State Laws and Published Ordinances – U.S. Virgin Islands

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Title 14 – Crimes
Chapter 113 – Weapons

Section 2252. Confiscation of illegally held weapons.

Whoever violates the provisions of §§ 298, 2251 or 2253 of this title, or any other provision of law prohibiting the possession, bearing, transporting, carrying or effective control of a firearm, ammunition or other weapon shall, in addition to the punishment therein prescribed, also have said firearm, ammunition or other weapon confiscated to the Government of the Virgin Islands.

Section 2253. Carrying of firearms; openly or concealed; evidence of intent to commit crime of violence; definitions.

(d) As used in this chapter—

(2) "**Machine gun**" means any firearm, as defined in Title 23, § 451(f) of this Code, which shoots automatically more than 12 shots without reloading.

(3) "**Sawed-off shotgun**" means any firearm, as defined in Title 23, § 451(f) of this Code, designed to fire through a smooth bore either a number of ball shot or a single projectile, the barrel of which is less than 20 inches in length.

(4) The term "**possession**" as used in this section means both actual and constructive possession.

(5) "**Constructive possession**" means having the power and the intention at any given time to exercise dominion or actual control over the firearm either directly or through another person.

(6) "**Assault weapon**" means any firearm as defined in title 23, chapter 5, § 451(f) of this Code which will, with a single pull of the trigger, discharge ammunition until the trigger, or other activating release is released or until the ammunition is expended.

(7) "**Automatic weapon**" means any firearm, as defined in title 23, chapter 5, § 451(f) of this Code which has the capacity to fire more than 1 shot without manually reloading with a single pull of the trigger.

(8) "**Semi-Automatic weapon**" means any firearm, as defined in title 23, chapter 5, § 451(f) of this Code which has the capacity to fire 1 shot with each pull of the trigger without manually reloading.

(9) "**Conversion kit**" means any part or combination of parts designed and intended for use in converting any firearm into an automatic weapon and any combination of parts from which an automatic weapon can be assembled if the parts are in the possession or under the control of a person.

(10) "**Assault Rifle**" means a selective-fire rifle that uses an intermediate cartridge, including, but not limited, to the following characteristics:

(A) It must be an individual weapon with provision to fire from the shoulder (i.e., a buttstock);

(B) It must be capable of selective fire;

(C) It must have an intermediate-power cartridge- more power than a pistol but less than a standard rifle or battle rifle; and

(D) Its ammunition must be supplied from a detachable magazine."

(e) Whoever, unless otherwise authorized by law, has, possesses, bears, transport or carries, either openly or concealed, on or about his person, or under his control in any vehicle of any description any firearm as defined in title 23 chapter 5, § 451(f) of this Code, or any weapon that can be converted into an automatic weapon as defined in title 23, chapter 5, § 451(j) and a conversion kit, loaded or unloaded, may be arrested without warrant, and shall be sentenced to imprisonment of not less than 15 years nor more than 20 years and shall be fined not more than $25,000, except that if such person has been convicted of a felony in any state, territorial or federal court of the United States, or if the automatic weapon or an imitation thereof was held, possessed, borne, transported by or under the proximate control of such person during the commission or attempted commission of a crime of violence, as defined in subsection (d)(1), then such person shall be subject to have the crime committed reclassified and a prison sentence imposed as follows:

(1) in the case of commission of a felony of the first degree, a life sentence;

(2) in the case of commission a felony of the second degree, to felony of a first degree and a minimum sentence of 20 years; and

(3) in the case of commission a felony of the third degree, to a felony of the second degree a minimum of 15 years.

(f) Whoever, unless authorized by law, has, possesses, bears, transports or carries, either openly or concealed, on or about his person, or under his control in any vehicle, of any description, any firearm as defined in title 23, § 451(f) of this code and any assault weapon as defined in subsection (d), or any weapon that can be converted along with a conversion kit, loaded or unloaded within 1,000 feet of the real property comprising a public or private elementary, junior, secondary

or vocational school or a public or private college, junior college, or university or a playground or a housing facility owned by a public housing authority or within 1,000 feet of a public or private youth center, school bus stop or private youth center or public swimming pool or public beach, is subject to twice the maximum punishment prescribed in subsections (a) and (b) of this section and § 2256(a) and (b) of this chapter.

Section 2256. Possession or sale of ammunition.

