

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Request
Supporting Statement
1140-0051
Certification of Secure Gun Storage or Safety Devices
ATF F 5300.42

A. JUSTIFICATION

1. Necessity of Information Collection

Provisions of Public Law 105-277 (18U.S.C. 921(a)) require applicants for dealer's licenses to certify that secure gun storage or safety devices will be available at any place where firearms are sold to non licensees. The amendment also provides for license revocation for any licensee who fails to have gun safety devices available at any place where firearms are sold to non licensees, subject to certain exceptions.

The Bureau of Alcohol, Tobacco, Firearms and Explosives has developed the attached form to be provided to all applicants for a firearms dealers license to ensure compliance with the statutory requirement.

2. Needs and Uses

The requested information on ATF F 5300.42 will be used to ensure that applicants for a Federal firearms license are in compliance with the requirements pertaining to the availability of secure gun storage or safety devices. Applicants must sign (ink) the form certifying that secure gun storage or safety devices will be available for the firearm that they are about to purchase.

The term "secure gun storage or safety device" means (A) a device that, when installed on a firearm, is designed to prevent the firearm from being operated without first deactivating this device; (B) a device incorporated into the design of the firearm that is designed to prevent the operation of the firearm by anyone not having access to the device; or (C) a safe, gun safe, gun case, lock box, or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, combination, or other similar means. This statement is on the form to ensure a clear understanding of what the respondent is certifying to.

3. Use of Information Technology

The form is available on the ATF website to download and print only. The form cannot be faxed because the respondent must certify with an original signature.

4. Efforts to Identify Duplication

ATF uses a uniform subject classification system for forms to identify duplication and ensure that any similar information already available cannot be used or modified for use for the purpose of this information collection.

5. Minimizing Burden on Small Businesses

The collection of information has no impact on small businesses.

6. Consequences of Not Conducting or Less Frequent Collection

The consequences of not conducting this information collection would result in non compliance with the requirements for secure gun storage. Applicants for a firearms dealers license will not be processed unless the form is completed.

7. Special Circumstances

The information will be collected in a manner consistent with the guidelines in 5 CFR 1320.6.

8. Public Comments and Consultations

The ATF firearms liaison consulted with the industry during the creation of this form. A 60-day and 30-day Federal Register Notice was published in order to solicit comments from the general public. No comments were received.

9. Provision of Payment or Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of Confidentiality

The forms are kept on the premises in a secured location. Confidentiality is not assured.

11. Justification for Sensitive Questions

No questions of a sensitive nature are asked.

12. Estimate of Respondent's Burden

There are 61,641 Federal firearms licensed dealers (respondents) that must complete this form. Each respondent responds 1 time. Total number of responses is 61,641. It is estimated that it takes 1 minute to complete the form. The total number of hours (61,641 divided by 60=1,027) associated with this form is 1,027.

13. Estimate of Cost Burden

There is no cost burden associated with this collection.

14. Cost to Federal Government

There is no cost to the Federal Government.

15. Reason for Change in Burden

This submission corrects an error in calculation from the previous submission. The error was a miscalculation in annual hours requested. As a result, there is a change (decrease) in burden hours due to a miscalculation of the burden in the previous submission. The previous burden was reported as 1,233 the corrected burden is 1,027 (a difference of 206). The change is an agency adjustment. Please note that the number of respondents has not changed nor the time it takes to complete the form.

16. Anticipated Publication Plan and Schedule

The results of this collection will not be published.

17. Display of Expiration Date

ATF does not request approval to not display the expiration date of OMB approval for this collection.

18. Exception to the Certification Statement

There are no exceptions to the certification statement.

B. STATISTICAL METHODS

None.