30</sup> [R.I. Gen. Laws §§ 11-47-35\(a\)\(1\), 11-47.35.1 and 11-47-35.2\(a\)](#).

<sup>31</sup> [R.I. Gen. Laws § 11-47-35\(a\)\(2\) and 11-47-35.2\(b\)](#).

## Gun Dealers & Other Sellers

### Rhode Island Dealer Regulations

Rhode Island prohibits the retail sale of handguns without a state license.<sup>32</sup>

Handgun dealers must:<sup>33</sup>

- Conduct business only in the building designated in the license;
- Display the license on the premises;
- Require evidence of a purchaser's identity, unless the purchaser is personally known to the dealer;
- Comply with other applicable laws.

For laws applicable to both licensed and private firearm sellers, please see the [Rhode Island Private Sales](#) section.

See the section entitled [Locking Devices in Rhode Island](#) for laws requiring a locking device to accompany a dealer's sale of a handgun.

No firearms dealer (other than a wholesaler selling to a retail dealer), may display any handgun or imitation handgun, or advertising for such weapons, where it can be readily seen from the street.<sup>34</sup> Moreover, any person selling a firearm from a "place of business" shall not exhibit any firearm in a display window unless he or she possesses a permit to do so that is issued by local law enforcement.<sup>35</sup>

A handgun dealer's license is valid for "not more than" one year from the date of issue and will be forfeited if the licensee violates any of the aforementioned conditions.<sup>36</sup>

See [Regulating Guns in America: Dealer Regulations](#) for a comprehensive discussion of this issue.

---

<sup>32</sup> [R.I. Gen. Laws §§ 11-47-38](#) and [11-47-39](#). Note that R.I. Gen. Laws § 11-47-38 requires all firearms dealers to be licensed. However, state law only provides a mechanism for the licensing of dealers in handguns.

<sup>33</sup> [R.I. Gen. Laws § 11-47-39](#).

<sup>34</sup> [R.I. Gen. Laws § 11-47-40\(b\)](#).

<sup>35</sup> [R.I. Gen. Laws § 11-47-47](#).

<sup>36</sup> [R.I. Gen. Laws § 11-47-39](#).

## Private Sales in Rhode Island

All sellers of firearms are required to conduct a background check on prospective purchasers, unless the purchaser is a retail dealer, member of law enforcement, or a concealed handgun licensee.<sup>37</sup> See the [Rhode Island Background Checks](#) section for the procedure.

All sellers (with certain exceptions) must also comply with state waiting period requirements. See the [Rhode Island Waiting Periods](#) section.

The purchaser of a handgun also must present a certificate to the seller stating that the purchaser has completed a basic handgun safety course. See the section entitled [Rhode Island Licensing of Gun Owners / Purchasers](#) for further information.

For laws requiring sellers to retain records of sales, see the section entitled [Retention of Sales / Background Checks Records in Rhode Island](#).

For age restrictions for firearm sales, see the section entitled [Rhode Island Minimum Age to Purchase / Possess Firearms](#).

See [Regulating Guns in America: Private Sales](#) for a comprehensive discussion of this issue.

---

<sup>37</sup> [R.I. Gen. Laws §§ 11-47-35, 11-47-35.1, and 11-47-35.2](#).

## **Rhode Island Gun Shows**

Rhode Island does not have specific laws regulating gun shows. The state imposes background checks for private purchases of firearms, however, and has a seven-day waiting period for all firearm sales to non-law enforcement personnel. See the sections entitled [Private Sales in Rhode Island](#) and [Rhode Island Waiting Periods](#).

See [Regulating Guns in America: Gun Shows](#) for a comprehensive discussion of this issue.

## Rhode Island Immunity Statutes

*(This section was last updated April 25, 2011.)*

No shooting range owner shall be liable in any action for nuisance, and no court shall enjoin the use or operation of the shooting range on the basis of noise or noise pollution, provided the owner continues to be in compliance with any noise control law, ordinance or bylaws in effect at the time of the construction of the range.<sup>38</sup> This provision does not authorize a range owner to change the use and/or type of the range, or to expand the use and/or type of the range.<sup>39</sup>

For detailed information about government and private party lawsuits against the gun industry, the status of litigation involving gun industry immunity statutes in various states, or pending gun industry immunity legislation, visit the [Brady Center's Legal Action Project](#) and the [Coalition to Stop Gun Violence's Gun Industry Immunity page](#).

