

Proposed Rules  
of the  
Department of Safety – 1340  
Division of Driver License Issuance

Chapter 1340-2-4  
Handgun Carry Permit Procedures

Presented herein are proposed amendments of the Division of Driver License Issuance, Department of Safety submitted pursuant to T.C.A. §4-5-202 in lieu of a rulemaking hearing. It is the intent of the Department of Safety to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed with the Department of Safety, 1150 Foster Avenue, Nashville, TN 37249, and in the Department of State, 8<sup>th</sup> Floor, Tennessee Tower, William Snodgrass Building, 312 8<sup>th</sup> Avenue North, Nashville, TN 37243, and must be signed by twenty-five (25) persons who will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For copies of the entire text of the proposed amendments, contact: Gerry Crownover, Staff Attorney, Tennessee Department of Safety, 1150 Foster Avenue, 615-251-5277.

The text of the proposed amendments is as follows:

Amendments

Subparagraph (c) of paragraph (5) of rule 1340-2-4-.02 Definitions is amended by deleting the current language in its entirety and submitting the following language so that as amended the subparagraph shall read:

- (c) A dismissal.

Authority: T.C.A. §§4-3-2009, 4-5-202, 39-17-1351, 39-17-1360

Rule 1340-2-4-.02 Definitions is amended by adding a new paragraph (12) so that as amended the paragraph shall read:

- (12) Lawful Permanent Resident shall mean the status of having been accorded the privilege of residing permanently in the United States as an immigrant in accordance with immigration laws, such status not having changed.

Authority: T.C.A. §§2-2-122 , 4-3-2009, 4-5-202, 39-17-1351, 39-17-1360

Paragraph (1) of rule 1340-2-4-.03 Eligibility Requirements is amended by deleting the current language in its entirety and substituting the following language so that as amended the paragraph shall read:

- (1) To be eligible to apply for a handgun carry permit, applicants are required to be a resident of Tennessee and either a United States citizen or lawful permanent resident thereof.

Authority: T.C.A. §§4-3-2009, 4-5-202, 39-17-1351, 39-17-1360

Subparagraph (a) of paragraph (4) of rule 1340-2-4-.05 Application Requirements is amended by deleting the current language in its entirety and substituting the following language so that as amended the subparagraph shall read:

- (a) An applicant shall not be required to comply with the handgun safety course provisions of this rule if such applicant submits proof to the department that within five (5) years from the date the application for a handgun permit is filed, the applicant has:

Authority: T.C.A. §§4-3-2009, 4-5-202, 39-17-1351, 39-17-1360

Subparagraph (a) of paragraph (2) of rule 1340-2-4-.08 Contents of Handgun Carry Permit is amended by deleting the current language in its entirety and substituting the following language so that as amended the subparagraph shall read:

- (a) The permittee's name, address, and date of birth

Authority: T.C.A. §§4-3-2009, 4-5-202, 39-17-1351, 39-17-1360

The proposed rules set out herein were properly filed in the Department of State on the 15th day of December, 2006, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 28th day of February, 2007. (12-21-06)