

# All About Shipping Guns

How to navigate the rules of three popular shipping companies. Hint: It can be done.

MY EDITORS HAVE BEEN hearing from some readers who are running into trouble when attempting to ship a firearm they sold through GDtM. These are non-licensed individuals who might be shipping only a gun or two, not dealers. Seems they are being refused service or given incorrect information when attempting to ship through the US Post Office, or a common carrier such as UPS or Fed Ex. Since I ship several firearms every week, I was asked to provide some information on the legal ways to ship firearms. What follows is not legal advice and is provided as information only. If you are going to ship any firearms, I urge you to verify this information at the sources.

The first things a gun shipper needs to know are the Federal rules regarding the inter-state shipment of firearms. Rather than cut and paste a bunch of legalese from a BATFE website, I will attempt to give a basic outline. The government regulations state that only an FFL (Federal Firearms License) holder may receive firearms in inter-state shipment. This is when shipping a firearm from one state to another. If a firearm is being shipped within a single state, or intra-state, the rules are a bit different. Shipping a firearm within a state does not require the involvement of an FFL holder, unless there are state regulations governing private sales of firearms.

The sender does not need to have an FFL to ship a firearm to an FFL holder. However, some FFLs refuse to receive a firearm from a non-FFL shipper. That is their own policy, not backed up by the regulations. It is suggested that a non-FFL shipping a firearm to an FFL holder include a copy of their ID or drivers license. The receiving FFL must have this information to enter the firearm in their records. I have had

transfer firearms show up with nothing to indicate who sent it beyond a return address on the box.

If an unlicensed person is shipping a firearm they need to verify that the person or business they are shipping to has a valid FFL. This can be done by getting a signed copy of the recipient FFL mailed or faxed to the sender. Be aware that you might run across a dealer who refuses to provide a copy of their FFL if they are receiving the firearm from a non-licensee. Not a problem if they will give their license number to check on the BATFE website at a page called FFL EZ check. This is the best way to verify that an FFL is current, whether you have a mailed copy or just an FFL number. Try [www.atfonline.gov/fflez-check/](http://www.atfonline.gov/fflez-check/) Just type in the FFL numbers and it will display the shipping address and date the license expires. The EZ check site does not work to verify Curio and Relic type 03 licenses. The C&R information is not considered public, while regular dealer FFLs are. You must get a signed copy mailed to you from any C&R FFL holder.

Other Federal requirements are that the package containing a firearm NOT contain any markings indicating the contents and that the package require an adult signature at time of delivery. There is no Federal requirement that the shipper be notified that the package contains a firearm if it is being sent to an FFL.

Muzzle loading firearms and antique firearms made before Jan. 1, 1899, are exempt from Federal regulation. They can be shipped freely, unless in violation of state law.

Now we see that it is legal under Federal law for an un-licensed individual to ship a firearm to an FFL address. The problems come up when uninformed clerks refuse to

accept the firearm presented for shipment. Or they add their own rules to make it impossible to comply. This can happen at any shipping venue. Most of the time it is due to ignorance of their own rules and fear of firearms. The only thing one can do is ask to speak to the clerks' supervisor. Ask to see the relevant regulations in the shipping rules, or tariff. Having your own copy of these rules and the recipients' FFL copy can sometimes help. Just remember, even though you know you are in compliance with the regulations, you can not force a reluctant shipper to accept any package.

## USPS

Non-licensed individuals can ship rifles or shotguns to any FFL location. Just be sure there is no ammunition included in the package. It is against USPS regulations to mail ANY ammunition at any time. The postal clerk will ask if there is anything liquid, fragile or hazardous in the package. As long as there is no ammunition in the box, you can answer no to this question. An unloaded long gun poses no threat to any freight handlers or truck drivers.

Handguns can only be sent by an FFL holder to an FFL holder. A postal form PS 1508 is filed with each handgun shipment where the sender certifies that they and the recipient are FFL licensed dealers, manufacturers or importers. Because the wording on the PS-1508 does not specifically mention C&R it has been assumed that USPS does not recognize a C&R FFL for the purpose of mailing handguns. In fact, the term curio & relic or C&R never appears in any official USPS document. I think it was omitted because they were hardly ever used when the PS-1508 system was devised. It might be nice if someone could get an official opinion on this. Many postmasters

have never dealt with firearms shipments. My local USPS folks have actually called me when a customer came in asking questions about gun shipping. A violation of Postal service rules concerning firearms could be considered a Federal crime with all the nasty results that can involve.

