

Can I LEGALLY Construct an AR Pistol?

How old are you?

Federal law prohibits people under 18 from possessing handguns. There are exceptions but they are so scarce and specific they exceed the scope of this diagram.[1]

Federal law prohibits people under 21 from purchasing pistols and stripped lowers from licensed gun dealers [2]

What state are you in?

CT, DE, DC, HI, IA, MA, MD, NJ, NY

CA, RI, WA NV\*

CO, FL, NE OH, OR, VT, WY

MI\*, IL\*, Any Other State

Your state prohibits possession of a pistol for people under 21 [3]

Your state prohibits private transfer to people under 21, AND the creation of unserialized firearms [4]

Your state allows for the creation of unserialized firearms, so you may produce your own lower. [5]

Your state allows for private party transfers or sales, so you may acquire a lower through one of those methods. [6]

I will acquire my lower/firearm in accordance with state law

What state are you in?

CA\*, CT, MA, NY

Your state bans all AR Pistols [7]

Your state puts heavy restrictions on AR Pistols. Proceed if you are willing to conform to state laws that will reduce your firearm's functionality [8]

Alright

Is your current gun LEGALLY an SBR or Automatic Weapon? [9]

NFA Items are not subject to existing restrictions for AR Pistols [10]

You may not use this lower to construct an AR Pistol [12]

What was your lower/current AR transferred as? [11]

"Rifle"

"Pistol" or "Firearm"

What barrel length do you intend for this build? [13]

≥16"

Between 16" and 14.5"

Less than 10.5"

Between 14.5" and 10.5"

Barrel lengths of ≥16" are not pistols. Follow your federal, state, and local laws for rifles. [14]

With a suitable length muzzle device, pinned and welded by a gunsmith, you can make this firearm a Rifle, and will not be subject to AR Pistol restrictions [15]

With this barrel length, you may achieve suboptimal velocity, penetration, and expansion. Research this before proceeding. You will not be able to add a vertical foregrip to your gun. [16]

This range of barrel lengths are optimal for AR pistols. (12.5" is my personal preference) You may be able to add a vertical foregrip later on, depending on your gun's configuration. [17]

Okay, I'll P&W my device

I don't want to P&W my muzzle device

I am either stupid or I know what I am doing

Hell Yeah

What device is currently on your buffer tube?

A Stock

A Pistol Brace or No Device

Replace your stock with a pistol brace, or leave your buffer tube bare. [18]

Done

What is your gun's current Length of Pull? [19]

<13.5"

≥13.5"

What device is currently on your buffer tube?

No Device

A Fixed-Position Brace

A Collapsible Brace

Get a shorter buffer tube [20]

Replace your current brace with a shorter one, preferably a collapsible one [21]

Install LOP limiters to bring your LOP below 13.5" [22]

Let's try that again

Have you familiarized yourself with local laws about AR pistols?

No

Yes

Go do that. This chart is not legal advice. I'm not a lawyer.

Good job. Keep an eye out for future news related to Pistol Brace Amnesty [23]

Do you want a vertical foregrip on your AR Pistol?

No

Yes

Your AR Pistol appears to be compliant with federal law (For Now)

Remove your brace and muzzle device (if not P&W), measure your OAL [24]

≥26"

<26"

Your AR pistol is eligible to be a "firearm". Reassemble it and add a vertical foregrip. [25]

