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LD 1696

I am writing to express my strong opposition to Legislative Document No. 1696, which aims to create a civil cause of action for persons suffering damages arising from the sale of abnormally dangerous firearms. While I understand the importance of addressing public safety concerns, I am particularly concerned about the potential impact of this bill on the second amendment rights of law-abiding citizens.

The proposed legislation introduces extensive definitions and requirements for firearm industry members, including the establishment and enforcement of reasonable controls. While the intention may be to enhance public safety, the bill appears to give broad powers to regulate the firearm industry without clear criteria for what constitutes an "abnormally dangerous" firearm.

Section 3 outlines prohibited conduct, stating that a firearm industry member may not knowingly manufacture, market, import, or offer for sale a firearm-related product that is considered abnormally dangerous. The criteria for determining what is abnormally dangerous, such as features rendering the product suitable for assaultive purposes or marketing targeted at minors, may be subjective and open to interpretation.

Moreover, the rebuttable presumption that a firearm-related product is abnormally dangerous based on certain features raises concerns about due process and fairness. It is essential to ensure that any regulations related to firearms are based on objective criteria that do not infringe on the rights of law-abiding citizens.

Section 6 of the bill eliminates certain defenses, including a defendant's belief in the unconstitutionality of the requirements, further limiting the legal recourse for those affected by this legislation.

In summary, while I acknowledge the importance of addressing public safety concerns, I believe that Legislative Document No. 1696, as currently drafted, poses a risk to the second amendment rights of responsible gun owners. I urge you to reconsider the provisions of this bill and work towards a balanced approach that prioritizes both public safety and the constitutional rights of law-abiding citizens.