



# Obliterating Firearm Serial Numbers



# HISTORY OF FIREARM SERIAL NUMBERS

- 1934 National Firearms Act required manufacturers & importers to identify firearms with “a number or other identification mark”



# HISTORY OF FIREARM SERIAL NUMBERS

- 1934 NFA limited the definition of “Firearm” (included machineguns, rifles & shotguns with barrels <18 inches, silencers, mufflers, and “any other weapons” with a narrow definition)



# HISTORY OF FIREARM SERIAL NUMBERS

- Title II Gun Control Act of 1968- removed a registration requirement from the NFA and expanded the serial number requirement beyond NFA firearms.



# CURRENT FEDERAL SERIAL NUMBER REQUIREMENT

“It shall be unlawful for any person...to obliterate, remove, change, or alter the serial number or other identification of a firearm required by this chapter; or to receive or possess a firearm having the serial number or other identification required by this chapter obliterated, removed, changed, or altered...”



# CURRENT FEDERAL SERIAL NUMBER REQUIREMENT

Any person who violates or fails to comply with any provision of this chapter shall, upon conviction, be fined not more than \$10,000, or be imprisoned not more than ten years, or both.

26 U.S.C.A. § 5871



# CURRENT UTAH SERIAL NUMBER REQUIREMENT

“Any person who changes, alters, removes, or obliterates the name of the maker, the model, manufacturer's number, or other mark of identification, including any distinguishing number or mark assigned by the Department of Public Safety, on any pistol or revolver, without first having secured written permission from the Department of Public Safety to make the change, alteration, or removal, is guilty of a class A misdemeanor.” UCA 76-10-522



# UTAH OFFENSE V. FEDERAL OFFENSE

|  | Federal                         | Utah                |
|--|---------------------------------|---------------------|
| Obliterating a serial #<br>on a firearm                      | 10 years<br>(between F3 and F2) | Class A misdemeanor |
| Possessing a firearm<br>with an obliterated<br>serial number | 10 years<br>(between F3 and F2) | Not an offense      |





# Proposal for Utah Code: 76-10-522 (2)

“Any person who receives or possesses a firearm having the serial number or other identification obliterated, removed, changed, or altered except as otherwise permitted by this chapter is guilty of a class A misdemeanor.”



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