

The Proper Disposal of Firearms: A Guide

Disposing of a firearm seems complex since you cannot just throw your unwanted firearm in the garbage. What do you do with a gun you no longer want? In the United States, the [Bureau of Alcohol, Tobacco, and Firearms](#) has a short list of options that you can use to find the best way to deal with unwanted firearms.

Methods of Firearm Disposal

The ATF gives you four options for getting rid of any unwanted gun. They include:

- Give it to the Police Department
- Destroy it
- Donate it
- Sell It

Giving the Gun to the Police Station or County Sheriff's Office.

You can take a gun or rifle to your local police department and any unwanted ammunition too and hand them over to a police officer or state police facility.

It is a good idea to call ahead of time and ask them about their procedure for bringing a gun into their police station. They can get a bit irked if you just show up with a gun.

Destroying the Firearm

The ATF has a document that tells you [how to destroy a firearm](#). It involves cutting the firearm into pieces so that the register is destroyed in a specific way. Thankfully, their document also contains illustrations for both handguns and rifles.

If you are a Federal Firearms Licensee (FFL), [FastBound](#) has a built-in process for [disposing of destroyed firearms](#), including the required and recommended documentation for doing so.

The ATF prefers that guns are smelted. Their goal is that the register is not recoverable. To the ATF, the lower receiver is the part of the gun that you must register with them. Sometimes, barrels or other parts of the firearm are required to be registered, but every lower receiver is to be registered.

If you decide to smelt the gun, be careful as some of the metals or finishes may produce hazardous waste.

If you choose to destroy the firearm by smelting it, you must understand that the ATF makes it very clear that an unserviceable firearm is still a firearm, and it must be registered with the ATF. Destroying a firearm and making a gun or rifle unserviceable are not the same things.

These rules are in place to keep prohibited people, such as those involved in controlled substances or crime, away from access to firearms.

Other methods of safe disposal of firearms approved by the ATF include:

- Smelting
- Crushing
- Cutting – Further information about cutting a firearm to make it disposable is available on the ATF site.
- Shredding

Additional information is available through the ATF about destroying a gun or rifle. If you do not have access to the tools needed to smelt, crush, cut, or shred the gun or rifle, you can take it to your law enforcement agency.

Donate the Firearm

You can check with your local municipal corporation to see if they have a governmental office that handles donated firearms. Some local or state-level museums may have the authority to accept donated guns, especially historical pieces.

Other types of businesses such as a licensed firearm dealer may also be able to accept your donated gun. So long as the gun fits the [licensed dealer's FFL](#), there should be little problem.

As the gun owner, you may have to fill out paperwork to transfer the gun out of your name and into the name of the licensed firearm dealer or that of their store.

Selling a Firearm

Under Federal Law, you only need an FFL to sell guns if selling or buying guns is your business. A **private sale of a firearm** does not require a background check or a Federal Firearms License. The ATF strongly suggests that private sales of firearms do not occur between the seller and someone who should not own a gun. That may be a person under the age of 18 or someone that the seller knows or would reasonably know has a felony record.

That may not be true at the state level, and state gun laws, when applicable, are more strict than federal laws. Depending on which state you live in, and where the sale occurs, state law may require that a background check be performed and that the sale of the firearm goes through a licensed firearm dealer with a valid FFL.

Since the ATF outlines several ways to dispose of a firearm, people who want to get rid of a gun can do so without fear of a criminal charge. Under federal law, you can dispose of a gun through a private sale as personal property, but it is better to go through an FFL. Guns are generally not permitted as items at waste disposal sites, though you can hand the gun over to a law enforcement officer or a federally licensed firearm dealer or take part in a private party sale. As part of the public safety bandwidth, firearm sales events can be a place for private party gun sales too.

Disposition for an FFL

Disposing of a gun at a gun dealer means that there is a record of the transaction. That can be very beneficial for anyone who wants to legally dispose of a firearm so that the weapon is no longer tied to the person who is disposing of the gun.

In terms of the **disposition from the point of view of the FFL**, it simply means the transfer of the gun within the bound books or from one party to another. That process means that the FFL must follow the firearm safety regulations required by the ATF.

Disposition Requirements

The ATF outlines the rules and requirements for all dispositions of firearms.

The FFL must include data for:

- The model of the gun or rifle
- The serial number of the weapon
- The type of weapon – handgun, rifle, shotgun, etc.
- Caliber or gauge
- Date of the disposition
- Business name, address of the person receiving the gun, and their FFL number if they are a federal firearm license holder
- The date they take possession of the unit.
- Their full name and not a repeat of their business name if they are in business and have an FFL.
- Disposition information that includes the form name filed, such as 4473, or their FFL #, and the location of the sale, such as the address of a gun show, etc.

The Importance of Proper A&D Records

To maintain a gun selling and buying business or any other type of business under an FFL, the **A&D records** are critical. It is essential and your legal responsibility to maintain accurate A&D records with data that is truthful and meets the strict requirements issued by both the U.S. Federal government and your state government.

As a federal firearms licensee, you are required to run a background check if you are selling or buying a gun through your business. The rules can change slightly if you are buying a gun as a private party for your collection. If the gun you purchase through a private party transaction is to be sold in your FFL business, then the forms must be created and accurate.

People who want to donate a gun or dispose of a gun can contact their local law enforcement office, or sheriff's department, or check with their local municipal corporation to see if there is a gun disposal facility within the county or state where they live. They can also donate the gun to an FFL, but unregistered firearms will require paperwork even though you are not purchasing the gun. That is for your benefit as you don't want to accept a firearm that was used in a crime and that may be traced. The paperwork helps deter those kinds of transactions and helps you to identify the donating person in case there are legal questions later.