

## Antique Firearms

Updated: 7/22/05

As defined in 18 U.S.C. § 921(a)(16) the term “antique firearm” means—

...(A) *any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; or*

(B) *any replica of any firearm described in subparagraph (A) if such replica --*

*(i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or*

*(ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; or*

(C) *any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. **For purposes of this subparagraph, the term 'antique firearm' shall not include any weapon which incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon, which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.***

ATF has previously determined that certain muzzle loading models are firearms and subject to the provisions of the Gun Control Act of 1968 (GCA). All of these guns incorporate the frame or receiver of a firearm that is capable of accepting other barrels designed to fire conventional rimfire or centerfire fixed ammunition. Therefore, these muzzle loading models **do not** meet the definition of “antique firearm” as that term is defined in the above-cited § 921(a)(16) and **are** “firearms” as defined in 18 U.S.C. § 921(a)(3)

Furthermore, as *firearms*, the models described above, as well as other similar models, regardless of installed barrel type, are subject to all provisions of the GCA. Persons who purchase these firearms from licensed dealers are required to fill out ATF Form 4473 and are subject to a National Instant Background Check System (NICS) check. Convicted felons and certain other persons are prohibited from receiving and possessing these firearms.

The following is a list of weapons that load from the muzzle and remain classified as *firearms*, not antiques, under the purview of the GCA since they incorporate the frame or receiver of a firearm:

1. Savage Model 10ML (early, 1st version).
2. Mossberg 500 shotgun with muzzle loading barrel.
3. Remington 870 shotgun with muzzle loading barrel.
4. Mauser 98 rifle with muzzle loading barrel.
5. SKS rifle with muzzle loading barrel
6. RPB sM10 pistol with muzzle loading barrel.
7. H&R/New England Firearm Huntsman.
8. Thompson Center Encore/Contender.
9. Rossi .50 muzzle loading rifle.

This list **is not complete** and it frequently changes; therefore, there may be other muzzle loaders also classified as firearms. As noted, any muzzleloader weapon that is built on a firearm frame or receiver falls within the definition of a firearm provided in § 921(a)(3).