

# CIRCULAR



DISTRICT OF COLUMBIA

<b>Title</b>	<b>Ghost Gun Clarification Temporary Amendment Act of 2021</b>
<b>Number</b>	<b>CIR-22-01</b>
<b>Effective Date</b>	<b>February 16, 2022</b>
<b>Expiration Date</b>	<b>February 15, 2024</b>
<b>Related to</b>	GO-SPT-902.01 (Firearms Registration and Receipt of Abandoned or Found Weapons)
<b>Rescinds</b>	CIR-20-01 (Ghost Guns Prohibition Emergency and Temporary Amendment Acts of 2020), Effective Date May 18, 2020

The purpose of this circular is to provide updated guidance pursuant to the Ghost Gun Clarification Temporary Amendment Act of 2021, which clarifies the definitions of ghost guns and related component parts. Additionally, it permits the self-manufacture of firearms that are not otherwise prohibited by law, made solely for personal use (i.e., not for sale or distribution), by individuals who are not otherwise prohibited from registering or possessing guns and who subsequently serialize and lawfully register them.

Ghost guns generally refer to guns that are undetectable, untraceable, or both. They include firearms that are built to avoid detection, missing serial numbers, or are able to be manufactured using 3-D printers and other cutting-edge technology. Ghost guns may be manufactured or assembled through commercially available kits without substantial time and effort. Once a gun is serialized and lawfully registered, it is no longer a ghost gun.

## Self-Manufactured Guns

<b>Need to know</b>	<p>Individuals may self-manufacture firearms for personal use and register those firearms with MPD provided that neither the gun nor the person are prohibited by law, the firearm is eligible for registration, the individual is qualified, and the individual engraves a permanent, unique serial number on the self-manufactured firearm.</p> <ul style="list-style-type: none"> <li>• Individuals meeting the statutory registration requirements provided in DC Official Code § 7-2502.03 may apply to register and serialize their eligible, self-manufactured firearm in the District of Columbia with the MPD Firearms Registration Branch.</li> <li>• Eligible individuals may also apply for concealed carry pistol licenses for these guns at the Firearms Registration Branch.</li> </ul>
<b>Prohibitions</b>	<p>Individuals are prohibited from engaging in the business of manufacturing any firearm, destructive devices, or parts thereof, or ammunition, except:</p> <ul style="list-style-type: none"> <li>• Persons who make their own firearms solely for personal use (not for sale or distribution); and</li> <li>• Persons holding registration certificates engaging in hand loading, reloading, or custom loading ammunition for his or her registered firearm, provided that such person may hand load, reload, or custom load ammunition for others.</li> </ul>

## Ghost Gun Definition Clarification

<b>Current definition</b>	<p>The definition of ghost guns has been clarified. Ghost guns are untraceable (i.e., no serial number) and undetectable (i.e., by metal detectors after the removal of grips, stocks, and magazines).</p> <ul style="list-style-type: none"> <li>• No longer references an “unfinished” frame or receiver.</li> </ul>
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<b>Need to know</b>	<ul style="list-style-type: none"> <li>• Specifies that the undetectability is after the removal of grips, stocks, and magazines.</li> <li>• Specifically notes that ghost guns lack unique serial numbers.</li> <li>• Includes certain enumerated exceptions.</li> </ul> <p>The prohibitions on ghost guns remain the same.</p> <ul style="list-style-type: none"> <li>• Ghost guns cannot be registered. Qualified persons can apply to register their self-manufactured guns through MPD and have a verified unique serial number affixed so that it is no longer a ghost gun.</li> <li>• Ghost guns cannot be sold, transferred, or otherwise disposed of in the District and are subject to seizure by law enforcement. However, ghost guns may be voluntarily and peaceably surrendered to the chief of police pursuant to DC Official Code § 7-2507.05.</li> </ul>
<b>Penalties</b>	<ul style="list-style-type: none"> <li>• All other penalties for possession or use of a firearm or dangerous weapon apply.</li> <li>• Unregistered firearm: up to one year imprisonment; \$2,500; or both.</li> <li>• Illegal sale, transfer, disposal: up to one year imprisonment; \$2,500; or both.</li> </ul>
<b>References</b>	<ul style="list-style-type: none"> <li>• DC Official Code § 7-2502.01 (Definitions)</li> <li>• DC Official Code § 7-2502.02 (Registration of certain firearms prohibited)</li> <li>• DC Official Code § 7-2505.01 (Sales and transfers prohibited)</li> <li>• DC Official Code § 7-2507.06 (Penalties)</li> <li>• DC Official Code § 22-4504 (CPWL)</li> <li>• DC Official Code § 22-4514 (Possession of certain dangerous weapons prohibited)</li> <li>• DC Official Code § 22-4515 (Penalties)</li> </ul>

This temporary legislation will expire 225 days from enactment and is expected to be superseded by additional authorizing legislation. While this circular will expire on February 15, 2024, changes made to District law as described in this circular will become permanent upon passage of the permanent bill and remain so until such time as the law is amended. Members will be notified in the event that the permanent legislation does not move forward.



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RJC:KDO:MOC:KWC:SMM