My USPS notes: USPS would be my first choice for a non-licensee to ship a long gun. Shipping a firearm with insurance will require the receiver to sign for it when delivered. This satisfies the signature requirement. However, I recommend also adding the return receipt card. This post card is signed by the recipient and then mailed back to the shipper. If you need to ship a handgun it might be a good idea to ask a local FFL holder to ship it for you. Even with paying an FFL for his time to ship, USPS will cost less than UPS or Fed Ex which require handguns be sent next day air. Some dealers will do this. Some will not.

### United Parcel Service

The following is taken directly from the UPS web site: "Special Procedures for Shipping Firearms

Firearms will be transported only between licensed importers, licensed manufacturers, licensed dealers, and licensed collectors, as defined in the United States Gun Control Act of 1968, law enforcement agencies of the United States or of any department or agency thereof and law enforcement agencies of any state or department agency, or political subdivision thereof, and between persons not otherwise prohibited from shipping firearms by federal, state or local law and when such shipment complies with all applicable federal, state and local laws. You must ship your packages that contain handguns with UPS Next Day Air Early A.M., UPS Next Day Air, or UPS Next Day Air Saver services. Your packages that contain firearms will not be accepted for shipment at UPS Drop Boxes, with UPS SonicAir service, at locations of The UPS Store or any third-party retailer, or with international services.

Your packages that contain handguns must be separated from other packages being delivered to UPS. Ammunition cannot be included in your packages that contain firearms (including handguns)

When you are shipping your package

that contains a firearm with UPS, you must affix a UPS label requesting an adult signature upon delivery.

You can only ship your package that contains a firearm from UPS daily pickup accounts and through UPS Customer Centers. When you are shipping a package that contains a handgun, you must verbally notify the UPS driver or UPS Customer Center clerk.

See the terms and conditions in the UPS Tariff for shipping firearms." This additional sentence is contained in the UPS tariff: UPS, in its sole discretion, may require the shipper select Next Day Air service for any shipment containing a firearm.

My UPS notes: UPS only accepts firearms at a UPS customer center and this is inconvenient for many people. Customer centers usually are located at the UPS truck terminals where the local drivers are based. That could be a hundred miles or more from some locations. Some UPS employees are interpreting the first sentence in the Shipping Procedures for Firearms document to mean only FFL holders can ship firearms. I think the final clause "and between persons not otherwise prohibited from shipping firearms by federal, state or local law and when such shipment complies with all applicable federal, state and local laws" leaves the door open for non-licensees to ship firearms.

### Federal Express

"Federal Express can only accept and deliver firearms between areas served in the U.S. under the following conditions: (1) you agree to tender shipments of firearms to us only when either the shipper or recipient is a licensed manufacturer, licensed importer, licensed dealer or licensed collector and is not prohibited from making such shipments by local, state or federal regulations; (2) the shipper and recipient must be of legal age as identified by applicable state law.

Firearms must be shipped via FedEx Priority Overnight service. FedEx cannot ship or deliver firearms C.O.D. or with a signature release. Upon presenting the package for shipment, the person tendering the shipment to FedEx is required to notify the FedEx employee who accepts the package that the package contains a

firearm. The outside of the package must not be marked, labeled or otherwise identify that the package contains a firearm. Firearms shipments cannot be placed in a FedEx Express Drop Box.

You also agree not to ship loaded firearms or firearms with ammunition in the same package. Ammunition is an explosive and must be shipped separately as dangerous goods. The shipper and recipient are required to comply with all applicable government regulations and laws, including those pertaining to labeling. The Bureau of Alcohol, Tobacco, Firearms and Explosives can provide assistance."

I have never shipped a firearm through FedEx. The nearest FedEx office is 50 miles from me. The next day requirement on all guns makes FedEx a costly option for firearm shipments. I have heard they sometimes will want to inspect a firearm to insure it is unloaded. This is a pain if you have already boxed the gun up. Some clerks are even requiring that a firearm be broken down, but I can find nothing about it in their tariff.

### Packing Hints

In over 600 firearms shipped since 1998, when I started doing mail order and Internet sales, I have had only seven damaged shipments. All were with UPS, because I use them for most long guns. All damage involved broken stocks. In all cases but one, they paid the insurance claim. I use a 6 x 6 x 48 inch heavy cardboard shipping carton. The gun is put in a padded gun sleeve and foam packing peanuts are used to fill up the empty space in the box. I have had no damage claims since I started using the packing peanuts. Do not use wadded newspapers as packing.

If you are only shipping a few long guns I suggest just buying a plastic hard case with foam padding. These can be had for around \$20 at most Mart marts. Keep the cardboard box the case comes in. Gun in hard case, case in box, tape it up and cross your fingers.

Good luck with your firearm shipping adventure. The situation could get worse. If UPS and FedEx decided to not allow any non-FFL firearms shipments it would leave USPS as the only option. It could happen. **GDTM**