

AGENDA FOR PUBLIC MEETING OF THE HANDGUN PERMIT REVIEW BOARD

The following Rules and Regulations are proposed for approval by the Maryland Handgun Permit Review Board:

1. Location and Time

- Locations, dates, and times of Hearings will be determined by a quorum of the Board at its convence from time to time and timely notified to applicants and the public.

2. Rules and Regulations:

- The burden of proof is on the Applicant to prove by a preponderance of the evidence that the Superintendent of the Maryland State Police (or his or her designee) has made an error in the disposition of the Applicant's application for a Handgun Permit. The Applicant will present his or her case to the Board first, followed by representatives of the Superintendent. Time allowed for any Hearing presentation, including oral and/or demonstrative evidence and argument, will be timed and limited to 10 minutes, unless the Board allows a longer period in a particular case.
- The Board reserves the discretion to consider or not consider any evidence in accordance with Maryland Government Article Code Ann. sec. 10-213, **except that under no circumstances will the Board consider irrelevant evidence.**
- Although the Board may consider evidence proffered at the Hearing that was not presented by the Applicant to the Superintendent of the State Police or his or her designee in making a decision, in order to do so the Applicant must show by a clear and convincing explanation why the proffered evidence was not available to him or her during the Superintendent's initial consideration of the permit application or during an Applicant's request for reconsideration prior to filing with the Board (if there was such a request made).
- All persons giving oral testimony and/or presenting demonstrative evidence must swear or affirm as to the truth of the matters about to be brought before the Panel and advised that their testimony is subject to any applicable penalties of perjury if false.

- Failure of an Applicant to attend a duly notified, scheduled Hearing without having requested rescheduling as set forth below and without due cause may result in dismissal of the Application by the Board.
- Only one request for rescheduling a Hearing may be made, and it must be received by the Board at its published address not later than 13 calendar days from the date the Board's notice of the Hearing was mailed to the Applicant. An emergency request for rescheduling may be made if there are exigent circumstances (*e.g.*, hospitalization), supported by an affirmation before a Notary Public and mailed by U.S.P.S. express mail to the Board at its published address at least five calendar days prior to the scheduled Hearing.
- Failure of an Applicant to attend a rescheduled Hearing (other than an exigency as set forth above) will result in final dismissal of his or her request for relief, for lack of prosecution.
- In the event of death of an Applicant, it is the duty of any personal representative or trustee of the decedent's estate to notify the Board of the Applicant's demise with a suggestion of death so that the pending Application can be dismissed.
- The Board is not required at any Hearing, meeting, or otherwise to act *en banc*, but may perform any duty with the presence of a quorum.
- Decisions of the Board will not be reconsidered by it.