Your OAL is not long enough to allow the addition of a VFG

Get a longer barrel Or a longer buffer tube

Sources/additional info: 1. Per 18 U.S.C. § 922(x) it is unlawful for a minor to knowingly possess a handgun. There are narrow exceptions, which only apply in specific states wherein minors are not prohibited from possessing handguns by state law. Additional minimum age requirement information available here https://giffords.org/lawcenter/gun-laws/policy-areas/who-can-have-a-gun/minimum-age/ 2. Per 18 U.S.C. 922(b)(1) and the ATF, "An individual between 18 and 21 years of age may acquire a handgun from an unlicensed individual who resides in the same state, provided the person acquiring the handgun is not otherwise prohibited from receiving or possessing firearms under federal law." https://www.atf.gov/firearms/qa/may-individual-between-ages-18-and-21-years-age-acquire-handgun-unlicensed-individual 3. Connecticut: Per Conn. Gen. Stat. § 29-36f you must be at least 21 years old to possess a pistol. Delaware: Per Del. Code Ann. tit. 11, § 1445 you must be at least 21 years old to possess a pistol. Washington D.C.: Per D.C. Code Ann. § 22-4507 you must be at least 21 years old to possess a pistol. Hawaii: Per Haw. Rev. Stat. Ann. § 134-2(a), (d) you must be at least 21 years old to possess a pistol. Iowa: Per Iowa Code § 724.22 you must be at least 21 years old to possess a pistol. Massachusetts: Per Mass. Gen. Laws ch. 140, § 131 you must be at least 21 years old to possess a pistol. Maryland: Per Md. Code Ann., Pub. Safety § 5-101(r), 5-133(d) you must be at least 21 years old to possess a pistol. New Jersey: Per N.J. Stat. Ann. § 2C:58-6.1b you must be at least 21 years old to possess a pistol. New York: Per N.Y. Penal Law § 400.00(1)(a) you must be at least 21 years old to possess a pistol. 4. California Private Party Transfer: Per California PEN § 28050, all Private Party transfers must be performed through an FFL, with a 4473 and background check, thus eliminating the ability for someone under 21 to be transferred a lower or pistol. California Ghost Guns: Per 2022 CA AB 1621, 2156, 1227, 1594, and 2552 you cannot produce or possess an unserialized firearm in the state of California. Rhode Island Private Party Transfer: Per RI Gen. Stat. 11-47-35 and 11-47-8, all Private Party transfers must be performed through an FFL, with a 4473 and background check, thus eliminating the ability for someone under 21 to be transferred a lower or pistol. Rhode Island Ghost Guns: Per 2020-S 2004B and 2020-H 7102Aaa you cannot produce or possess an unserialized firearm in the state of Rhode Island. Washington Private Party Transfer: Per RCW 9.41.113 all Private Party transfers must be performed through an FFL, with a 4473 and background check, thus eliminating the ability for someone under 21 to be transferred a lower or pistol. Washington Ghost Guns: Per RCW 9.41.325 you cannot produce an unserialized firearm, and serialization must be performed by an FFL (Thus eliminating the ability for someone 18-21 to gain serialization), and any possession of an unserialized firearm is fully illegal as of March 2023. Nevada Private Party Transfer: Per NRS § 202.2547 all Private Party transfers must be performed through an FFL, with a 4473 and background check, thus eliminating the ability for someone under 21 to be transferred a lower or pistol. Nevada Ghost Guns: TECHNICALLY, the Nevada ghost gun ban has been struck down as "unenforceable", due to excessively vague language. However, the Las Vegas Metro PD still chooses to (illegally) enforce it by their own arbitrary definitions. [Original Law] https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7778/Overview [Strike Down] https://thenevadaindependent.com/article/state-judge-strikes-down-key-parts-of-nevadas-ghost-gun-ban [Subsequent Ghost Gun Arrests] https://mynews4.com/news/local/3-arrested-in-carson-city-on-guns-drugs-and-stolen-property-charges 5. https://www.atf.gov/firearms/qa/are-%E2%80%99%E2%80%9D-or-%E2%80%99Cunfinitshed%E2%80%9D-receivers-illegal Colorado: Per Colo. Rev. Stat. § 18-12-112 and 2013 Colo. H.B. 1229, all Private Party transfers must be performed through an FFL, with a 4473 and background check, thus eliminating the ability for someone under 21 to be transferred a lower or pistol. Florida: Per Fla. Stat. § 790.065(13) all purchases of a handgun, private or not, require the buyer to be at least 21 years of age. Nebraska: Per Neb. Rev. Stat. § 69-1243, 69-2404 A handgun purchase certificate is generally required to acquire a handgun from an unlicensed seller. Individuals must be 21 to obtain the