

501 CMR 20.00: SERIALIZATION OF FIREARMS

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20.01: Purpose and Scope

- (1) 501 CMR 20.00 is issued in accordance with M.G.L. c. 140, § 121C and sets forth the establishment of the electronic request process for firearms serial numbers from the Department of Criminal Justice Information Services (DCJIS).
- (2) 501 CMR 20.00 applies to all firearms possessed, manufactured or assembled in the Commonwealth other than those explicitly exempted by M.G.L. c. 140, § 121C and 501 CMR 20.00.
- (3) Nothing in 501 CMR 20.00 shall be interpreted to limit the authority granted to the DCJIS or to its commissioner by the Massachusetts General Laws.

20.02: Definitions

Assemble. To fit together a firearm's component parts; provided, however, that "assemble" shall not include firearms reassembly, repair of the fitting of special barrels, stocks, or trigger mechanisms to firearms.

Conspicuously. Placed in such a manner as to be wholly unobstructed from plain view.

Firearm. A stun gun, pistol, revolver, rifle, shotgun, sawed-off shotgun, large capacity firearm, assault-style firearm and machine gun, loaded or unloaded, which is designed to or may readily be converted to expel a shot or bullet; the frame or receiver of any such firearm or the unfinished frame or receiver of any such firearm; provided, however, that "firearm" shall not include any antique firearm or permanently inoperable firearms defined in M.G.L. c. 140, § 121.

Frame. The part of a pistol or revolver that provides housing or a structure for the component designed to hold back the hammer, striker, bolt or similar primary energized component prior to initiation of the firing sequence, even if pins or other attachments are required to connect such component to the housing or structure. Any such part that is identified with an importer or manufacturer serial number shall be presumed, absent an official determination by the Bureau of Alcohol, Tobacco, Firearms and Explosives in the United States Department of Justice or other reliable evidence to the contrary to be the frame of the firearm.

Individual. A natural person.

Manufacture. To fabricate, make, form, produce or construct, by manual labor or by machinery, a firearm; provided, however, that "manufacture" shall not include firearm reassembly, firearm repair or the making or fitting of special barrels, stocks or trigger mechanisms to firearms.

20.02: continued

Massachusetts Instant Record Check System (MIRCS). The automated system (and any successor system) owned and maintained by the DCJIS that provides on-line firearms licensing by licensing authorities and on-line reporting of gun transactions by gun dealers.

MIRCS Firearms Licensing Portal (MIRCS Portal). The web-based system that allows users to electronically submit information to and/or request information from the DCJIS *via* the MIRCS. The MIRCS portal may be used to submit a firearms license application, check the status of a firearms license application, report a name or address change, obtain a firearms license PIN, request a unique firearms serial number, and register a firearm.

Permanently Embedded. Applied in such a way that cannot be easily or readily removed without destroying the part to which it is applied.

Privately Made Firearm. A firearm manufactured or assembled by an individual who is not a licensed manufacturer; provided however, that "privately made firearm" shall not include firearms manufactured or assembled by person licensed under M.G.L. c. 140, § 122 in the course of their business activities.

Receiver. The part of a rifle or shotgun that provides housing or a structure for the primary component designed to block or seal the breech prior to initiation of the firing sequence, even if pins or other attachments are required to connect such component to the housing or structure. Any such part that is identified with an importer or manufacturer serial number shall be presumed, absent an official determination by the Bureau of Alcohol, Tobacco, Firearms and Explosives in the United States Department of Justice or other reliable evidence to the contrary, to be the receiver of the firearm.

Requestor. Individual, entity, or manufacturer requesting a unique serial number from DCJIS *via* the MIRCS portal.

Serialization. The process of conspicuously engraving, casting or otherwise permanently embedding a unique serial number on a firearm.

Unfinished Frame or Receiver. A forging, casting, printing, extrusion, machined body or similar item that:

- (a) has reached a stage in manufacture when it may readily be completed or assembled to function as a frame or receiver; or
- (b) is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once completed or assembled; provided, however, that "unfinished frame or receiver" shall not include a component designed and intended for use in an antique firearm.

Valid Serial Number. An identifying number that has been:

- (a) placed on a firearm by a federal licensee authorized to serialize firearms or pursuant to the laws of any state or 26 U.S.C. 5842 and the regulations promulgated thereunder; or
- (b) a serial number issued by the director of the Bureau of Alcohol, Tobacco, Firearms and Explosives in the United States Department of Justice or the DCJIS.

20.03: MIRCS Portal Registration

- (1) Each request for a unique firearm serial number from DCJIS must be made *via* the MIRCS portal.
- (2) To access the MIRCS portal, a requestor must first register for a MIRCS system account.
- (3) To complete the registration process, users must agree to the MIRCS Firearms Licensing Portal Terms and Conditions.

20.04: Technical Requirements

To electronically request a unique firearm serial number from DCJIS *via* the MIRCS portal, requestors must have access to the following:

- (1) an internet connection; and
- (2) any type of computer or device capable of connecting to the internet and accessing MIRCS.

20.05: Submission of Request for a Unique Firearm Serial Number

(1) A request for a unique firearm serial number must be made electronically to DCJIS *via* the MIRCS portal prior to the manufacture or assembly of a firearm as defined by M.G.L. c. 140, § 121.

(2) Requestors who are not firearms dealers shall provide the following information at the time of the request:

- (a) requestor's name;
- (b) requestor's address;
- (c) requestor's telephone number;
- (d) requestor's email address;
- (e) requestor's license to carry (LTC) number or firearms identification card (FID) number;
- (f) type of firearm;
- (g) manufacturer's name and address;
- (h) model of the firearm;
- (i) caliber of the firearm;
- (j) barrel length of the firearm;
- (k) whether the request is for a privately made firearm; and
- (l) if the request is for a privately made firearm the means and manner of production.