(a) Any person who is not:

(1) a licensed firearms or ammunition dealer; or

(2) officer, agent or employee of the Virgin Islands or the United States, on duty and acting within the scope of his duties; or

(3) holder of a valid firearms license for the same firearm gauge or caliber ammunition of the firearm indicated on such license; and

(4) who possesses, sells, purchases, manufactures, advertises for sale, or uses any firearm ammunition

is guilty subject to imprisonment for up to 7 years or a fine not more than $10,000 to both fine and imprisoned.

(b) Any person who, unless authorized by law possesses, sells, purchases, manufactures, advertises for sale, or uses armor piercing or exploding ammunition for use in a firearm shall be guilty of a felony and shall be fined not less than $15,000 and imprisoned not less than 15 years.

(c) As used in this section—

(1) "**Firearm**" means any firearm as defined in title 23, § 451(f) of this Code.

(2) "**Firearm ammunition**" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable for use in a firearm.

(3) For purposes of this section, the following are excluded from the definitions contained herein:

(A) Any device or ammunition exclusively designed for use with a device used exclusively for signaling or safety and required or recommended by the United States Coast Guard; and

(B) Any device or ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

(d) For purposes of this section "armor-piercing" shall mean that with a penetration resistance equal to or greater than that of 18 layers of aramid, and "exploding" shall mean that which is designed to enter an object and explode without regard to whether it strikes another object.

(e) The provisions of this section regarding the acquisition and possession of firearm ammunition and armor-piercing or exploding ammunition do not apply to law enforcement officials for use in their employment or in the exercise of their duties as defined by law.

(f) An information based upon a violation of this section need not negate any exemption herein contained. The defendant shall have the burden of proving such an exemption.

Title 16 – Domestic Relations
Chapter 2 – Remedies for Domestic Violence

Section 99. Criminal proceedings.

(c) When a defendant charged with a crime or offense involving domestic violence is released from custody before trial on bail or personal recognizance, the Court authorizing the release may as a condition of release issue an Order prohibiting the defendant from having any contact with the victim, including, but not limited to, restraining the defendant from entering the victim's residence, place of employment or business, or school, and from harassing the victim or victim's relatives in any way, prohibiting the defendant from using or possessing a firearm or any other weapon, from possessing or consuming any alcohol or controlled substances and by imposing any other order required to protect the safety of the alleged victim or to ensure the defendant's appearance in court. The Clerk of the Court, or other person designated by the court, shall provide a copy of this Order to the victim forthwith.

Title 23 – Internal Security and Public Order
Chapter 5 – Control of Firearms and Ammunition

Section 451. Definitions.

As used in this chapter, unless the context clearly requires otherwise--

(a) "**Ammunition**" means any bullet, cartridge, projectile, buckshot, or any load placed or which may be placed in a firearm to be discharged.

(b) "**Commissioner**" means the Police Commissioner of the Virgin Islands.

(d) "**Department**" means the U.S. Virgin Islands Police Department (V.I.P.D.).

(e) "**Handgun**" means a firearm as defined in subsection (d) of this section which has a barrel that does not exceed 12 inches, whether loaded or unloaded.

(f) "**Firearm**" means any device by whatever name known, capable of discharging ammunition by means of gas generated from an explosive composition, including any air gas or spring gun or any "BB" pistols or "BB" guns that have been adapted or modified to discharge projectiles as a firearm.

(g) "**Crime of violence**" means the crime of, or the attempt to commit, murder in any degree, voluntary manslaughter, rape, arson, discharging or aiming firearms, mayhem, kidnapping, assault in the first degree, assault in the second degree, assault in the third degree, robbery, burglary, unlawful entry or larceny.

(h) "**Dealer in firearms and/or ammunition**" means any person engaged in the business of selling firearms and/or ammunition, for a profit or gain.

(i) "**Gunsmith**" means any person who engages in the business of repairing, altering, cleaning, polishing, engraving, blueing or performing any mechanical operation on any firearm on an individual order basis.

(j) "**Automatic weapon**" means any firearm, as defined in title 23, chapter 5, § 451(f) of this Code that has the capacity to fire more than 1 shot without manually reloading with a single pull of the trigger.

(k) "**Semi-Automatic weapon**" mean any firearm, as defined in title 23, chapter 5, § 451(f) of this Code that has the capacity to fire 1 shot with each pull of the trigger without manually reloading.

