

Written Testimony of Katie Novotny in opposition of HB638

25 February 2021

I am a member of Multiple Gun Rights organizations. Maryland Shall Issue, Associated Gun Clubs, Maryland State Rifle and Pistol Association, and the National Rifle Association. I am a certified Range Safety Officer with the NRA. I compete in multiple shooting events such as Steel Challenge, 3-gun, small bore, and vintage military rifle matches. I am an avid firearms collector. I oppose HB638.

It has been legal to manufacture firearms for personal use for the entire history of this country. There are already numerous federal laws regarding these firearms. It is already illegal, federally, for a prohibited person to possess or manufacture a firearm. It is also already illegal to manufacture a firearm that is undetectable by a metal detector. (<https://www.atf.gov/firearms/qa/firearm-illegal-if-it-made-plastic>) What is the purpose of making these doubly illegal? Criminals have already proven they are able to obtain firearms in spite of the Firearms Safety Act of 2013 and every law passed before and since that bill went into effect. This bill will only affect hobbyists who manufacture firearms for their own enjoyment.

Getting into the meat of the bill, there are a number of unnecessary requirements that simply make this bill difficult to comply with. Regarding the engraving required, the model of the firearm or frame, if a designation has been made. Oftentimes individuals will be manufacturing their own firearm because one does not exist that meets the specifications that they desire. This can be subjective to whether or not it is acceptable to omit this information. Regardless, this information is not useful and serves no purpose. The caliber or gauge. Again, this serves no purpose aside from being a burden to have engraved. This information is not useful in tracking a firearm. The full legal name and city of the person possessing the firearm or unfinished frame. I have a very long name. So long in fact, that my Maryland driver's license has omitted letters in order to fit it onto my license. I am not alone in this. Some cities have very long names as well. How much space is reasonable to use to engrave this information? To follow federal laws, the letters must be 1/16 of an inch tall and engraved to a depth of .003 inches. This bill limits the number of places that this information may be placed. Furthermore, requiring this information to be placed on an unfinished frame or receiver is pointless. Depending on the completeness of this component, so much material may need to be removed that the entire outside surface area would be removed, removing this information. Additionally, the city of the person manufacturing the item could very quickly become outdated, so seems unnecessary to include. Names may be changed as well. Prior to 2012, I would have had a different name to engrave on a receiver.

The requirements to manufacture a firearm after Jan 1, 2022 are incredibly burdensome to hobbyists. Requiring a federally licensed manufacturer or importer to engrave the above information is simply not an acceptable option. A firearms manufacturer is not going to be willing to engrave information on a firearm that they did not import or manufacture. Also, if this is an item that has been entirely home built, perhaps starting life as a spool of 3D printer material, how is an individual supposed to transport this receiver to a manufacturer or importer to have this engraving done and not run afoul of this law?

Why not allow individuals to continue to engrave their own firearms as they are for firearms or receivers manufactured prior to this time?

“Covert firearm” is already allowed for by the ATF. These are considered “Any Other Weapon” and require a federal tax stamp and all of the background checks, fingerprinting, and the rest of the process that goes with that. This bill prohibits ownership of those items which are allowed for and controlled by federal law. Furthermore, it does not provide for any compensation for those items.

In 2019, the ATF reports that 9,465 firearms were recovered and traced in Maryland. This does not include any firearms that were not traced. <https://www.atf.gov/file/147101/download> That same year, 117 “ghost guns” were recovered. <https://www.baltimoremagazine.com/section/community/iron-pipeline-gun-violence-out-of-state-traffickers/> This is a very small percentage. This also does not differentiate between homemade firearms or those which have had their serial number removed. So yes, criminals are getting their hands on these items, just as they do any other item they wish to possess. Gun tracing also only gives limited information. A firearm may be linked to the state it was sold in when new, but how it ended up in a seizure, often many years later, is often a mystery. The ATF was even unable to trace their own guns from Operation Fast and Furious, and all of those firearms had serial numbers that the ATF knew.

This is yet another bill introduced under the flag of reducing crime. Ultimately it will be incredibly burdensome to hobbyists and law-abiding citizens participating in innocent behavior, while doing nothing to curb the violence that has been plaguing our communities. If passed into law, it will never be revisited to measure its effectiveness. It will never be amended or repealed when it is found to be completely ineffective. Instead, the law-abiding firearms community will take the punishment for crimes they have not committed. The violence we all wish to stop needs reform that goes much deeper than this. Hard choices need to be made to fix the generations of mistrust. Laws like this are what gave us Baltimore’s Gun Trace Task Force, and it is clear how poorly that worked out.

Finally, this is a bill that criminals simply will ignore. How will this be enforced? How will you force criminals to engrave a receiver? Bottom line is they will continue to ignore yet another law.

Because of these reasons above, I request an unfavorable report.

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