(3) A dealer requesting a serial number shall provide the following information (to the extent applicable) at the time of the request:

- (a) dealer's name;
- (b) dealer's address;
- (c) location of business;
- (d) dealer's telephone number;
- (e) dealer's email address;
- (f) type of firearms to be serialized;
- (g) manufacturer's name and address;
- (h) model of the firearm;
- (i) caliber of the firearm;
- (j) barrel length of the firearm;
- (k) whether the request is for a privately made firearm; and
- (l) if the request is for a privately made firearm, the means and manner of production.

20.06: Firearms License Verification

After the requestor submits a request for a unique firearm serial number, the requestor's license status will be electronically verified in the MIRCS system to confirm the requestor has an active, valid LTC, FID or firearms dealers' license.

20.07: Issuance of a Serial Number

(1) Upon verification of the requestor's license status pursuant to 501 CMR 20.06, and compliance with 501 CMR 20.05, DCJIS will provide the requestor with a unique serial number.

(2) DCJIS will notify the requestor electronically *via* the MIRCS portal. The MIRCS portal will generate a generic email notification that will be sent to the email address associated with the requestor's MIRCS portal account. The requestor must log-in to their MIRCS system account to obtain the assigned serial number. It is the requestor's responsibility to print and save the document containing the serial number for their records. DCJIS will not mail a physical copy of the document containing the serial number assigned.

20.07: continued

(3) Firearm serial numbers are issued by DCJIS based on representations made by a requestor. Issuance of a serial number by DCJIS does not constitute a determination of the legality of any firearm under state or federal law. No serial number shall be used by a requestor on a firearm if the firearm is illegal to possess in the Commonwealth.

20.08: Time of Serialization

Firearms must be serialized as follows:

- (1) Any individual or entity in possession of a previously manufactured or assembled firearm, must serialize said firearm by October 2, 2026, unless the firearm falls within one of the enumerated exemptions listed in 501 CMR 20.12 or has a valid serial number.
- (2) Any individual or entity that manufactures or assembles a privately made firearm must obtain a unique firearm serial number from DCJIS prior to manufacture or assembly and serialize the firearm frame with the obtained serial number during manufacture or assembly.
- (3) Lawfully owned firearms imported or acquired by new residents moving into the Commonwealth or acquired by heirs or devisees through distribution of an estate shall be serialized within 60 days of import, acquisition, or inheritance.
- (4) Lawfully owned firearms imported or acquired by licensed firearms dealers, gunsmiths, distributors or manufacturers shall be serialized within seven days of import or acquisition.

20.09: Serialization of Firearms

- (1) Serialization of metal firearms:
  - (a) The serial number shall be conspicuously engraved, cast, or otherwise permanently embedded on the frame or receiver of the firearm.
  - (b) The serial number shall be placed in a manner that is not susceptible to being readily obliterated, altered, or removed.
  - (c) The serial number shall be engraved, cast, or otherwise permanently embedded to a depth of not less than .003 inches.
  - (d) The serial number shall be in a print size of not less than  $\frac{1}{16}$  inches.
- (2) Serialization of non-metal firearms:
  - (a) The serial number shall be conspicuously engraved, cast, or otherwise permanently embedded on a metal plate.
  - (b) The metal plate containing the serial number shall be permanently embedded in the material of the frame or receiver of the firearm.

20.10: Modifications during Manufacture or Assembly

If the requestor wishes to make changes to the configuration of the firearm while manufacturing or assembling the firearm, the applicant may do provided all changes are reported to the DCJIS *via* the MIRCS portal.

20.11: Unused Serial Numbers/Transfer of Serial Numbers

- (1) The unique firearm serial number assigned by DCJIS shall be used to serialize the firearm identified in the request for a unique serial number. If for any reason, the requestor does not use the assigned serial number, the requestor must notify DCJIS.
- (2) Firearm serial numbers assigned by DCJIS are non-transferable. Transfer of a serial number to a firearm other than the one identified in the request is expressly prohibited.

20.12: Exemptions

501 CMR 20.00 does not apply to:

- (1) Firearms being delivered to law enforcement for the sole purpose of their destruction;
- (2) Firearms possessed by common carriers and their duly authorized employees and agents while performing the regular and ordinary transport of firearms as merchandise for customers licensed to permit such transport;
- (3) Firearms possessed by individuals lawfully traveling through the Commonwealth in the care and custody of a nonresident owner;
- (4) Firearms that are property of the government of the United States;
- (5) Firearms produced by federally licensed manufacturers not for sale in the Commonwealth;
- (6) Firearms manufactured prior to October 22, 1968; or
- (7) Firearms with an existing serial number. Those in possession of firearms with an existing serial number are not required to obtain another one pursuant to 501 CMR 20.00, provided however, the procedures for recording existing serial numbers and registration requirements are followed in accordance with 201 CMR 19.00: *Registration of Firearms*;
- (8) Any other lawful exemption included in 520 CMR 19.00: *Registration of Firearms*.

20.13: Severability

If any provision of 501 CMR 20.00, or the application thereof, is held to be invalid, such invalidity shall not affect the other provisions or the application of any other part of 501 CMR 20.00 not specifically held invalid and, to this end, the provisions of 501 CMR 20.00 and various applications thereof are declared to be severable.

REGULATORY AUTHORITY

501 CMR 20.00: M.G.L. c. 140, § 121C.