(l) "**Conversion kit**" means any part or combination of parts designed and intended for use in converting any firearm into an automatic weapon, and any combination of parts from which an automatic weapon can be assembled if the parts are in the possession or under the control of a person.

(m) "**Assault rifle**" means a selective-fire rifle that uses an intermediate cartridge, including, but not limited, to the following characteristics:

(1) It must be an individual weapon with provision to fire from the shoulder (i.e. a buttstock); and

(2) It must be capable of selective fire; and

(3) It must have an intermediate-power cartridge--more power than a pistol but less than a standard rifle or battle rifle; and

(4) Its ammunition must be supplied from a detachable magazine.

Section 452. Applicability of chapter.

No person shall have, possess, bear, transport or carry a firearm within the Virgin Islands, or engage in the business of dealer in firearms and/or ammunition or the business of gunsmith, except in compliance with the provisions of this chapter.

Section 455. Application for license; form, oath; fees.

(a) Every application for a license to have and possess a firearm shall be made under oath and on forms which the Commissioner shall prepare for such purpose. For the purposes of the enforcement of the provisions of this chapter, the applicant shall furnish all information as may be required of him by the Commissioner.

(b) The initial fee for a license under § 454 of this chapter shall be $75. The license may be renewed every 3 years for a fee of $150.

(c) Upon renewal of a license to have and possess a firearm, the receipt from the U.S. Virgin Islands Police Department (V.I.P.D.) for the renewal fee will serve as a temporary license until the official license can be provided to the licensee by the Commissioner.

(d) The Commissioner shall ensure that the renewal license is presented to the licensee within 45 days of receipt of payment for the renewal fee.

(e) Notwithstanding the provisions of this section, no person shall be charged with possession of an unlicensed firearm if the subject weapon had been previously licensed and said license has expired not more than 90 days prior to arrest; Provided, however, That this subsection shall not apply to persons who possess, bear, transport, carry or have under their control in any vehicle, any firearm during the commission or attempted commission of a crime of violence, as defined in subsection (d) of § 2253, Title 14, Virgin Islands Code.

Section 456a. Persons ineligible to possess or carry firearms or ammunition.

(a) The following persons are ineligible for a license to possess or carry a firearm or ammunition as provided in this chapter:

(1) a person who has been convicted in any court for a crime punishable by imprisonment for a term exceeding one year;

(2) a person who is a fugitive from justice;

(3) a person who is an unlawful user of or addicted to any controlled substance as defined in title 19, § 593(6) of the Virgin Islands Code;

(4) a person who has been adjudicated as a mental defective or who has been committed to a mental institution:

(A) For the purpose of this section the phrase "**committed to a mental institution**" includes commitment to a mental institution involuntarily, but does not include a person held in a mental institution for observation.

(B) For the purpose of this section, the phrase "**mental institution**" includes mental health facilities, mental hospitals, sanitariums, psychiatric facilities and other facilities that provide diagnoses by licensed professionals for mental retardation or mental illness, including a psychiatric ward in a public or private hospital.

(5) a person who, being an alien, is illegally or unlawfully in the United States;

(6) a person who has been discharged from the United States Armed Forces under dishonorable conditions;

(7) a person who, having been a citizen of the Unites States, has renounced his citizenship;

(8) a person who is subject to a court order that-

(A) was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate;

(B) restrains the person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

(C)

(i) includes a finding that the person represents a credible threat to the physical safety of such intimate partner or child; or

(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

(9) a person who has been convicted in any court of a misdemeanor crime of domestic violence.

Section 458. Grounds for refusing to issue license.

(a) The Commissioner shall not issue a license to have and possess a firearm to any person convicted in or outside the Virgin Islands of any crime of violence; or of any violation of a narcotic or "harmful drug" law; nor to any person who is mentally incompetent, or a alcoholic or a narcotic or drug addict; nor to any person convicted for the violation of the provisions of this chapter; nor to any person who for justifiable reasons is deemed to be an improper person by the Commissioner.

(b) As used in subsection (a)—

(1) "**Mentally incompetent**" means a person who is manifestly psychotic or otherwise of unsound mind, either consistently or sporadically, by reason of mental defect, among which are retardation, schizophrenia or other acute hallucinatory and delusory defects of mind, certain types of epilepsy or other seizure disorders which render the individual coordinated and mobile but of unsound mind, bipolar disorder which results in sporadic psychosis, and other disorders which consistently or sporadically render the person starkly incapable of maintaining awareness of and responsibility for his actions.

