

**EFFECTIVE MARCH 15, 2013**

**Private “Person-to-Person” gun sales  
in NYS require a National Instant  
Criminal (NICS) Background Check.**

*As per the NY SAFE Act: Buyer/Permit Holder must submit form as proof he or she has passed the NICS Check to the Pistol Permit Office.*

Q: I want to buy my gun from someone who is not a dealer, i.e., a private sale. What do I have to do?

*A: A NICS check must be performed on the buyer by a dealer. The dealer may charge you no more than \$10. The dealer will give the prospective buyer a form to show that he or she passed the check.*

*The NICS form, along with purchase receipt, must be brought to the Pistol Permit Office in order for the gun to put on buyer’s permit.*

Q: I want to sell my gun to someone who is not a dealer . What do I have to do?

*A: A NICS check must be performed on the prospective buyer by a dealer. Spouses, domestic partners, children or step-children are exempt.*

Q: What if I want to sell my gun out of state, does a dealer need to perform a NICS check?

*A: No. You can sell your gun out of state, provided you follow the laws of the state. Federal law has certain restrictions on shipping guns between states that you should consult before making a transfer.*

