

## Certified Faxed Copies of Firearms License

At the Shot Show, the issue of FFL(s) accepting faxed copies of licenses was discussed. According to Chief Counsel, "the regulations in 27 CFR 478.95, titled "Certified copy of license," indicates that a licensee may reproduce copies of his/her license for certification as required for sales to another licensee pursuant to 478.94. Accordingly, it is clear that some sort of a mechanical reproduction of the license may be used, rather than an original copy. The regulations do not specifically address whether the certified license that is furnished to the transferor must have an original signature. However, the license itself indicates, under "Purchasing Certification," that the signature on each copy of a certified license must be an original signature. Any type of signature, whether it is done by hand with a pen, stamped, auto-penned, or any other type of signature, is an original signature if the person whose signature appears intends it as an original signature. The regulations do not limit the types of signatures that can be on the certified license, therefore, a faxed copy of the license bearing a signature is acceptable."

Firearms Programs Division will be preparing guidelines to FFL(s) on the acceptance of faxed copies of licenses, which will be posted on ATF's web site and in the Aug. FFL Newsletter. Until this information is prepared, we want to ensure consistent guidelines are provided to FFL(s) that contact field offices on this issue. Please provide the following information to FFL(s):

\* ATF will recognize a faxed copy of a Federal firearms license as an acceptable alternative form of verification. We suggest that you strongly encourage the transferor to utilize the eZ Check system and verify the authenticity of the transferee's license prior to shipping or disposing of a firearm(s) to another licensee.

\* Verification and certification of a license is not considered valid unless a legible copy of the transferee's license clearly identifies the name, address, license number and expiration date of the license. Acceptance of blurred or illegible copies of a transferee's license will constitute noncompliance with regulations and will result in the transferring licensee (the seller) being in violation of that regulation.

\* Since all fax machines and settings differ, FFL(s) may need to fax with a fax resolution setting of fine, super fine, or photo to ensure the fax copy of the license is legible.

If you have any questions regarding this matter, please contact FEB Program Manager, Cherie Knoblock, (202) 927-7770.