certificate. Ohio: Per Ohio Rev. Code Ann. § 2923.21(B) all purchases of a handgun, private or not, require the buyer to be at least 21 years of age. Oregon: Per Or. Rev. Stat. § 166.435 all Private Party transfers must be performed through an FFL, with a 4473 and background check, thus eliminating the ability for someone under 21 to be transferred a lower or pistol. Vermont: Per Vt. Stat. Ann. tit. 13, § 4019 all Private Party transfers must be performed through an FFL, with a 4473 and background check, thus eliminating the ability for someone under 21 to be transferred a lower or pistol. Wyoming: Per Wyo. Stat. § 6-8-404(d)(1)(A) all purchases of a handgun, private or not, require the buyer to be at least 21 years of age. Michigan: Per Mich. Comp. Laws Serv. § 28.422a Michigan requires the buyer of a pistol in a private party sale to have an appropriate handgun purchasing permit. Ensure you get this permit before your private party transfer. Illinois: Per 430 Ill. Comp. Stat. 65/4(a)(2)(i) you must have a FOID in order to purchase a pistol, which may only be issued to under-21s with parental consent and no history of misdemeanors or higher offenses. 6. See point 2. Michigan and Illinois, see point 5. 7. California: see Cal. Penal Code §§ 16350, 16790, 16890, 30500-31115. Technically, there is not a total ban, but we are not counting bolt-action/break-top AR Pistols because... those aren't Actual ARs. CONNECTICUT - Conn. Gen. Stat. § 53-202a - 53-202b bans all AR Pistols. CORRECTED - MARYLAND: Maryland does not ban AR Pistols by type, only prevents complete AR Pistols from being purchased as they are not rostered handguns. All AR Pistols in the state of Maryland must instead be constructed from lower receivers transferred as firearms and not pistols or rifles. The "Assault Pistol" ban is a name ban, not a feature ban (See: Md. Code, Crim. Law § 4-301, and the ATF Guide to MD Firearms Laws). Massachusetts: Mass. Gen. Laws ch. 140, § 121, 122, 123, 131M ban all AR Pistols. New York: N.Y. Penal Law § 265.00(22), 265.02(7), 265.10, 400.00(16-a) ban all AR Pistols. 8. Delaware: see Del. Code tit. 11, § 1466(a) 9. See point 2. Michigan and Illinois, see point 5. 10. Hawaii: see Haw. Rev. Stat. Ann. §§ 134-1, 134-4, 134-8. 11. New Jersey: see N.J. Stat. Ann. §§ 2C:39-1w, 2C:39-5, 2C:58-5, 2C:58-12, 2C:58-13 12. Short-barreled Rifles (SBRs) and Automatic Weapons (AWs) are legislated by the National Firearms Act. These firearms are illegal to possess unless you have filled out and sent in the appropriate forms to the ATF, received approval, paid for your \$200 tax stamp, and have had the lower properly engraved to reflect it's NFA status. 13. Barrels shorter than 10.5" may have trouble with rounds not reaching the muzzle not reaching the details of this amnesty, but it can be safely assumed that the ATF is considering a grandfathering of AR Pistols into SBRs, in some way, shape, or form, so that they do not have to enforce a mass-recall of AR pistols. The ATF has consistently failed to follow through on their promises regarding AR Pistols, as Form 4999 was supposed to be implemented in August of 2022, and has not yet been implemented. The date has now supposedly been shifted to "Mid-December" 2022, but we'll see how that goes. AR Pistols are far too widespread for the ATF to make them entirely illegal. https://www.atf.gov/file/154866/download https://www.ammoand.com/2022/09/atf-pistol-brace-amnesty-registration-program/ https://www.nationalguntrusts.com/blogs/nfa-gun-trust-atf-information-database-blog/atf-brace-ban-august-2022 https://storage.countlistener.com/recap/gov.uscourts.txnd.343209/gov.uscourts.txnd.343209.39.0.pdf 24. "The overall length of a firearm is the distance between the muzzle of the barrel and the rearmost portion of the weapon measured on a line parallel to the axis of the bore" (ATF NFA Handbook). Furthermore, the ATF has not publicly stated the details of this amnesty, but it can be safely assumed that the ATF is considering a grandfathering of AR Pistols into SBRs, in some way, shape, or form, so that they do not have to enforce a mass-recall of AR pistols. https://theloadoutblog.com/2019/07/08/atf-clarifies-how-to-properly-measure-the-length-of-an-ar-pistol/ 25. The ATF classifies guns with an overall length greater than 26" as "non-concealable", turning this weapon from a "pistol" into a "firearm". It is not an "Any Other Weapon" because it does not have an OAL less than 26", and therefore is not regulated by the NFA. Therefore, you may add a vertical foregrip. https://www.guntrustguru.com/can-i-add-a-vertical-fore-grip-to-my-ar-15-pistol.html