



Maryland State Police
Licensing Division
ADVISORY
LD-FRS-13-006



December 04, 2013

WARRANTY & REPLACEMENT PARTS
REGULATED FIREARM COMPLIANCE ADVISORY

The Maryland State Police Licensing Division has been receiving numerous inquiries related to the shipment and transfer of warranty and replacement parts for legally owned regulated firearms. In an attempt to provide clarity and guidance, the below information is being published.

Does an out-of-state FFL fall under the exemption category listed under §4-302?

Maryland law does not govern dealers and manufacturers outside of the State of Maryland. CR 4-302(3)(ii) only refers to Maryland dealers, because the law does not reach dealers or manufacturers in other states.

Can a Maryland citizen lawfully receive and possess a new assault long gun or a new receiver for an assault long gun under a warranty, even if they receive it after 10/1/13?

Yes, a Maryland citizen who lawfully owned an assault long gun can lawfully receive and possess a new receiver or firearm received under the conditions of an existing warranty even if received after 10/1/13. While the exception in CR 4-302(3)(iii) only explicitly refers to warranty work shipped out-of-state, it would be contrary to the spirit of that provision as well as CR 4-303(b)(3) to say that a citizen could not be provided a replacement weapon if the one they lawfully purchased was somehow broken or defective.

Would a 77R be required when a replacement regulated firearm or replacement receiver is shipped directly to a Maryland resident from an out-of-state manufacture?

No, a 77R would not be required, however it is recommended that the resident contact Licensing Division to update the firearm information and to provide a copy of the letter detailing the exchange from the manufacturer.

Can a Maryland firearm's manufacturer ship a replacement regulated firearm or replacement receiver for a defective regulated firearm to a Maryland resident?

No, a Maryland firearm's manufacturer may not ship a replacement regulated firearm or replacement receiver for a defective regulated firearm directly to a Maryland resident. The Maryland firearm's manufacturer would be required to ship the replacement regulated firearm or replacement receiver to a Maryland Regulated Firearm's Dealer as a 77R is required.

Would a 77R be required for a Maryland resident when a replacement regulated firearm or a replacement receiver is shipped to a Maryland FFL from an out-of-state manufacture?

Yes, a 77R would be required if the out-of-state manufacturer ships a replacement receiver for a regulated firearm or a defective regulated firearm to a Maryland Regulated Firearm's Dealer.

Can an out-of-state FFL sell and/or supply Maryland's regulated and licensed firearm's dealers with assault long guns?

Out-of-state dealers and manufacturers may ship assault long guns and copycat weapons and high capacity magazines into Maryland, but Maryland dealers may only sell such items to exempt persons in Maryland or back out-of-state.