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Re: Comments on SB0387

- There is a currently proposed rule "Definition of Frame or Receiver and Identification of Firearms" (2021R-05) that conflicts with SB0387. The MGA shouldn't pass legislation that conflicts with ATF proposed rules and should wait until this is resolved at a federal level.
- The ultimate goal of reducing violence will not be served by SB0387 simply because felons are already breaking multiple laws to be in possession of firearms. It is illegal for felons to possess, carry, make, and use firearms. A felon who is already breaking multiple laws is unlikely to be deterred by an additional law.
- The vast majority of privately made firearms are in lawful common use by law-abiding gun owners. It is already illegal for criminals to possess and use guns in crimes. Adding additional regulations on the law-abiding has no effect on criminals. In fact, as in Haynes v. United States, the additional proposed requirements would likely not apply to convicted felons since this would be viewed as self-incrimination.
- There are likely many hundreds of thousands of unserialized firearms legally owned by law-abiding Maryland citizens who use them daily for lawful purposes. There is no reason to penalize these gun owners by requiring engraving that will cost them, in most cases, \$25+ per firearm that they already own.
- In many cases, it is not possible to engrave alternative materials (such as ABS and PLA plastics) according to ATF guidelines. Therefore any currently legal firearm frame owned by law-abiding citizens made from materials such as ABS and PLA would likely not be able to be compliant with SB0387.
- Although the number of recovered firearms without serial numbers has risen, the violent crime rate hasn't increased at a similar rate. If unserialized firearms were fueling an increase in violent crime, the violent rate would have increased proportionally to the increase in recovered unserialized firearms.
- This proposed rule will significantly impact my small business. This will increase the cost of gunsmithing work on many firearms, significantly increase record keeping requirements, and likely affect my ability to expand my company's capabilities due to increased costs and lower profitability.
- The ATF has long held that the 80% threshold determines at what state of manufacture that raw materials become a firearm. This is the point where it has long been established by the ATF that a firearm can "readily be completed." The current 80% threshold is objective and enforceable. The proposed SB0387 5-701 (H) (1) doesn't provide an objective definition of "MAY READILY BE COMPLETED" and should defer to the long-established ATF 80% definition.
- This proposed rule generates significant burden on citizens, FFLs, and non-FFL manufacturers with minimal benefit. There is no evidence presented that being able to more easily trace unserialized would provide any crime-reduction benefit. The minimal speculative benefit of this proposed rule doesn't justify the significant burden that further infringes on the 2<sup>nd</sup> Amendment rights of citizens.
- Many FFLs won't have the capability to mark firearms with serial numbers and will be unable to acquire and ship non-serialized firearms to other dealers for customers.

- If unserialized firearms are being unlawfully manufactured, creating additional rules and levying requirements will have zero effect on the unlawful manufacturer since they are already violating federal law and adding serial numbers only serves to create additional risk of discovery.
- In many cases of custom unserialized firearms, it is difficult for FFLs to determine how to safely serialize them using the stamp method given as an example since it deforms the metal under the stamp which weakens it. For custom firearm designs, the safety of the firearm may be compromised if the marking are placed in critical areas.
- “UNFINISHED FRAMES OR RECEIVERS” often require significant machining on multiple/all faces of the item which may obliterate any existing markings on the raw castings/forgings.



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Owner