See [LCAV's policy page on Immunity Statutes / Manufacturer Litigation](#) for further information.

---

<sup>38</sup> [R.I. Gen. Laws § 11-47-62\(a\)](#).

<sup>39</sup> [R.I. Gen. Laws § 11-47-62\(c\)](#).

## Gun Owner Responsibilities

### Rhode Island Licensing of Gun Owners or Purchasers

To purchase a handgun, any person who does not have a concealed handgun license must present to the seller a safety certificate issued by the Department of Environmental Management (DEM).<sup>40</sup> This certificate can be obtained by completing a minimum two-hour basic handgun safety course administered by DEM.<sup>41</sup>

See [\*Regulating Guns in America: Licensing of Gun Owners or Purchasers\*](#) for a comprehensive discussion of this issue.

---

<sup>40</sup> [R.I. Gen. Laws §§ 11-47-35\(a\)\(1\), 11-47-35.1.](#)

<sup>41</sup> [R.I. Gen. Laws § 11-47-35\(b\)-\(d\).](#)

## Rhode Island Registration of Firearms

Rhode Island prohibits any government authority from keeping a list or register of privately owned firearms or their owners unless the firearm has been used in committing a crime of violence, or an individual has been convicted of a crime of violence.<sup>42</sup>

See [Regulating Guns in America: Registration of Firearms](#) for a comprehensive discussion of this issue.

---

<sup>42</sup> [R.I. Gen. Laws § 11-47-41](#).

## Reporting Lost or Stolen Firearms in Rhode Island

Rhode Island requires firearm owners to report the loss or theft of their firearm to local law enforcement within 24 hours of discovering the loss or theft.<sup>43</sup>

See [Regulating Guns in America: Reporting Lost or Stolen Firearms](#) for a comprehensive discussion of this issue.

---

<sup>43</sup> [R.I. Gen. Laws § 11-47-48.1.](#)

## Firearms in Public Places

### Rhode Island Concealed Weapons Permitting

See [Regulating Guns in America: Carrying Concealed Weapons](#) for a comprehensive discussion of this issue.

Rhode Island prohibits any person from carrying a handgun (concealed or visible) on or about the person without a license, except in his or her dwelling house or place of business or on land possessed by him or her.<sup>44</sup> Also, carrying a handgun without a license is *prima facie* evidence of an intention to commit a crime of violence in a prosecution for a crime of violence.<sup>45</sup>

Rhode Island is a “may issue” state, meaning that local licensing authorities of any city or town have discretion in determining whether or not to issue a concealed handgun license to an applicant.<sup>46</sup> To apply for a license, an applicant must provide his or her fingerprints, photograph, name, address, signature, reason for desiring such a license, and:

- Be age 21 or older;
- Have a bona fide residence or place of business in the city or town in which he or she is applying, or a bona fide residence in another state and a license to carry a concealed weapon from that state;
- Have a good reason to fear an injury to his or her person or property, or have any other proper reason for carrying a concealed handgun;
- Be a suitable person to be licensed; and
- Have a certification that he or she is qualified to use a handgun of a caliber equal or larger than the one he or she wants to carry.<sup>47</sup>

The state attorney general also may issue a license to carry a handgun, “concealed or not,” to a person age 21 or older who demonstrates a “proper showing of need” and has certification of his or her ability to use the handgun.<sup>48</sup> The attorney general-issued license, unlike that issued by local authorities, can also be granted to undocumented persons.<sup>49</sup>

Any handgun license can be revoked for “just cause” by the authority that granted the license.<sup>50</sup>

---

<sup>44</sup> [R.I. Gen. Laws § 11-47-8\(a\)](#).

<sup>45</sup> [R.I. Gen. Laws § 11-47-4](#).

<sup>46</sup> [R.I. Gen. Laws § 11-47-11](#). In *Mosby v. Devine*, 851 A.2d 1031 (R.I. 2004) (rejecting a [R.I. Const. art. I, § 22](#) challenge to the state Firearms Act), the Supreme Court of Rhode Island refers to [R.I. Gen. Laws § 11-47-11](#) as a “mandatory” licensing provision, in that an applicant meeting the criteria is entitled to a gun permit, but then acknowledges that local discretion exists in determining who constitutes a “suitable person.” *Mosby*, 851 A.2d at 1047-48.

