

**RULES
OF
TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY
HIGHWAY PATROL DIVISION**

**CHAPTER 1340-02-04
HANDGUN CARRY PERMIT PROCEDURES**

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1340-02-04-.01 PURPOSE. To establish uniform standards and systems for administering the issuing of handgun carry permits, as defined herein, under the provisions of T.C.A. § 39-17-1351 through 1360.

Authority: T.C.A. §§ 39-17-1351; 39-17-1360 and 4-3-2009. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999.

1340-02-04-.02 DEFINITIONS.

- (1) Applicant means an individual who applies to obtain, renew, or reinstate a handgun carry permit.
- (2) Commissioner means the Commissioner of the Tennessee Department of Safety and Homeland Security.
- (3) Conviction means a plea of guilty, a finding of guilt by a court of competent jurisdiction, or the acceptance of a plea of nolo contendere.
- (4) Department means the Tennessee Department of Safety and Homeland Security acting directly or through its duly authorized officers and agents.
- (5) Dishonorable Conditions mean the following:
 - (a) A dishonorable discharge;
 - (b) A bad conduct discharge;
 - (c) A dismissal.
- (6) Handgun Carry Permit means a permit issued by the Tennessee Department of Safety and Homeland Security.
- (7) Permittee means a person who currently holds a valid handgun carry permit.

(Rule 1340-02-04-.02, continued)

- (8) Resident means any person who lives in Tennessee for a period of time exceeding thirty (30) days in which the person's habitation is fixed, and to which, whenever the person is absent, the person has a definite intention to return. Resident also includes any person in the military residing in Tennessee, pursuant to military orders, and presents the department with the necessary documents as determined by the department to prove such residency.
- (9) Sheriff shall mean the chief law enforcement officer of the county.
- (10) 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. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Amendment filed October 20, 2003; effective February 27, 2004. Amendment filed December 15, 2006; effective date April 30, 2007. Amendments filed July 19, 2012; effective December 29, 2012.

1340-02-04-.03 FEES.

- (1) The application fee for a handgun carry permit will be one hundred and fifteen dollars (\$115.00). Such fee will cover all aspects of processing the application and issuing a permit.
- (2) The renewal fee for a permit will be fifty dollars (\$50.00).
- (3) The fee for a duplicate permit will be five dollars (\$5.00).
- (4) The acceptable method of payment for all initial fees will be by cash, certified check or credit card. Renewal fees may be paid by cash, personal check, certified check or credit card.
- (5) All fees are non-refundable.

Authority: T.C.A. §§ 4-3-2009; 39-17-1351; 39-17-1356 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Amendment filed December 15, 2006; effective April 30, 2007. Repeal and new rule filed July 19, 2012; effective December 29, 2012. Rule was previously numbered 1340-02-04-.12. See 1340-02-04-.12 administrative history for more information.

1340-02-04-.04 CRIMINAL HISTORY DISPOSITIONS.

- (1) In cases where a permit has been issued prior to the department's receipt of the Tennessee Bureau of Investigation and the Federal Bureau of Investigation criminal history fingerprint record checks and such record checks are returned to the department without dispositions, the permittee will have sixty (60) days from the date appearing in the Notice of Proposed Revocation to furnish the department with a disposition of such charge.
- (2) If the permittee does not submit to the department the requested information showing the disposition of charges on the permittee's criminal history, the permit will be revoked pursuant to T.C.A. § 39-17-1352.

Authority: T.C.A. §§ 4-3-2009; 39-17-1352; 39-17-1353; 39-17-1354; 39-17-1355 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Repeal and new rule filed July 19, 2012; effective December 29, 2012. Rule was previously numbered 1340-02-04-.15. See 1340-02-04-.16 administrative history for more information.

1340-02-04-.05 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Amendment filed December 15, 2006; effective April 30, 2007. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.06 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.07 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.08 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Amendment filed December 15, 2006; effective April 30, 2007. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.09 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Amendment filed September 30, 2002; effective January 28, 2003. Amendment filed October 20, 2003; effective February 27, 2004. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.10 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.11 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.12 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Amendment filed September 30, 2002; effective January 28, 2003. Repeal filed July 19, 2012; effective December 29, 2012. Rule was renumbered 1340-02-04-.03.

1340-02-04-.13 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Amendment filed October 20, 2003; effective February 27, 2004. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.14 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.15 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.16 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012. Rule was renumbered 1340-02-04-.04.

1340-02-04-.17 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.18 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.19 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed September 16, 1996; effective January 28, 1997. Repeal and new rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.20 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.21 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.22 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.

1340-02-04-.23 REPEALED.

Authority: T.C.A. §§ 4-3-2009 and 39-17-1360. **Administrative History:** Original rule filed February 23, 1999; effective June 28, 1999. Repeal filed July 19, 2012; effective December 29, 2012.