

## § 478.38

## 27 CFR Ch. II (4–1–14 Edition)

or experimentation as authorized by the Director under the provisions of § 478.149.

[T.D. ATF-270, 53 FR 10494, Mar. 31, 1988]

### § 478.38 Transportation of firearms.

Notwithstanding any other provision of any law or any rule or regulation of a State or any political subdivision thereof, any person who is not otherwise prohibited by this chapter from transporting, shipping, or receiving a firearm shall be entitled to transport a firearm for any lawful purpose from any place where such person may lawfully possess and carry such firearm to any other place where such person may lawfully possess and carry such firearm if, during such transportation the firearm is unloaded, and neither the firearm nor any ammunition being transported is readily accessible or is directly accessible from the passenger compartment of such transporting vehicle: *Provided*, That in the case of a vehicle without a compartment separate from the driver's compartment the firearm or ammunition shall be contained in a locked container other than the glove compartment or console.

[T.D. ATF-270, 53 FR 10494, Mar. 31, 1988]

### § 478.39 Assembly of semiautomatic rifles or shotguns.

(a) No person shall assemble a semiautomatic rifle or any shotgun using more than 10 of the imported parts listed in paragraph (c) of this section if the assembled firearm is prohibited from importation under section 925(d)(3) as not being particularly suitable for or readily adaptable to sporting purposes.

(b) The provisions of this section shall not apply to:

(1) The assembly of such rifle or shotgun for sale or distribution by a licensed manufacturer to the United States or any department or agency thereof or to any State or any department, agency, or political subdivision thereof; or

(2) The assembly of such rifle or shotgun for the purposes of testing or experimentation authorized by the Director under the provisions of § 478.151; or

(3) The repair of any rifle or shotgun which had been imported into or assembled in the United States prior to

November 30, 1990, or the replacement of any part of such firearm.

(c) For purposes of this section, the term *imported parts* are:

- (1) Frames, receivers, receiver castings, forgings or stampings
- (2) Barrels
- (3) Barrel extensions
- (4) Mounting blocks (trunions)
- (5) Muzzle attachments
- (6) Bolts
- (7) Bolt carriers
- (8) Operating rods
- (9) Gas pistons
- (10) Trigger housings
- (11) Triggers
- (12) Hammers
- (13) Sears
- (14) Disconnectors
- (15) Buttstocks
- (16) Pistol grips
- (17) Forearms, handguards
- (18) Magazine bodies
- (19) Followers
- (20) Floorplates

[T.D. ATF-346, 58 FR 40589, July 29, 1993]

### § 478.39a Reporting theft or loss of firearms.

Each licensee shall report the theft or loss of a firearm from the licensee's inventory (including any firearm which has been transferred from the licensee's inventory to a personal collection and held as a personal firearm for at least 1 year), or from the collection of a licensed collector, within 48 hours after the theft or loss is discovered. Licensees shall report thefts or losses by telephoning 1-888-930-9275 (nationwide toll free number) and by preparing ATF Form 3310.11, Federal Firearms Licensee Theft/Loss Report, in accordance with the instructions on the form. The original of the report shall be forwarded to the office specified thereon, and Copy 1 shall be retained by the licensee as part of the licensee's permanent records. Theft or loss of any firearm shall also be reported to the appropriate local authorities.

(Approved by the Office of Management and Budget under control number 1140-0039)

[T.D. ATF-363, 60 FR 17451, Apr. 6, 1995, as amended by ATF-11F, 73 FR 57240, Oct. 2, 2008]