<sup>47</sup> [R.I. Gen. Laws §§ 11-47-11](#) and [11-47-15](#).

<sup>48</sup> [R.I. Gen. Laws § 11-47-18\(a\)](#).

<sup>49</sup> *Id.*

<sup>50</sup> [R.I. Gen. Laws § 11-47-13](#).

## **Firearm Safety Training**

Rhode Island requires all persons seeking concealed handgun license to certify that he or she is qualified to use a handgun of a caliber equal to or greater than the caliber of handgun he or she intends to carry.<sup>51</sup> The applicant is required to obtain a score of 195 or better out of a possible score of 300, with 30 consecutive rounds at a distance of 25 yards on any army “L” target firing “slow” fire.<sup>52</sup>

The range officers of the Rhode Island state police or any city or town police department maintaining a regular and continuing firearms training program, a pistol instructor certified by the National Rifle Association and/or the United States Revolver Association, or any other qualified persons that the attorney general may designate are authorized to certify the qualification.<sup>53</sup>

## **Duration & Renewal**

A handgun license in Rhode Island is valid for four years.<sup>54</sup>

## **Disclosure or Use of Information**

In Rhode Island, both the attorney general and local licensing authorities are prohibited from disclosing any information given by an applicant for a concealed handgun license, except as part of a prosecution for violation of the license requirement or in response to a subpoena in a civil or criminal action to which the person is a party.<sup>55</sup> The license cannot, in any case, contain the serial number of any firearm.<sup>56</sup> Moreover, no government authority in Rhode Island may keep a list or register of privately owned firearms or their owners, unless the firearm has been used in committing a crime of violence, or the individual has been convicted of a crime of violence.<sup>57</sup>

## **Reciprocity**

No relevant statutes currently exist, indicating that Rhode Island likely does not recognize concealed weapons licenses issued in other states.

---

<sup>51</sup> [R.I. Gen. Laws § 11-47-15.](#)

<sup>52</sup> *Id.* The slow fire course shall allow 10 minutes for the firing of each of three 10 shot strings.

<sup>53</sup> [R.I. Gen. Laws § 11-47-16.](#)

<sup>54</sup> [R.I. Gen. Laws §§ 11-47-11\(a\), 11-47-12.](#)

<sup>55</sup> [R.I. Gen. Laws §§ 11-47-11\(b\) and 11-47-18\(c\).](#)

<sup>56</sup> [R.I. Gen. Laws § 11-47-11\(a\).](#)

<sup>57</sup> [R.I. Gen. Laws § 11-47-41.](#)

## Open Carrying in Rhode Island

Rhode Island generally prohibits the open carrying of handguns without the appropriate license or permit, except in a residence, place of business or on land owned by the handgun possessor.<sup>58</sup> This prohibition does not apply to concealed handgun license holders.

The open carrying of long guns is generally allowed in Rhode Island. See the [Location Restrictions](#) section below for exceptions.

---

<sup>58</sup> [R.I. Gen. Laws § 11-47-8\(a\)](#).

## Location Restrictions

### Guns in Vehicles in Rhode Island

*(This section was last updated April 25, 2011.)*

Rhode Island prohibits the possession of a handgun in any vehicle or conveyance, or on or about the person, whether visible or concealed, except on his or her own land.<sup>59</sup>

This prohibition does not apply to:

- A concealed handgun license holder;
- The regular transportation of handguns as merchandise;
- Any person while carrying a handgun unloaded from the place of purchase to his or her home or place of business, moving goods from one place of abode or business to another; or
- Any person who holds a valid license or permit issued in another state that allows the individual to carry a handgun in any vehicle or conveyance, or on or about his or her person, whether visible or concealed, provided the person is merely transporting the firearm through Rhode Island without any intent on the part of the person to detain himself or herself or remain within the state.<sup>60</sup>

Rhode Island does not require a license or permit for the transportation of a handgun to or from a home or place of business and a target practice range, provided the handgun is broken down, unloaded and carried openly or secured in a separate container.<sup>61</sup>

Rhode Island also prohibits any person from possessing a loaded rifle or loaded shotgun in or on any vehicle or conveyance while upon or along any public highway, road, lane, or trail.<sup>62</sup>

---

<sup>59</sup> [R.I. Gen. Laws § 11-47-8\(a\).](#)

<sup>60</sup> *Id.*, [R.I. Gen. Laws § 11-47-9.](#)

