

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #2

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JUL 12 3 31 PM '96

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: DIVISION OF NATURAL RESOURCES TITLE NUMBER: 20 58

RULE TYPE: INTERPRETIVE; CITE AUTHORITY 20-2-58, 61-7-12 AND 29A-3

AMENDMENT TO AN EXISTING RULE: YES X NO     

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 47B (20)

TITLE OF RULE BEING AMENDED: GUN REPAIR SHOP EXEMPTIONS

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:                     

TITLE OF RULE BEING PROPOSED:                     

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON AUGUST 11, 1996 AT 4:30 P.M. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

MAJOR W. B. DANIEL

DIVISION OF NATURAL RESOURCES

CAPITOL COMPLEX BLDG. 3, ROOM 837

CHARLESTON WV 25305-0668

THE ISSUES TO BE HEARD SHALL BE  
LIMITED TO THIS PROPOSED RULE.



CHARLES B. FELTON, JR.  
DIRECTOR

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

TITLE 58  
INTERPRETIVE RULE  
BUREAU OF COMMERCE  
DIVISION OF NATURAL RESOURCES

SERIES 47B 20  
GUN REPAIR SHOP EXEMPTIONS

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JUL 12 3 31 PM '86

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**§58- 47B 20-1. General.**

1.1. Scope and Purpose. -- The purpose of ~~these rules~~ this rule is to provide guidance concerning safety requirements to be followed by gun repair shops under a grant of exemption.

1.2. Authority. -- W. Va. Code §20-2-58, §61-7-12 and §29A-3.

1.3. Filing Date. -- November 21, 1986

1.4. Effective Date. -- December 21, 1986

**§58- 47B 20-2. Definitions.**

2.1. "Applicant" means the operator of a gun repair shop duly licensed under applicable federal and state laws.

2.2. "Exemption" means an exemption from the law prohibiting the discharge of a firearm within five hundred (500) feet of a dwelling house or within four hundred feet (400) of a schoolhouse or church.

2.3. "Person" means also the plural "persons" and includes individuals, partnerships, corporations, or other legal entities.

**§58- 47B 20-3. Nontransferability.**

3.1. A grant of exemption may not be transferred to another person.

3.2. A grant of exemption is void upon the bankruptcy, sale, or cessation of the applicant's gun repair business.

**§58- 47B 20-4. Safety Requirements.**

4.1. All test firing done under a grant of exemption will be by the gun repair shop

operator, his/her paid employee, or the owner of the firearm being repaired.

4.2. All test firing will be done into a safe backstop or bullet trap.

**§58- 47B 20-5. Revocation Of Exemption.**

5.1. Failure to maintain a safe test firing area may result in the revocation of the grant of exemption.

5.2. Revocation of a grant of exemption may result in the imposition of criminal penalties as prescribed in West Virginia Code section nine, article seven, chapter twenty (§20-7-9).