

# TITLE 150: DEPARTMENT OF PUBLIC SAFETY

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## CHAPTER 150-80 SHOOTING GALLERY REGULATIONS

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Chapter Authority: 1 CMC § 2507; 6 CMC § 2256(b).

Chapter History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

Commission Comment: PL 1-8, tit. 1, ch. 10, codified as amended at 1 CMC §§ 2501-2507, creates the Department of Public Safety (DPS) within the Commonwealth government, composed of a police force. See 1 CMC § 2501; see

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also PL 14-25 § 3 (effective Aug. 20, 2004) (amending 1 CMC § 2501). 1 CMC § 2507 directs the Department to adopt rules and regulations regarding activities over which it has jurisdiction.

PL 4-41, the “Shooting Gallery Act of 1985,” formerly codified as amended by PL 6-22 at 6 CMC §§ 2251-2257, established a pilot program for the licensure of shooting galleries in the CNMI for a six year period beginning July 25, 1985 and ending July 24, 1991. See the commission comment to 6 CMC § 2251. The act authorized the Attorney General to promulgate regulations to implement the program. See PL 4-41 § 5; PL 6-22 § 4.

PL 8-5 (effective Oct. 9, 1992), codified as amended at 6 CMC §§ 2251-2257, permanently reestablished licensure requirements for shooting galleries. 6 CMC § 2253 directs DPS to issue shooting gallery licenses to qualified applicants. Pursuant to 6 CMC § 2256(b), the Director of DPS, in consultation with the Attorney General, is authorized to promulgate necessary rules and regulations to implement the act.

In 1986, the Attorney General first promulgated Shooting Gallery Regulations pursuant to the Shooting Gallery Act of 1985. The Attorney General readopted the regulations with amendments in 1989. The act, and therefore the authority for the 1989 Shooting Gallery Regulations, expired on July 24, 1991. See PL 6-22 § 2 (former 6 CMC § 2252); see also the commission comment to 6 CMC § 2251. The history of the Attorney General’s regulations is as follows: Amdts Adopted 11 Com. Reg. 6641 (Nov. 15, 1989); Amdts Proposed 11 Com. Reg. 6463 (Sept. 15, 1989); Amdts Emergency and Proposed 11 Com. Reg. 6171 (May 15, 1989); Adopted 8 Com. Reg. 4554 (Sept. 15, 1986); Proposed 8 Com. Reg. 4451 (Aug. 15, 1986); Emergency and Proposed 7 Com. Reg. 3958 (Aug. 15, 1985).

Public Law 18-26, the “Recreational Target Range Act of 2013,” made extensive changes to 6 CMC §§ 2251-2258. To the extent that these regulations conflict with PL 18-26, they are superseded.

### **Part 001 - General Provisions**

#### **§ 150-80-001 Background**

(a) Interpretation. The regulations in this chapter shall be construed and applied to promote their underlying purposes and policies and supplement the requirements of Public Law No. 8-5 [6 CMC §§ 2251-2257] regarding the licensing and operation of shooting galleries.

(b) Purposes and Policies. The underlying purposes and policies for these regulations are that:

(1) Shooting galleries provide an additional attraction for the growing tourist industry in the Northern Mariana Islands.

(2) The noise created by shooting firearms, if not properly regulated, can create a public nuisance.

(3) Safeguards must be provided in the operation of shooting galleries to protect the residents of the Commonwealth from harm from the improper use of firearms and ammunition.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

#### **§ 150-80-005 Authority**

Public Law No. 8-5 § 6 [6 CMC § 2256], requires the Director of Public Safety in consultation with the Attorney General to promulgate regulations for the licensing and safe operation of shooting galleries. The regulations in this chapter are based on the provisions of Public Law No.

8-5 [6 CMC §§ 2251-2257].

Modified, 1 CMC § 3806(d).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### **§ 150-80-010 Definitions**

As used in these regulations:

(a) “Firearms” means any device, by whatever name known, which is designed or may be converted to expel or hurl a projectile or projectiles by the action of an explosion, a release, or an expansion of gas, including but not limited to guns and automatic and semi-automatic weapons, except a device designed or redesigned for use solely as a signaling, line-throwing, spearfishing, or industrial device, or a device which hurls a projectile by means of the release or expansion of carbon dioxide or air. Bang-sticks are firearms, provided that bang-sticks used for scientific purposes are not firearms if their temporary use is approved by the Governor.