<sup>61</sup> [R.I. Gen. Laws § 11-47-10.](#)

<sup>62</sup> [R.I. Gen. Laws §§ 11-47-51](#) and [20-13-8.](#)

## Guns in Schools in Rhode Island

Rhode Island prohibits any person from possessing any firearm on school grounds.<sup>63</sup> “School grounds” include any property belonging to or being used by a public or private elementary or secondary school, or while riding school provided transportation.<sup>64</sup>

A person convicted of possessing a firearm on school grounds will be imprisoned for not less than one or more than five years, or fined not less than \$500 or more than \$5,000.<sup>65</sup> Any juvenile violating this prohibition will, in addition to other family court penalties, have his or her driver’s license privileges revoked for up to six months, or delay the juvenile’s right to obtain such license when eligible to do so.<sup>66</sup>

If a student possesses a firearm on school premises, including premises used for school activities, a vehicle used for school transportation, or onto a roadway or path along which school children or teachers are walking to school, he or she shall be suspended from school for one year.<sup>67</sup> Students are also subject to such suspension if they aim a firearm or realistic firearm replica at school premises, school vehicles, or students, staff or visitors attending school or in transit to or from school.

The term of suspension may be shortened by the superintendent of schools on a case-by-case basis and under guidelines to be developed by the school committee with broad parent, teacher, and community involvement.<sup>68</sup>

See [LCAV’s policy page on Guns in Schools](#) for further information.

---

<sup>63</sup> [R.I. Gen. Laws § 11-47-60\(a\)\(1\).](#)

<sup>64</sup> [R.I. Gen. Laws § 11-47-60\(a\)\(2\).](#) Concealed handgun license holders, among others are exempt. See [R.I. Gen. Laws § 11-47-60\(b\).](#)

<sup>65</sup> [R.I. Gen. Laws § 11-47-60\(a\)\(3\).](#)

<sup>66</sup> [R.I. Gen. Laws § 11-47-60\(a\)\(4\).](#)

<sup>67</sup> [R.I. Gen. Laws § 16-21-18.](#)

<sup>68</sup> *Id.*

## Other Location Restrictions in Rhode Island

Rhode Island has no statutes prohibiting firearms in the following places, although administrative regulations may apply:

- Parks
- Hospitals;
- Places of worship;
- Bars or restaurants where alcohol is served;
- Sports arenas;
- Gambling facilities; or
- Polling places.

## Consumer & Child Safety

### Rhode Island Design Safety Standards for Handguns

Rhode Island does not specifically regulate junk guns or unsafe firearms. According to research conducted by the Center to Prevent Handgun Violence (now Brady Center to Prevent Gun Violence), however, Rhode Island's Attorney General may have the authority to regulate junk guns, as well as promulgate other firearms safety standards.<sup>69</sup>

See [\*Regulating Guns in America: Design Safety Standards for Handguns\*](#) for a comprehensive discussion of this issue.

---

<sup>69</sup> [R.I. Gen. Laws § 6-13.1-1 et seq.](#) For details, view the Center to Prevent Handgun Violence's report, [Targeting Safety](#).

## Locking Devices in Rhode Island

Rhode Island requires all licensed retail dealers to provide a trigger lock or other safety device when delivering a handgun to a purchaser.<sup>70</sup> [Federal law](#) also applies.

Rhode Island does not require firearm owners to lock their weapons.

See [Regulating Guns in America: Locking Devices](#) for a comprehensive discussion of this issue.

---

<sup>70</sup> [R.I. Gen. Laws § 11-47-60.3](#).

## **Personalized / Owner-Authorized Firearms in Rhode Island**

Rhode Island does not require firearms to be personalized.

See [\*Regulating Guns in America: Personalized Firearms\*](#) for a comprehensive discussion of this issue.