(2) "**Alcoholic**" means a person who has a problematic pattern of using alcohol that results in impairment in daily life or noticeable distress, and typically including a strong desire to take alcohol, difficulties in controlling use, persisting in

its use despite harmful consequences, a higher priority given to alcohol use than to other activities and obligations, increased tolerance, and a physical withdrawal state.

(3) "**Narcotic or drug addict**" means a person with a chronic, relapsing brain disease that is characterized by compulsive drug seeking and use, despite harmful consequences.

(c) There is a non-rebuttable presumption that an applicant is an alcoholic or a narcotic or drug addict if the applicant has at any time been committed to a health care facility for treatment of alcoholism or narcotic or drug addiction, or if the applicant has 2 or more alcohol-related or narcotic or drug addiction-related convictions under the laws of the Virgin Islands or the laws of any state. But notwithstanding the foregoing, the Commissioner may issue a license to an alcoholic or a narcotic or drug addict, if the applicant provides an affidavit signed by a licensed professional counselor averring that the applicant is a recovering alcoholic or a recovering narcotic or drug addict who has refrained from using alcohol or drugs for at least 3 years.

(d) Not later than 30 days after an applicant has filed an application for a license under § 454 or 454a, the Commissioner shall provide a written explanation either mailed or hand-deliver to an applicant who has been denied a license.

(e) The Commissioner shall not issue a license to have and possess a firearm to persons employed by private security guard or investigative agencies, as defined in subsection (g) of § 1301 of this title, unless and until such persons (i) have successfully completed the psychological and drug and alcohol abuse tests authorized to be administered by the Department of Health pursuant to the provisions of § 418a of chapter 23 of Title 3, Virgin Islands Code, and (ii) have successfully completed a comprehensive course in the proper handling and use of firearms, including a comprehensive examination at the conclusion thereof, which, in the opinion of the Commissioner, is comparable in scope to that administered to appointees of the Police Division of the U.S. Virgin Islands Police Department (V.I.P.D.) pursuant to the authority of § 258, Title 3, Virgin Islands Code; Provided, however, That once such persons have complied with requirements under this subsection, he or she will be deemed to have complied with these requirements for all future applications for licenses to have and possess firearms, or for renewals of such licenses.

Section 459. Cancellation or suspension of license.

(a) Whenever, following the issuance of a firearms license hereunder, it shall appear to the satisfaction of the Commissioner

(1) that such license was issued based on a false report of facts, or on concealment of facts on the part of the applicant; or

(2) that the licensee was not in fact entitled to such license pursuant to the provisions of this chapter; or

(3) that the licensee commits any act in violation of the terms of the license, or of any provisions of this chapter warranting the cancellation of the license

-- the said Commissioner may after due notice and hearing cancel the license so issued; Provided, however, That pending such hearing the licensee shall surrender to said Commissioner or the peace officer representing him the firearm acquired and possessed by virtue of said license.

(b) If the Commissioner has a reasonable belief that a licensee no longer meets the criteria specified in this chapter or that the licensee presents a danger to the community, the Commissioner shall suspend the firearm license until such time as the matter is resolved and the Commissioner determines that the licensee is eligible to possess a license.

(c) Not later than 14 days after the Commissioner has cancelled or suspended a license, the Commissioner shall provide a written explanation either by certified mailed or hand-deliver to a person whose license has been cancelled or suspended.

Section 461. License to sell firearms and/or ammunition; gunsmiths; report of transactions; private transfer sales to minors or aliens.

(a) No person may engage in the business of dealer in firearms and/or ammunition or as a gunsmith without holding a license therefor issued by the Commissioner of Licensing and Consumer Affairs upon favorable report of the Police Commissioner.

(b) Each transaction referring to the importation, or to the sale of firearms and ammunition between dealers, shall be reported to the Commissioner on forms which he shall provide, and the name, domicile, place of business, and the number of the license of the vendor and vendee, as well as the quantities and descriptions of the firearms or ammunition which are the subject of each transaction, shall be set forth therein, as required by the Commissioner.

(c) Any person, not otherwise engaged in the business of a dealer in firearms and/or ammunition, may transfer a firearm to another by sale, gift, exchange or otherwise only upon prior reporting to the Commissioner of the details of the proposed transaction. The Commissioner shall thereupon determine the eligibility of the proposed transferee for a license to possess firearms, and shall make such further determination as may be necessary in the circumstances.