(b) “Shooting gallery” means a licensed business place at which the general public may discharge firearms upon payment of a fee.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

Commission Comment: In subsection (a), the Commission corrected the spelling of “converted.”

### **§ 150-80-015 Severability**

If any provision of the regulations in this chapter, or its application to any person or circumstances, is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be given effect without the invalid provisions or applications, and to this end the provisions of these regulations are severable.

Modified, 1 CMC § 3806(d).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

## **Part 100 - Licensing Procedures and Requirements**

### **§ 150-80-101 Submittal of Application**

All applications for shooting gallery license shall be submitted to the Department of Public Safety, Records and Firearms I.D. Section at Susupe, Saipan.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15

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Com. Reg. 10446 (Feb. 15, 1993).

### § 150-80-105 Eligibility for License

(a) Shooting gallery licenses shall be issued only to applicants who meet the criteria set forth in section 3 of Public Law No. 8-5 [6 CMC § 2253], as follows:

- (1) Must be citizens or nationals of the U.S. or CNMI permanent residents;
- (2) Must have resided in the Commonwealth of the Northern Mariana Islands for at least two consecutive years immediately prior to applying for a license;
- (3) And, must have obtained a valid identification card pursuant to 6 CMC, chapter 2, article 1 (Commonwealth Weapons Control Act). If the applicant for such a license is a corporation, it must be wholly owned by such individuals.

(b) A licensee shall maintain only one shooting gallery.

(c) After obtaining a shooting gallery license, all licensees shall apply for a general business license as provided in 4 CMC § 1503. No general business license shall be issued to an applicant to do business as a shooting gallery unless he or she has first been issued a shooting gallery license by the Department of Public Safety.

(d) In addition, all shooting gallery license applicants, licensees and employees must possess:

- (1) A valid firearms identification card issued by the Department of Public Safety covering the types of firearms and ammunition used by the shooting gallery;
- (2) Training in safe handling and operation of firearms. This training shall be conducted by a certified basic firearms instructor approved by the National Rifle Association of America or the Department of Public Safety.

Modified, 1 CMC § 3806(f).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### § 150-80-110 Issuance of License

(a) Licenses shall be issued by the Department of Public Safety only to applicants who have properly completed the application form, paid the license fee, and proven that they qualify under the criteria set forth in Public Law No. 8-5 and 6 CMC, chapter 2, article 1 (Commonwealth Weapons Control Act).

(b) Licensees may not operate a shooting gallery until the Director of Public Safety certifies that the licensee has met the following conditions:

- (1) Provided proof of having obtained liability insurance coverage in the amount of at least \$300,000 for the operation of the shooting gallery as required by § 150-80-501.
- (2) Signed an agreement as required under § 150-80-505 of this chapter to defend all suits and indemnify the government for losses due to the negligent operation of the shooting gallery.
- (3) Possess a building or premises that satisfies all requirements of the regulations in this chapter for a shooting gallery.

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- (4) Is located on a site approved by the Department of Public Safety (see § 150-80-201).
- (5) Provided proof of employment of qualified security guard, as required by § 150-80-260, and certified range master or basic firearms instructor, as required by § 150-80-405.

Modified, 1 CMC § 3806(c), (d), (f).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

Commission Comment: The Department of Public Safety published two notices of adoption for the February 1993 proposed regulations. The April 1993 notice of adoption changed the proposed language of subsection (b)(2). See 15 Com. Reg. at 10584 (Apr. 15, 1993). The July 2001 notice of adoption stated that the February 1993 proposed regulations “have been adopted without modification.” See 23 Com. Reg. at 18182 (July 20, 2001). Because the 2001 adoption takes precedence over the 1993 adoption, the Commission has not incorporated the changes adopted in April 1993.

