

PROPOSED REVISION TO PARA 4-8

4-8. Privately-owned weapons and ammunition

a. ~~The installation Senior~~ Commanders will establish procedures and publicize punitive policies that regulate privately-owned weapons, explosives, or ammunition ~~on the installation~~. Such policies will provide for—

(1) ~~Registration of firearms belonging to Soldiers and family members personnel living on the installation and the registration of firearms belonging to Soldiers who reside off post.~~

(2) Procedures for the carrying and use of weapons by hunters and marksmanship shooters using installation firing ranges.

(3) ~~Prohibition on the carrying of a concealed weapon on the installation, regardless of whether a state or county permit has been obtaining. For the purpose of this regulation, a concealed weapon is any instrument used or designated for the purpose of inflicting grievous bodily harm, which is carried on the person in such a way as to be hidden from ordinary view. Folded knives with blades smaller than three inches are excluded from this definition. Municipal, state, federal, and military law enforcement personnel may carry a duty weapon in a concealed manner when acting in an official capacity.~~

(4) ~~Identification of prohibited weapons, such as crossbows, numchucks, swords, throwing stars.~~

b. The carrying of privately-owned weapons, explosives, or ammunition on military installations are prohibited unless authorized by the ~~Senior Commander~~ installation commander or his designated representative.

(1) Signs will be posted at installation access control points depicting this prohibition.

(2) ~~This prohibition does not apply to the lawful performance of official duties by an officer, agent, or employee of the United States, a State, or a political subdivision thereof, who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law or security duties.~~

c. ~~Senior~~ Commanders will ensure privately-owned arms and ammunition (including authorized war trophies) are protected on their installations and facilities. ~~The Senior~~ Commanders will—

(1) ~~Ensure that Secure~~ arms and ammunition belonging to Soldiers living in unit billets, on post quarters, off post residence, and Bachelor Enlisted Quarters or Bachelor Officers Quarters are secured in ~~on the installation in the installation armory or unit arms rooms in approved locked containers separate from the military AA&E. Storage requirements in this regulation apply.~~

(a2) ~~The Senior Installation Commander~~ may authorize storage of these items in other locations on military installations, provided they are properly secured: weapons and ammunition at a Soldiers on post quarters, at a Soldiers off-post residence, and in Bachelor Enlisted Quarters, or Bachelor Officer Quarters provided they are properly secured. Weapons stored at these locations will be secured in either a locked container or provided with a trigger lock. Ammunition for the weapon will be secured separately from the weapon in a locked container.

(b) ~~Requests to store privately owned firearms in family quarters or off-post must be submitted in writing to the assigned unit commander. Unit commanders are responsible for verifying the family quarters or off-post location and ensuring the service members understand they must comply with applicable local and state laws governing privately owned firearms.~~

(c) ~~Unit commanders must approve requests in writing. Requests will be kept on file in the unit arms room until sale or transfer of the firearm is provided to the unit commander.~~

(23) Account for and inventory the privately-owned arms and ammunition by conducting inventories when inventorying Government arms and ammunition.

(a) A DA Form 3749 (Equipment Receipt) will be issued for each privately-owned weapon secured in the arms rooms.

(b) Privately-owned weapons will be inventoried in conjunction with, and at the frequency of, the inventory of Government weapons.

(c) ~~Senior~~ Commanders will establish limits on the quantity and type of privately-owned ammunition stored in the arms room, based upon availability of space and safety considerations.

(4) ~~Ensure~~ Post-applicable local regulations and State and local law information on ownership, registration, and possession of weapons and ammunition are posted on unit bulletin boards.

(5) Conduct inspections per AR 190-13 and this regulation to ensure proper storage and control.

(6) Process unauthorized AA&E in accordance with AR 195-5.

(7) Prohibit retention and storage of incendiary devices and explosives.

(8) Brief all newly assigned persons on this regulation and subordinate command guidance. All personnel will be made aware of changes.

d. Personnel keeping or storing privately-owned arms and ammunition (including authorized war trophies) on military installation will—

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(1) Comply with Federal, State, and local laws and regulations on ownership, possession, registration, off-post transport, and use.

(2) Store both arms and ammunition in the unit arms room or other locations authorized by the installation commander.

(3) Follow local security and safety regulations. Safeguard the unit issued DA Form 3749 for turn-in to the unit armorer when the weapon is withdrawn from the arms room.

(4) Withdraw privately-owned weapons and ammunition from the unit arms rooms only upon approval of the unit commander or the commander's authorized representative.

(5) Comply with the National Firearms Act and other relevant laws and regulations when receiving or bringing arms into the United States. Automatic arms must be turned over to the BATF or brought under Army control.

e. Possession, retention or storage of privately owned weapons including firearms or ammunition by person(s) described below is prohibited:

(1) Any person who has been convicted in any court of a crime of violence. For the purpose of this regulation, a crime of violence is one in which the use of force or threat of force is an element.

(2) Any person who is a fugitive from justice.

(3) Any person who has been convicted in any court of the possession, use, or sale of marijuana, dangerous or narcotic drugs (The term convicted includes non-judicial punishment under Article 15 UCMJ).

(4) Any person who is presently declared as mentally incompetent or who is presently committed to any mental institution.

(5) Any civilian, other than military family members or law enforcement officers under local, state or federal law, while on the installation, except while engaged in hunting, authorized target practice or an organized shooting match, unless specifically authorized in writing by the Senior Mission Commander.

(6) Any civilian or family member under the age of eighteen is prohibited from the use of firearms, unless accompanied and supervised by a parent or legal guardian over the age of eighteen.

(7) Delivery of a privately owned firearm to persons known to be under the age of eighteen, persons known to have been convicted of a crime of violence, persons known to be a drug abuser or under the influence of drugs, persons known to be an alcoholic or currently under the influence of alcohol or a person known to be of unsound mind, is prohibited.