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**TO: ALL BERGEN COUNTY CHIEFS OF POLICE, POLICE DIRECTORS,
OFFICERS-IN-CHARGE, AND SHERIFF**

FROM: PROSECUTOR MARK MUSELLA

DATE: AUGUST 16, 2022

**SUBJECT: BERGEN COUNTY PROSECUTOR'S OFFICE LAW ENFORCEMENT
DIRECTIVE NO. 2022-3 NEW TRAINING REQUIREMENT FOR
ISSUANCE OF FIREARMS PURCHASER IDENTIFICATION CARDS
AND HANDGUN PURCHASE PERMITS; CHANGES TO
REQUIREMENTS FOR PERMITS TO CARRY HANDGUNS**

Effective July 5, 2022, N.J.S.A. 2C:58-3 was amended to require applicants who apply for Firearms Purchaser Identification Cards ("FPIC") or permits to purchase handguns to provide proof of firearms training. This training requirement applies to pending applications and permits. The law now requires applicants to demonstrate that, within four years prior to the date of application, they have satisfactorily completed a course of instruction approved by the Superintendent of State Police in the lawful and safe handling and storage of firearms. Although applicants seeking FPICs or permits to purchase handguns are now required to demonstrate this compliance prior to obtaining their first FPIC or permit, compliance is not required for any subsequent permit to purchase by an applicant. In addition, applicants for FPICs are not required to demonstrate compliance in order to replace or renew an existing FPIC.

These training requirements are not applicable to an active or retired law enforcement officer or a veteran who was honorably discharged as a member of the United States Armed Forces or National Guard and who received substantially equivalent training.

Additionally, the law now requires all FPICs issued after July 5, 2022 to display a color photograph and thumbprint of the cardholder. The Superintendent of State Police is required to establish guidelines to effectuate the issuance of these new FPICs, which now have to be renewed every ten years. The Superintendent has not yet done so; therefore, any pending applications cannot be approved until he issues his guidelines.

Recent Changes To Requirements For Permits To Carry Handguns

As you are all aware, applicants for permits to carry handguns must no longer demonstrate a justifiable need to carry a handgun. However, applicants must still satisfy the other mandatory statutory requirements set forth in N.J.S.A. 2C:58-4 and N.J.A.C. 13:54-2.4. That is, the applicant must “not [be] subject to any of the disabilities which would prevent him or her from obtaining a permit to purchase a handgun or a firearms purchaser identification card”, and is “thoroughly familiar with the safe handling and use of handguns[.]” The procedure for approval of permits to carry remains the same. The initial responsibility of reviewing permits to carry falls upon law enforcement agencies; the issuing authority remains the Superior Court. The requirement for conducting a thorough background check and ensuring that the applicant is not subject to any of the disabilities set forth in N.J.S.A. 2C:58-3(c)(1) through (11) remains the same and a thorough background investigation assumes heightened importance in view of the discarding of the former justifiable need requirement.

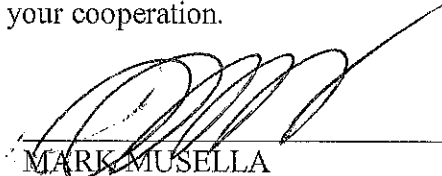
Applicants for permits to carry handguns must also demonstrate thorough familiarity with the safe handling and use of handguns or be denied the ability to carry. Thorough familiarity with the safe handling and use of handguns must be evidenced by either:

1. Completion of a firearms training course substantially equivalent to the firearms training approved by the Police Training Commission as described by N.J.S.A. 2C:39-6j;
2. Submission of an applicant's most recent handgun qualification scores utilizing the handgun(s) he or she intends to carry as evidenced by test firings administered by a certified firearms instructor of a police academy, a certified firearms instructor of the National Rifle Association, or any other recognized certified firearms instructor. This information shall be accompanied and validated by certifications of the appropriate instructor(s);
3. Passage of any test in this State's laws governing the use of force administered by a certified instructor of a police academy, a certified instructor of the National Rifle Association, or any other recognized certified firearms instructor; or
4. Completion of a course or test in the safe handling of a handgun administered by a certified firearms instructor of a police academy, a certified firearms instructor of the National Rifle Association, or any other recognized certified firearms instructor.

These alternative requirements must be accompanied and validated by certifications of the appropriate instructor(s). Applicants must also provide any other available and accurate information which may evidence proficiency in the safe handling and use of firearms, including: most recent handgun qualification scores and whether applicants used the handgun(s) intended to be carried in the qualification, and proof of ownership of the handgun(s); courses attended in the safe handling and use of firearms; and extent of knowledge, however gained, of this State's laws pertaining to the use of force in the defense of person and property.

All applications for FPICs and permits to carry handguns must be carefully scrutinized and their requirements strictly fulfilled. If you have any questions on this Directive or legal issues related to firearms, you may contact Assistant Prosecutor Tom Osadnik who oversees legal proceedings related to firearms at (201) 226-5513 or TOsadnik@bcpo.net.

As always, I thank you for your cooperation.



MARK MUSELLA
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