### **§ 150-80-115 License Fee**

A license fee of \$5,000 is due on January 2 of each calendar year. For the first year, the fee shall be prorated for the number of months remaining in the calendar year. The fee must be paid to the Department of Revenue prior to applying for a shooting gallery license.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### **§ 150-80-120 Term of License**

A license issued under the regulations in this chapter is valid for one year, with the exception of the first year license which is valid for the remainder of the calendar year in which it is issued, and the license is not transferable.

Modified, 1 CMC § 3806(d).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

## **Part 200 - Restrictions on Shooting Gallery Location, Design, and Operation**

### **§ 150-80-201 Location**

A shooting gallery shall be located in an uninhabited or sparsely populated area so that the safety and tranquility of other persons may be preserved. In determining whether to approve the location of a shooting gallery, the Department of Public Safety will utilize as its underlying policy, that a location will be deemed to be unacceptable if it poses a threat of physical harm to any person in its proposed location, or the noise created would constitute a public nuisance.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

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### § 150-80-205 Buildings

(a) License applicants who plan to use or are using part or all of an existing structure for a shooting gallery shall submit plans for the shooting gallery to the Department of Public Safety for approval.

(b) A shooting gallery license will not be issued unless the shooting gallery facilities are constructed and operated in accordance with plans and specifications approved by the Department of Public Safety.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### § 150-80-210 Shooting Ranges

Outdoor shooting ranges must meet the standards for outdoor ranges set forth in the range manual published by the National Rifle Association of America and must be approved by the Department of Public Safety.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

Commission Comment: The Commission corrected the spelling of “Association.”

### § 150-80-215 Targets

Targets must be located in an area where there is a sufficiently strong backdrop to ensure no penetration and no ricochet.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### § 150-80-220 Weapons Storage Guidelines

Guidelines approved by the Department of Public Safety for the storage of all firearms and ammunition shall be kept at all times on the premises of the shooting gallery. Such guidelines shall be followed by all shooting gallery licensees and employees.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### § 150-80-225 Shooting Gallery Rules

Each shooting gallery must adopt rules approved by the Department of Public Safety.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15,

1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-230 Emergency Power**

There shall be emergency lighting to cover all shooting positions, and each doorway and entrance, that will turn on automatically should there be an electrical power interruption.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-235 Visibility**

- (a) No shooting activity shall be visible to the public outside of the shooting gallery.
- (b) No firearms or ammunition shall be visible to the public outside of the shooting gallery.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-240 Signs**

All signs on the premises shall be visible to the public. The minimum acceptable lettering size of signs outside the premises shall be 4 inches high by 1 inch wide. Signs within the premises shall be 2 ½ inches high by 7/8 inch wide.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-245 Parking Areas**

All parking areas maintained by the shooting gallery licensee shall be kept clean of trash and other debris.

Modified, 1 CMC § 3806(g).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

Commission Comment: The Commission changed “clean or” to “clean of” to correct a manifest error.

**§ 150-80-250 Alcoholic Beverages**

- (a) No person who appears to be under the influence of intoxicating liquor or drugs shall be allowed on the shooting gallery premises.
- (b) No alcohol may be sold or consumed on the shooting gallery premises.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15

Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-255 Food and Beverages**

No eating or drinking will be allowed in the shooting booths or on the shooting line.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-260 Shooting Gallery Guard**

Each shooting gallery must have a security guard who shall possess a valid weapons identification card. The security guard shall be on the premises at all times firearms are in use.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

Commission Comment: The Department of Public Safety published two notices of adoption for the February 1993 proposed regulations. The April 1993 notice of adoption deleted this section. See 15 Com. Reg. at 10584 (Apr. 15, 1993). The July 2001 notice of adoption stated that the February 1993 proposed regulations “have been adopted without modification.” See 23 Com. Reg. at 18182 (July 20, 2001). Because the 2001 adoption takes precedence over the 1993 adoption, the Commission has retained this section.

**§ 150-80-265 Waiting Areas**

Any and all waiting areas shall be safely located and constructed in a manner that insures the safety of persons therein.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-270 Booths; Shooting Positions**

No shooting gallery shall have more than 10 shooting positions.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-275 Hours of Operation**

The shooting gallery shall be open to the public no earlier than 8:00 a.m. and shall close no later than 10:00 p.m.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-280 Minimum Age**

Only persons who are 18 years of age or older are allowed to enter a shooting gallery premises.