(d) No person licensed or otherwise, may sell or furnish firearms or ammunition to a minor, except that a shotgun or rifle of such type or caliber as the Commissioner may prescribe or ammunition therefor, may be sold or furnished by a licensed dealer to a minor who displays a hunting or sporting license issued him in accordance with the laws of the Virgin Islands, and who further displays the written consent of his parent, guardian, or other responsible person acting in their absence and interest, in which such sale or delivery has been authorized.

Section 462. Application for dealer's or gunsmith's license; form and content; term; fee; renewals.

(a) Any person wishing to obtain a license to engage in the business of dealer in firearms and/or ammunition or the business of gunsmith, or both, shall file with the Commissioner of Licensing and Consumer Affairs a sworn application in the manner provided by the said Commissioner of Licensing and Consumer Affairs in consultation with the Police Commissioner which application shall contain all the information necessary so that the license may be issued in accordance with the provisions of this chapter. Such application shall be transmitted to the Police Commissioner and no license shall be issued under this section without the latter Commissioner first making an investigation of all the statements set forth in the application and without the records of the Department first being examined for the purpose of determining any prior conviction of the applicant, and only when such an investigation establishes that the statements of the applicant are true, and that the applicant has not been convicted of any crime of violence and the Commissioner so certifies, recommending that the license be issued. Where the applicant is a corporation or partnership, no license shall be issued if any officer of the corporation, or partner of the partnership, has been convicted of any crime of violence.

(b) Licenses hereunder shall be issued for a term of one year, expiring in any event on the 15th day of January succeeding the date of issuance.

(c) The annual fee for a license as a dealer in firearms and/or ammunition shall be $100, for a license as gunsmith, $ 100, and for a license as both, $150.

Section 463. Qualifications of dealer or gunsmith.

No license to engage in the business of gunsmith or of dealer in firearms and/or ammunition shall be issued to a person not over 21 years of age, and not a resident of the Virgin Islands and a citizen of the United States.

When the applicant is a corporation, it shall be organized under the laws of the Virgin Islands, and if a partnership, all partners shall be residents of the Virgin Islands and citizens of the United States.

Section 464. Corporation or partnership application for license.

Where the applicant is a corporation or a partnership, the application shall be signed and sworn to by the president, the secretary and the treasurer of the corporation or by all the managing partners of the partnership; and it shall set forth the name of the corporation or of the partnership, place and date of the incorporation or organization thereof, and the principal place of business. The requirements of subparagraphs (3) and (4) of § 456 of this chapter shall be applied to the president, the secretary, and the treasurer of the corporation and, in the proper case, to all partners of the partnership. A license issued under the provisions of this section shall be valid only for the business establishments named and described in the license. Said license may not be transferred to any other business establishment or to any other person and shall be automatically cancelled upon the dissolution of the corporation or partnership, or the replacement of any of the officers of the corporation signing the application, or upon the admission of any new partner in the case of a partnership, even though such license may be renewed as soon as the provisions of subparagraphs (3) and (4) of § 456 of this chapter in connection with the new officer or the new partner are complied with. In these cases the Commissioner may issue a provisional issue for a term of not more than 30 days while the renewal is being processed.

Section 465. Conditions for dealers' operations; records of transactions.

Any person, to whom a license has been issued under § 461 of this chapter may engage in the business of gunsmith or of dealer in firearms and/or ammunition under the following conditions.

(1) The business shall be operated only on the premises specified in the license.

(2) The license, or a copy thereof, certified by the authority issuing the same, shall be posted in the establishment so that it may be easily read.

(3) Under no circumstance shall a weapon or shall ammunition be sold unless the vendor is personally acquainted with the buyer or the latter clearly establishes his identity.

(4) A record in triplicate shall be kept of each firearm sold and of each sale of ammunition, on books devoted to this purpose which shall be printed in the manner prescribed by the Commissioner and the record of each sale shall be personally signed by the buyer and by the person making the sale, each in the presence of the other; and such record shall set forth the day and hour of the sale, caliber, manufacture, model and factory number of the weapon, caliber mark, and quantity of ammunition, the name, birthplace, address and occupation and the buyer. Said record shall also contain a thumb-print of the buyer and shall also set forth whether the buyer is personally known to the vendor, and in case he should not be the manner in which the buyer established his identity. The vendor shall transmit a copy of such record by

registered mail, within 24 hours following the sale, to the Commissioner; he shall send the duplicate within 48 hours following the sale to the Attorney General and shall keep the triplicate for 6 years.

