

COMMONWEALTH OF PENNSYLVANIA

OFFICE OF ATTORNEY GENERAL

JOSH SHAPIRO  
ATTORNEY GENERAL

April 16, 2018

Commonwealth of Virginia  
Department of State Police  
P.O. Box 27472  
Richmond, VA 23261

Dear Colonel Gary T. Settle:

The Pennsylvania Office of Attorney General has recently concluded its annual review of concealed carry reciprocity as required by the Pennsylvania Uniform Firearms Act, 18 Pa.C.S. § 6109(m). As a result of that review, I must regrettably inform you that our April 9, 2013 Reciprocity Agreement is terminated effective May 16, 2018, 30 days from this notice.

This is necessary because the background check Virginia conducts when issuing firearms licenses to its residents does not meet Pennsylvania's legal requirements. Virginia requires only that the Court issuing a license consult with local law enforcement and receive a report from its State Police. This report may be limited to a simple criminal history search, *see* Va. Code § 18.2-308.04, and the local agency has complete discretion over the scope of the background check.

By contrast, to obtain a Concealed Carry License under Pennsylvania law, residents must pass an extensive background check through both the Pennsylvania Instant Check System (PICS) and the National Instant Criminal Background Check System (NICS). *See* 18 Pa.C.S. § 6109(d)(5). This material difference requires us to terminate our existing Reciprocity Agreement.

Respectfully,

A handwritten signature in blue ink, reading "Amy M. Elliott".

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Amy M. Elliott  
Chief Deputy Attorney General  
Office of Attorney General  
Commonwealth of Pennsylvania

**MEMORANDUM OF AGREEMENT**

**between**

**The Commonwealth of Pennsylvania**

**and**

**The Commonwealth of Virginia**

**Concerning Handgun License Reciprocity for Concealed Carry**

This Reciprocity Agreement is intended to amend and supersede the original agreement entered into between the Commonwealth of Virginia and the Commonwealth of Pennsylvania on January 3, 2007.

WHEREAS, the purpose of this Reciprocity Agreement is to extend reciprocal concealed firearm carry permit/license privileges to the residents of the Commonwealth of Pennsylvania and the Commonwealth of Virginia; and

WHEREAS, the Commonwealth of Pennsylvania has the authority to issue a License to Carry a Firearm pursuant to 18 Pennsylvania Consolidated Statutes Annotated § 6109; and

WHEREAS, the Commonwealth of Virginia has the authority to issue a Concealed Handgun License pursuant to § 18.2-308 of the Code of Virginia; and

WHEREAS, the Attorney General for the Commonwealth of Pennsylvania has made such affirmative determination with respect to the Commonwealth of Virginia; and

WHEREAS, the Commonwealth of Virginia is authorized, pursuant to § 18.2-308(P) of the Code of Virginia, to recognize the validity of a permit to carry a concealed handgun issued by another state; and

WHEREAS, the Attorney General of the Commonwealth of Pennsylvania is authorized, pursuant to 18 Pennsylvania Consolidated Statutes Annotated § 6109(k), to enter into reciprocity agreements with other states providing for the mutual recognition of each state's license to carry a firearm; and

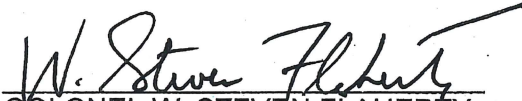
WHEREAS, the Attorney General of the Commonwealth of Pennsylvania has determined that the Commonwealth of Virginia meets the requirements for reciprocity with the Commonwealth of Pennsylvania; and


WHEREAS, Handgun License reciprocity between Virginia and Pennsylvania is thus supported by the laws of both states;

NOW, THEREFORE, the parties do hereby agree as follows:

1. The Commonwealth of Pennsylvania shall give full faith and credit to a valid Concealed Handgun License issued by the Commonwealth of Virginia to legal residents of the Commonwealth of Virginia; and
2. The Commonwealth of Virginia shall consider holders of a valid Concealed Handgun License issued by the Commonwealth of Pennsylvania to be concealed handgun permittees in Virginia as required by § 18.2-308 of the Code of Virginia; and
3. Persons carrying a concealed firearm pursuant to this Memorandum of Agreement shall comply with all applicable concealed carry laws, rules and regulations of the respective states, including, but not limited to, age requirements and restrictions regarding the type of firearms that may be carried; and
4. The Commonwealth of Virginia and the Commonwealth of Pennsylvania will inform each other of any changes to their respective weapons statutes that may affect the eligibility of the recognition granted by each state pursuant to this Memorandum of Agreement.
5. This Reciprocity Agreement shall become effective April 9, 2013.

This Memorandum of Agreement becomes effective on the date of the final signature and shall continue in effect unless modified by mutual written consent, or terminated by either state upon thirty (30) days' written notice. This document is not intended to limit or restrict the statutory authority or jurisdiction of either state.

  
COLONEL W. STEVEN FLAHERTY  
Superintendent, Virginia State Police  
Commonwealth of Virginia

  
KATHLEEN G. KANE  
Attorney General  
Commonwealth of Pennsylvania

DATE March 15, 2013

DATE April 8, 2013