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All persons must furnish a valid driver's license or other appropriate identification attesting to their age before entering the shooting gallery.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### § 150-80-285 Fire Extinguishers

(a) Shooting galleries shall have in the gallery premises properly operating fire extinguishers at all times for emergency situations.

(b) All shooting gallery licensees shall notify the Fire Division of the Department of Public Safety to inspect premises which shall be completed prior to beginning operation of shooting gallery.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### § 150-80-290 "No Smoking" Areas

(a) There shall be no smoking in and around the shooting gallery firing line areas.

(b) "NO SMOKING" signs shall be posted in conspicuous places in such areas.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

## Part 300 - Firearms Records and Control

### § 150-80-301 Allowable Types of Firearms and Ammunition

(a) Only .22 caliber rimfire rifles and .410 gauge shotguns may be used at a shooting gallery. No cartridge or other projectile may be used at a shooting gallery other than the regular .22 caliber rimfire cartridge or .410 gauge shotgun shell.

(b) Handguns are prohibited for use at a shooting gallery.

Modified, 1 CMC § 3806(g).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

Commission Comment: In subsection (a), the Commission corrected the spelling of "gauge."

### § 150-80-305 Number of Firearms

Unless the shooting gallery licensee is also a licensed firearms dealer, the shooting gallery shall not have more than 10 principal firearms and 10 replacement firearms, unless good cause is

shown for maintaining a greater number.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-310 Inspection and Records**

(a) All firearms used by a shooting gallery must be in a safe and operable condition and inspected at least every 30 days by the shooting gallery range master or basic firearms instructor.

(b) Inventory records shall be maintained by the shooting gallery range master or basic firearms instructor of all firearms on the premises, including the description and type of firearm, manufacturer, model and serial number, and date of inspection, and of all ammunition, stored at the gallery. All such records are subject to inspection and verification by the Department of Public Safety at all times. Once inventory records are verified, a copy shall immediately be filed with the Department of Public Safety.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-315 Patrons**

The management of the shooting gallery is required to maintain a list of the names of people who use the weapons expending ammunition, and the date and time of such use. These reports shall be filed with the Department of Public Safety every thirty days.

Modified, 1 CMC § 3806(e).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-320 Shift Reports**

All range masters and security guards shall write a shift report for each shift detailing their activities and any incident during their shifts.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-325 Training Reports**

A record on the training of each employee shall be kept in his or her personnel file.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**§ 150-80-330 Storage of Firearms and Ammunition**

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(a) All firearms and ammunition stored on the premises of the shooting gallery shall be securely stored to protect against theft.

(b) Guidelines for the secure storage of firearms and ammunition shall be kept at all times on the premises of the shooting gallery.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### **§ 150-80-335 Records of Lost Weapons and/or Ammunition**

(a) If any firearm or ammunition is lost, the shooting gallery range master or basic firearm instructor shall notify the Department of Public Safety immediately upon discovery of the loss.

(b) Current inventory records of all lost firearms, by serial number, and/or ammunition shall be maintained by the shooting gallery, and the Department of Public Safety Armory at all times, and Records and Firearms I.D. Section.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### **§ 150-80-340 Personal Firearms**

Shooting gallery patrons may only use those firearms provided by the shooting gallery. No customers are allowed, under any circumstances, to bring firearms into the premises of a shooting gallery.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

## **Part 400 - Safety**

### **§ 150-80-401 Training of Licensees and Employees**

All shooting gallery licensees and their employees shall possess training in the safe handling and operation of firearms. This training shall be conducted by a certified basic firearms instructor approved by the National Rifle Association of America or the Department of Public Safety.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### **§ 150-80-405 Range Master**

(a) Range master or basic firearms instructor shall be certified by the National Rifle Association of America or the Department of Public Safety, attached hereto as exhibit A.

(b) There shall be a range master or basic firearms instructor on the firing line at all times

that firearms are in use to insure that firing is conducted in a safe and orderly manner.