(5) A licensee, if limited to the business of a gunsmith, shall not be required to forward reports of the work performed under said license, but shall maintain at his place of business an accurate and legible accounting of the nature and type of the jobs or work performed, together with a name and address of the customers, a description of the firearm, including the serial number which accounting shall be available as required by the Commissioner.

(6) The licensee may not place or cause to be placed any firearm or ammunition in any window display visible from any street or sidewalk.

(7) The licensee shall keep all firearms in a securely locked place except when being shown to a customer or being repaired or lawfully transported.

(8) The licensee may not knowingly employ anyone in the licensees' business or establishment through which the licensee operates the business pursuant to this chapter, if such person would not be eligible to register a firearm.

Section 466. Sales of weapons and ammunition without licenses prohibited; sales slips.

(a) No dealer in firearms or ammunition shall deliver a firearm to a purchaser without the latter's handing over to him a license to have and possess a firearm, duly issued in accordance with the provisions of this chapter, and unless said license contains an authorization for the purchase of such firearm, and said dealer shall not sell to such purchaser any other weapon than the one described in said license. The dealer in firearms and ammunition shall separate from such license and keep the dealer's coupon, and shall return the license to the purchaser. No weapon shall be sold to the holder of a license from which the coupon has been removed, and in no case shall a pistol, revolver, or other firearm be delivered to the purchaser thereof until after 48 hours have elapsed from the time he applies for the purchase and the same shall be delivered to him unloaded and securely wrapped.

(b) No dealer in firearms or ammunition shall sell any quantity of ammunition to any person failing to present a firearm license.

(c) Except in the case of the sale or transfer to another dealer or peace officer, as defined in 5 V.I.C. § 3561, no licensed dealer may transfer or sell ammunition unless:

(1) The transfer is made in person; and

(2) The ammunition to be purchased or transferred is of the same caliber or gauge of the firearm described in the firearms license or registration certificate.

Section 467. Selling firearms and ammunition without a license.

Whoever, without being licensed in accordance with the provisions of this chapter, sells, has in his possession with the intent to sell, exposes for sale, or advertises for sale, any firearm or ammunition, or without being so licensed engages in the business of a gunsmith, shall be fined a minimum of $5,000 or 5 years imprisonment or both; and a maximum of not more than $10,000 or 10 years imprisonment or both.

Section 467a. Importation of firearms without a license.

Except as provided in § 476 of this chapter, whoever, without being licensed in accordance with this chapter, imports, carries, or brings any firearm or ammunition into the Virgin Islands and fails to report to the Commissioner as required by § 470 of this chapter shall be punished by a fine of not less than $50,000 or imprisonment for a minimum of 25 years or both fine.

Section 468. Cancellation of license.

Whenever, following the issuance of a license to engage in the business of dealer in firearms and/or ammunition or the business of a gunsmith, it shall appear to the satisfaction of the Commissioner of Licensing and Consumer Affairs:

(1) that such license was issued based on a false report of facts, or on concealment of facts on the part of the applicant; or

(2) that the licensee was not in fact entitled to such license pursuant to the provisions of this chapter; or

(3) that the licensee commits any act in violation of the terms of the license, or of any provisions of this chapter warranting the cancellation of the license

--the said Commissioner of Licensing and Consumer Affairs, after due notice and hearing may cancel the license so issued.

Section 471. Report of loss of firearm.

Every person possessing or having under his control a firearm, and who loses the same or finds that it has disappeared, shall report the same to the Commissioner within 10 days, following his discovery of such loss or disappearance, and in the event of his failing to do so such person shall be fined not more than $100.

Section 472. Appeals.

Any applicant aggrieved by the denial of his application for a license hereunder or any person whose license has been revoked, shall be entitled to judicial review thereof by filing an appeal with the Superior Court of the Virgin Islands within 15 days after the date of the action complained of. Upon such appeal the determinations of the Commissioner as to questions of fact shall be deemed final in the absence of conclusive showing to the Court of fraud or misrepresentation. An appeal hereunder shall not operate to stay the action of the Commissioner. A judgment sustaining a refusal to grant a license shall not bar after 1 year, a new application; nor shall a judgment in favor of the petitioner prevent the Commissioner from thereafter revoking or refusing to renew such license for any proper cause which may thereafter occur.