## Rhode Island Child Access Prevention

Rhode Island law provides that:

A person who stores or leaves on premises under his or her control a loaded firearm and who knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or guardian, and the child obtains access to the firearm and causes injury to himself or herself or any other person with the firearm, is guilty of the crime of criminal storage of a firearm....<sup>71</sup>

“Child” is defined as a person under age 16.<sup>72</sup>

This prohibition does not apply if:

- Access to the firearm is gained through illegal entry of any premises or an illegal taking of the firearm from the premises without the owner's permission;
- The firearm is kept in a locked container or other location which a reasonable person would believe to be secure;
- The firearm is carried on the person or in such close proximity that the individual can readily retrieve and use it;
- The firearm is locked with a locking device;
- The child acts in self-defense or defense of another person; or
- The person keeping the firearm on his or her premises has no reasonable expectation that a child is likely to be on the premises.<sup>73</sup>

If a child allegedly violating Rhode Island's safe storage provisions is a parent or guardian of a child who is injured or dies due to an unintentional shooting, the Attorney General's office, in deciding whether to prosecute the violation, must consider the impact of the injury or death on the alleged violator.<sup>74</sup> A parent or guardian of a child who is injured or dies from an unintentional shooting will be prosecuted only in those instances in which the parent or guardian behaved in a grossly negligent manner.<sup>75</sup>

State regulations may also impose safe storage requirements under certain circumstances.

For related laws, see the [Rhode Island Locking Devices](#) section.

See [Regulating Guns in America: Child Access Prevention](#) for a comprehensive discussion of this issue.

---

<sup>71</sup> [R.I. Gen. Laws § 11-47-60.1\(b\)](#).

<sup>72</sup> [R.I. Gen. Laws § 11-47-60.1\(b\)](#).

<sup>73</sup> [R.I. Gen. Laws § 11-47-60.1\(c\)](#).

<sup>74</sup> [R.I. Gen. Laws § 11-47-60.1\(d\)\(1\)](#).

<sup>75</sup> [R.I. Gen. Laws § 11-47-60.1\(d\)\(2\)](#).

## **Classes of Weapons / Ammunition**

### **Assault Weapons in Rhode Island**

Rhode Island has no law regulating assault weapons.

See [Regulating Guns in America: Assault Weapons](#) for a comprehensive discussion of this issue.

## Large Capacity Ammunition Magazines in Rhode Island

Rhode Island has no law regulating large capacity ammunition magazines.

See [\*Regulating Guns in America: Large Capacity Ammunition Magazines\*](#) for a comprehensive discussion of this issue.

## **Fifty Caliber Rifles in Rhode Island**

Rhode Island has no law regulating fifty caliber firearms.

See [\*Regulating Guns in America: Fifty Caliber Rifles\*](#) for a comprehensive discussion of this issue.

## Machine Guns/Automatic Firearms in Rhode Island

*(This section was last updated April 25, 2011.)*

Rhode Island generally prohibits the manufacture, sale, purchase, or possession of a machine gun.<sup>76</sup>

The Rhode Island Attorney General may, however, issue to any person, firm, or corporation engaged in manufacturing in the state a license or permit to manufacture and sell machine guns and any or all machine gun parts.<sup>77</sup>

See [LCAV's policy page on Machine Guns](#) for further information.

---

<sup>76</sup> [R.I. Gen. Laws § 11-47-8\(a\)](#).

<sup>77</sup> [R.I. Gen. Laws § 11-47-19](#).

## Non-Powder Guns in Rhode Island

*(This section was last updated April 25, 2011.)*

Rhode Island defines all non-powder guns as firearms, ensuring that felons and other persons prohibited from possessing firearms are similarly barred from possessing dangerous non-powder guns.<sup>78</sup>

See [Regulating Guns in America: Non-Powder Guns](#) for a comprehensive discussion of this issue.

---

<sup>78</sup> [R.I. Gen. Laws § 11-47-2\(3\)](#). Several of the provisions under the state's weapons code do not apply to non-powder guns, including R.I. Gen. Laws §§ 11-47-5.1 (larceny of a firearm), 11-47-30 (sales/transfers of firearms to minors), 11-47-31 (sales/transfers of ammunition to minors), 11-47-35.2 (sales of rifles and shotguns) and 11-47-40 (keeping a register of sales of firearms and displaying concealable firearms for sale).

## Rhode Island Ammunition Regulation

### Minimum Age to Purchase/Possess Ammunition

Rhode Island generally prohibits any person from selling, transferring, giving, conveying or causing to be sold, transferred, given or conveyed, any firearm or ammunition to any person under age 18, when the person knows or has reason to know that the recipient is under age 18.<sup>79</sup>

Persons under age 18 are also prohibited from possessing or using ammunition.<sup>80</sup>

[Federal minimum age limits](#) also apply.