Modified, 1 CMC § 3806(f).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### **§ 150-80-410 Supervision of Operations**

A range master or basic firearms instructor certified by the National Rifle Association of America or the Department of Public Safety shall be employed by the shooting gallery to supervise its day-to-day operations. This employee must be on the gallery premises continually during business hours, and shall also maintain an inventory of the firearms and ammunition stored at the gallery.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

### **§ 150-80-415 Ear Protection**

The shooting gallery must provide all patrons and employees with ear protection equipment while on the firing line.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

## **Part 500 - Insurance**

### **§ 150-80-501 Insurance**

Each licensee must obtain public liability insurance in an amount of at least \$300,000 to cover the acts and omissions of its employees, owners, agents, and patrons. This insurance must be kept in effect at all times that the shooting gallery is in operation. Termination of insurance coverage shall be grounds for suspension of the shooting gallery license.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

Commission Comment: The Commission inserted a comma after the word “agents” pursuant to 1 CMC § 3806(g).

### **§ 150-80-505 Defense of Suits and Indemnity**

The licensee shall sign an agreement to defend all suits against the government at his own expense and shall indemnify the government for all losses sustained as a result of negligence in conducting its shooting gallery business.

Modified, 1 CMC § 3806(f).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15

Com. Reg. 10446 (Feb. 15, 1993).

Commission Comment: The Department of Public Safety published two notices of adoption for the February 1993 proposed regulations. The April 1993 notice of adoption changed the proposed language of this section. See 15 Com. Reg. at 10584 (Apr. 15, 1993). The July 2001 notice of adoption stated that the February 1993 proposed regulations “have been adopted without modification.” See 23 Com. Reg. at 18182 (July 20, 2001). Because the 2001 adoption takes precedence over the 1993 adoption, the Commission has not incorporated the changes adopted in April 1993.

**Part 600 - Advertising**

**§ 150-80-601 Restrictions on Advertising**

Any advertising is prohibited which falsely indicates that firearms are in use in a shooting gallery which are illegal under the provisions of Public Law No. 8-5 [6 CMC §§ 2251-2257] or the Commonwealth Weapons Control Act, or the use of which in shooting galleries is prohibited herein.

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**Part 700 - Sanctions**

**§ 150-80-701 Penalty**

Any violation of the regulations in this chapter issued pursuant to Public Law No. 8-5 [6 CMC §§ 2251-2257], including the failure of the licensee or any shooting gallery employee to account for any missing firearm, shall be punishable by a fine of \$5,000 and/or the revocation of the shooting gallery license.

Modified, 1 CMC § 3806(d).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).

**Exhibit A**  
**Range Master/Basic Firearms Instructor Certification Requirements**

Pursuant to Shooting Gallery Regulations § 5-102, codified at § 150-80-405, the following is required of all Range Masters/Basic Firearms Instructors:

**I. CONDUCT SAFETY BRIEFING:**

**A. Safety Officers and Assistant Range Master duties and responsibilities:**

1. Must have at all times two safety officers/range master per shooting session.
2. Must insure that shooters wear eye and ear protections prior to entering firing line and must wear eye and ear protection while on the firing line.
3. Must insure that weapon is pointed down range at all times.
4. Must insure that shooters only touch the weapon when directed to do so by the range master.
5. Must insure that the safety switch is off only when instructed by the range master.
6. Only safety officer or range master can perform immediate action on the weapon.
7. All commands are to be given only from the range master.

**II. RANGE MASTER:**

**A. Shooter briefing must include the following:**

1. Butt of weapon
2. Stock of weapon
3. Hand and/or pistol grip
4. Trigger mechanism
5. Hand guard
6. Rear sight
7. Front sight
8. Safety
9. Magazine
10. Magazine well
11. Magazine release
12. Proper insertion of magazine
13. Proper breathing technique
14. Trigger squeeze
15. Retrievable target switch
16. Standing firing position
17. Standing firing position prone supported

**B. Safety Briefing (Shooters):**

1. Ear and eye protection worn prior to moving to firing line.
2. Show type of target.
3. Inform shooter his target location. Only target directly in front of his or her lane.
4. Do not go beyond the firing line counter. (Show actual firing line counter).

**III. TAKE COMMANDS FROM RANGE MASTER ONLY:**

**A. Basic command must be included but not limited to:**

1. Shooter pick your weapon up and assume any of the two standing firing position.
2. Take proper aim at target (target directly in front of you in your lane).