Section 476. Collections of antique firearms; certificates of uselessness.

No provision hereof shall prevent that private collections of antique firearms, which may not be used as weapons, be preserved and maintained and that their owners possess them as ornaments or as matters of curiosity, nor the collections of firearms kept as relics, but for the preservation of any weapon of those included in this section the prior inspection thereof and approval therefor by the Commissioner shall be necessary and he shall render such firearms useless, so that the same may not be used as such. The Commissioner shall issue a certificate of uselessness of all the weapons possessed under the provisions of this section, and the possession of any firearm not included in said certificate shall be subject to all the provisions hereof.

Section 480. False information forbidden in sale of weapons.

No person shall, in purchasing a firearm or in applying for any license or in making any report hereunder give or offer false or misleading information or offer false evidence of his identity.

Section 481. Alteration of identifying marks of weapons prohibited.

(a) No person shall within the Virgin Islands change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark or identification on any pistol, machine gun, or sawed-off shotgun. Possession of any pistol, machine gun, or sawed-off shotgun upon which any such mark shall have been changed, altered, removed, or obliterated shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same within the Virgin Islands: Provided, however, That nothing contained in this section shall apply to any officer or agent of the United States or the Government of the Virgin Islands engaged in experimental work.

(b) Whoever, unless otherwise authorized by law, has, possesses, bears, transports or carries either, actually or constructively, openly or concealed, any firearm, as defined in § 451(d) of this title, loaded or unloaded, with altered or obliterated identification marks, in a public place, a residential area, a vehicle or any place where persons are gathered shall be imprisoned for not less than 15 years without parole.

Section 482. Illegal use of license; penalty.

Whoever knowingly allows the use of his license, issued under this chapter or any prior law of the Virgin Islands, by another person for the purpose of obtaining or transporting firearms shall be punished as provided in § 484 of this chapter.

Section 484. General penalty section.

Any person who violates the provisions of this chapter shall, except when otherwise specifically provided herein, be fined not more than $5,000 or imprisoned not more than 3 years forfeiture of the person's license or firearm or any combination thereof; provided that if the violation occurs after such person has been convicted in the Virgin Islands of a violation of this chapter, or of a crime of violence, either in the Virgin Islands or in another jurisdiction, such person shall be fined not more than $10,000 or imprisoned not more than 10 years or both.

Section 489a. Safe storage of firearms; penalties.

(a) Every person who owns, possesses, purchases, or acquires a firearm, as that word is defined at § 451(d) of this chapter, shall be responsible for the safe storage of the firearm.

(b) Any person who owns, possesses, purchases, or acquires a firearm, as that word is defined in § 451(d) of this chapter, whose failure to lock or safely store the firearm directly results in a person not licensed to own or possess the firearm to gain access thereto, and said unlicensed person injures or kills himself or another person with said firearm, may be, upon conviction, punished by a fine not to exceed $2,500, imprisonment not to exceed 2 years, or both, and be subject to forfeiture of his license and firearm. This section shall not be construed as precluding the charge or conviction of any other appropriate violation of law.

(c) It is unlawful to leave a firearm in a motor vehicle unless it is stored in an approved vehicle firearm lockbox. A conviction for violation of this subsection subjects a person to the penalties set forth in subsection (b) of this section.

(d) For purposes of this section, "safe storage" means the storage of a firearm in a locked manner so as to prevent discharge or the storage of a firearm in a safe location that is inaccessible to all except the licensed owner of the firearm. For purposes of this section a firearm is locked when the device installed on it or incorporated into its design is activated or set to prevent the firearm from being discharged.

Title 34 – Welfare
Chapter 15 – The Elder and Dependent Adult Abuse Prevention Act

Section 475. Protective order for an elder or dependent adult who has suffered abuse; prohibition against possession of firearm.

(n)

(1) An order issued pursuant to this section must prohibit the person subject to it from owning, possessing, purchasing, receiving, or attempting to purchase or receive, a firearm.

(2) Paragraph (1) does not apply to a cause of action based solely on financial abuse unaccompanied by force, threat, harassment, intimidation, or any other form of abuse.

(3) The court shall order a person subject to a protective order issued under this section to relinquish any firearms they own or possess.

(4) Every person who owns, possesses, purchases, or receives, or attempts to purchase or receive a firearm while the protective order is in effect, in violation of 23 V.I.C. § 456a(a)(8), is subject to punishment under title 14 V.I.C. § 2253.