### Regulation of Unreasonably Dangerous Ammunition

Rhode Island prohibits the importation, manufacture, sale or other transfer or purchase of “armor-piercing bullets,” which have steel inner cores or cores of equivalent hardness and truncated cones and are designed for use in pistols as armor-piercing or metal-piercing bullets. The [federal prohibition on certain kinds of armor-piercing ammunition](#) also applies.<sup>81</sup>

Rhode Island does **not**:

- Require a license for the sale of ammunition;
- Ensure that sellers of ammunition maintain records of the purchasers;
- Require a license to purchase or possess ammunition; or
- Prohibit [persons who are ineligible to possess firearms under state law](#) from possessing ammunition, although the [federal ammunition purchaser prohibitions](#) apply.

See [Regulating Guns in America: Ammunition Regulation](#) for a comprehensive discussion of this issue.

---

<sup>79</sup> [R.I. Gen. Laws §§ 11-47-30, 11-47-31.](#)

<sup>80</sup> [R.I. Gen. Laws § 11-47-32.](#)

<sup>81</sup> [R.I. Gen. Laws § 11-47-20.1.](#)

## **Crime Gun Investigation**

### **Microstamping/Ballistic Identification in Rhode Island**

Rhode Island has no laws regarding firearm microstamping or ballistic identification.

See [Regulating Guns in America: Ballistic Identification](#) and LCAV's policy page on [Firearm Microstamping](#) for comprehensive discussions of these issues.

## Firearms Trafficking in Rhode Island

*(This section was last updated April 25, 2011.)*

Rhode Island prohibits the theft of a firearm.<sup>82</sup> Any person who steals a firearm and subsequently sells, lends, or transfers the firearm is criminally liable for larceny of the gun and may be imprisoned for not less than ten years nor more than 20 years.<sup>83</sup>

Rhode Island also prohibits a firearm purchaser or other transferee from providing false information or offering false evidence of his or her identity to obtain a firearm or a license to carry.<sup>84</sup>

The state also bans the changing, alteration, removal or obliteration of the name of the maker, model, manufacturer's number, or other mark of identification on any firearm.<sup>85</sup> Possession of any firearm upon which any of these marks shall have been changed, altered, removed, or obliterated shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated it.<sup>86</sup>

See [LCAV's policy page on Firearms Trafficking](#) for further information.

---

<sup>82</sup> [R.I. Gen. Laws § 11-47-5.1\(a\).](#)

<sup>83</sup> [R.I. Gen. Laws § 11-47-5.1\(b\).](#)

<sup>84</sup> [R.I. Gen. Laws § 11-47-23.](#)

<sup>85</sup> [R.I. Gen. Laws § 11-47-24.](#)

<sup>86</sup> *Id.*

## Other Significant Regulation

### Gun Court Calendar

*(This section was last updated April 25, 2011.)*

To minimize delay in the processing of firearm-related criminal cases in the Providence County and Bristol County Superior Courts relating to the illegal possession and use of guns, the state has established for these county courts separate calendars for hearing trial and disposition of actions brought for specific firearm-related offenses under Rhode Island Law.<sup>87</sup> These “gun court calendars” are designed to lessen the burden upon state courts in the urban areas where these crimes are most prevalent, and to provide for “swift disposition” of gun-related offenses, while demonstrating the “certain prospect of prison terms for those who are convicted of such crimes.”<sup>88</sup>

---

<sup>87</sup> [R.I. Gen. Laws § 8-2-15.1\(c\), \(d\)](#). These courts hear actions brought pursuant to R.I. Gen. Laws §§ 11-47-3 (carrying a firearm or other dangerous weapon when committing a crime of violence), 11-47-5 (possessing a firearm by a person convicted of a crime of violence or who is a fugitive from justice), 11-47-5.1 (larceny of a firearm), 11-47-8 (carrying a concealable firearm without a license or permit), 11-47-24 (alteration of identification marks on firearms), 12-13-1.2 (committing offense while on release from incarceration) and 12-19-21 (offenses committed by “habitual criminals”).

<sup>88</sup> [R.I. Gen. Laws § 8-2-15.1\(a\)\(4\), \(a\)\(5\)](#).

## **Rhode Island State Links**

[Bureau of Alcohol, Tobacco, Firearms and Explosives, Boston Field Division \(CT, ME, MA, NH, RI, VT\)](#)

[Rhode Island Coalition Against Domestic Violence](#)

[State of Rhode Island Office of the Attorney General](#)