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3. Aim your target.
4. Move your safety lever switch from “safe to fire”.
5. Fire when directed to fire by the range master.
- B. Upon completion of fire, or any misfire or malfunction:
  1. Cease fire.
  2. Move safety lever switch back to safe position.
  3. Clear weapon.
  4. Place weapon on counter, barrel must be facing down range, and the port injector must point upward.
  5. Shooter standby.
  6. Shooter activate target retrieval switch.
  7. Retrieve target.
  8. Range master safety personnel critique each and shooter.
  9. Remove shooter from firing line.

#### IV. OTHER DUTIES AS REQUIRED:

- A. Perform immediate action on malfunction weapon in accordance with the Weapon Manual.
- B. Replacing of weapon when needed on the firing line, are as follows:
  1. Cease fire.
  2. All weapons on safe.
  3. Place weapon on counter.
  4. Barrel must face down range.
  5. Weapon to be replaced must have its magazine removed, eject round from chamber, if a round is stuck the range master will clear the weapon from the end of the barrel using appropriate rod or cleaning rod.
  6. When all clear, the range master must remove the weapon from firing line.
  7. Replace weapon.
  8. Replace weapon prior to use.
  9. Repeat weapon check prior to re-shooting.
- C. Accountability of ammunition and weapons:

All weapons taken from or sent off the premises for repair or for other reasons, the range master must:

  1. Notify the Department of Public Safety Firearms I.D. Section and acquire the appropriate form for reporting.
  2. Each range master must conduct an inventory of all weapons and ammunition prior to and after their shift. All inventories taken must be logged into the company inventory sheet.
  3. The range master is responsible for submitting all inventories of weapons and ammunition to the Department of Public Safety.
  4. All order of ammunition and or weapons must be inventoried and recorded jointly with the Department of Public Safety upon arrival of items.
  5. Each range master for each shift is responsible for the overall activities and the performance of their assistant in the area designated as firing area.

#### RANGE MASTER EXAMINATION

\*\*Requirements (100% correct)

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I.	POINT AT PARTS OF WEAPON:	Pass	Fail
a.	Butt of weapon	_____	_____
b.	Stock of weapon	_____	_____
c.	Hand or pistol grip	_____	_____
d.	Rear sight	_____	_____
e.	Safety lever switch	_____	_____
f.	Trigger	_____	_____
g.	Magazine release latch	_____	_____
h.	Magazine well	_____	_____
i.	Hand guard	_____	_____
j.	Barrel	_____	_____
k.	Front sight	_____	_____

**II. SAFETY BRIEFING:**

Must conduct as if actual:

a.	Ear and eye protection	_____	_____
b.	Instruct target lane	_____	_____
c.	Show type of target	_____	_____
d.	Show safety lever switch	_____	_____
e.	Show firing line	_____	_____
f.	Show firing counter	_____	_____

**III. CONDUCT ACTUAL FIRING:**

Basic command:

a.	Shooters pick up your weapon	_____	_____
b.	Assume standing firing position	_____	_____
c.	Take proper aim	_____	_____
d.	Safety lever switch to fire	_____	_____
e.	Fire	_____	_____

**IV. ACTION AFTER FIRING:**

a.	Cease fire	_____	_____
b.	Safety lever switch to safe	_____	_____
c.	Remove magazine	_____	_____
d.	Clear your weapon	_____	_____

**V. IMMEDIATE ACTION:**

	Briefly explain malfunction procedures	_____	_____
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**VI. OTHER DUTIES OF RANGE MASTER:**

	Briefly explain	_____	_____
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PASSED/FAILED

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\_\_\_\_\_  
DPS RANGE MASTER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DPS CHIEF FIREARMS ID OR DESIGNEE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DPS DIRECTOR OR DESIGNEE

\_\_\_\_\_  
DATE

Modified, 1 CMC § 3806(d), (e), (f).

History: Adopted 23 Com. Reg. 18182 (July 20, 2001); Adopted 15 Com. Reg. 10581 (Apr. 15, 1993); Proposed 15 Com. Reg. 10446 (Feb. 15, 1993).