

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 44 - FIREARMS

§ 926. Rules and regulations

(a) The Attorney General may prescribe only such rules and regulations as are necessary to carry out the provisions of this chapter, including—

- (1) regulations providing that a person licensed under this chapter, when dealing with another person so licensed, shall provide such other licensed person a certified copy of this license;
- (2) regulations providing for the issuance, at a reasonable cost, to a person licensed under this chapter, of certified copies of his license for use as provided under regulations issued under paragraph (1) of this subsection; and
- (3) regulations providing for effective receipt and secure storage of firearms relinquished by or seized from persons described in subsection (d)(8) or (g)(8) of section 922.

No such rule or regulation prescribed after the date of the enactment of the Firearms Owners' Protection Act may require that records required to be maintained under this chapter or any portion of the contents of such records, be recorded at or transferred to a facility owned, managed, or controlled by the United States or any State or any political subdivision thereof, nor that any system of registration of firearms, firearms owners, or firearms transactions or dispositions be established. Nothing in this section expands or restricts the Secretary's¹ authority to inquire into the disposition of any firearm in the course of a criminal investigation.

(b) The Attorney General shall give not less than ninety days public notice, and shall afford interested parties opportunity for hearing, before prescribing such rules and regulations.

(c) The Attorney General shall not prescribe rules or regulations that require purchasers of black powder under the exemption provided in section 845 (a)(5) of this title to complete affidavits or forms attesting to that exemption.

Footnotes

¹ So in original. Probably should be "Attorney General's".

(Added Pub. L. 90–351, title IV, § 902, June 19, 1968, 82 Stat. 234; amended Pub. L. 90–618, title I, § 102, Oct. 22, 1968, 82 Stat. 1226; Pub. L. 99–308, § 106, May 19, 1986, 100 Stat. 459; Pub. L. 103–322, title XI, § 110401(d), Sept. 13, 1994, 108 Stat. 2015; Pub. L. 107–296, title XI, § 1112(f)(6), Nov. 25, 2002, 116 Stat. 2276.)

References in Text

The date of the enactment of the Firearms Owners' Protection Act, referred to in subsec. (a), is the date of enactment of Pub. L. 99–308, which was approved May 19, 1986.

Amendments

2002—Subsecs. (a) to (c). Pub. L. 107–296 substituted "Attorney General" for "Secretary".

1994—Subsec. (a)(3). Pub. L. 103–322 added par. (3).

1986—Subsec. (a). Pub. L. 99–308, § 106(1)–(4), designated existing provision as subsec. (a), and in subsec. (a) as so designated, in provision preceding par. (1) substituted "may prescribe only" for "may prescribe" and "as are" for "as he deems reasonably", and in closing provision substituted provision that no rule or regulation prescribed after May 19, 1986, require that records required under this chapter be recorded at or transferred to a facility owned, managed, or controlled by the United States or any State or political subdivision thereof, nor any system of registration of firearms, firearms owners, or firearms transactions or dispositions be established and that nothing in this section expand or restrict the authority of the Secretary to inquire into the disposition of any firearm in the course of a criminal investigation for provision that the Secretary give reasonable public notice, and afford an opportunity for a hearing, prior to prescribing rules and regulations.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

Subsecs. (b), (c). Pub. L. 99–308, § 106(5), added subsecs. (b) and (c).

1968—Pub. L. 90–618 inserted provisions authorizing the Secretary to prescribe regulations requiring a licensee, when dealing with another licensee, to provide such other licensee a certified copy of the license, and regulations authorizing the issuance of certified copies of the license required under this chapter.

Effective Date of 2002 Amendment

Amendment by Pub. L. 107–296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

Effective Date of 1986 Amendment

Amendment by Pub. L. 99–308 effective 180 days after May 19, 1986, see section 110(a) of Pub. L. 99–308, set out as a note under section 921 of this title.

Effective Date of 1968 Amendment

Amendment by Pub. L. 90–618 effective Dec. 16, 1968, see section 105 of Pub. L. 90–618, set out as a note under section 921 of this title.