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**PUBLIC COMMENT OF NEW YORK STATE SENATOR BRAD HOYLMAN
TO THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND
EXPLOSIVES REGARDING BUMP-STOCK-TYPE DEVICES**

June 27, 2018

Thank you to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) under the Department of Justice for the opportunity to submit public comments on the proposed regulations to clarify that bump fire stocks, slide-fire devices, and bump-stock-type devices are machineguns as defined by the National Firearms Act of 1934 and the Gun Control Act of 1968 (docket number ATF 2017R-22). As a New York State Senator representing much of the heart of Manhattan, I stand in strong support of the proposed regulations and urge ATF to adopt them swiftly. There is no justifiable or lawful reason to own these devices.

On October 1, 2017 Stephen Paddock committed the worst shooting in modern American history by firing more than 1,100 rounds into a concert crowd on the Las Vegas strip, killing 58 people and wounding more than 800 others in just minutes. He was able to do this by using bump stocks to convert his semiautomatic weapons into machineguns.

Following this event, I learned that in New York it is illegal to modify a firearm or weapon in such a way that it effectively becomes an automatic weapon. However, devices like bump stocks are not illegal in New York per se. As a result, I introduced legislation in the New York State Senate (S.6902)¹ that would add possession of an accessory to accelerate the firing of rate of a semiautomatic weapon to the class D felony of criminal possession of a weapon in the third degree, as well as prohibit the transportation, shipment, or sale of such accessories in New York. Unfortunately, the legislation is not moving because of the belief that the federal government will act to ban bump stocks and similar devices. It is thus imperative to the safety of our communities that ATF act to re-classify bump stocks.

Since the shooting in Las Vegas, reports show that suppliers are quickly selling out of bump stocks. This once little-known mechanism is increasingly likely to be used in a horrific

¹ <https://www.nysenate.gov/legislation/bills/2017/s6902>

mass shooting again due to the notoriety of this instrument following the Paddock mass shooting. It is no surprise that more than eight in ten Americans support a ban on bump stocks.²

Earlier this year, I tested the ease of buying such a device in New York. With a quick Google search, less than \$200, and under 15 minutes, I was able to purchase a bump stock from manufacturer Slide Fire Solutions and have it sent directly to my door within a week. I was sickened by how easily someone could obtain a killing machine. See the attached *Daily News* article for more information.³

I urge ATF to finalize its proposed rule in a manner that would render them permanently inoperable. Manufacturers should not be able to circumvent federal law by creating devices that convert guns into fully-automatic weapons, which have long been outlawed on the federal level. As long as these devices are freely sold and possessed they remain a threat to the public at large.

Thank you for your consideration.

²Blake, Aaron "Does gun control suddenly have real momentum?" Washington Post. Feb. 2, 2018. <https://www.washingtonpost.com/news/the-fix/wp/2018/02/20/poll-a-record-high-number-of-americans-support-stricter-gun-laws>

³ Blain, Glenn, "Manhattan state senator shocked, frightened by ease of his bump-stock purchase." New York Daily News, March 2, 2018. <http://www.nydailynews.com/news/national/state-senator-shocked-frightened-ease-bump-stock-purchases-article-1.3849982>

Manhattan state senator shocked, frightened by ease of his bump-stock purchase

By GLENN BLAIN
MAR 02, 2018 | 4:00 AM



Democrat State Sen. Brad Hoylman displays the bump stock he purchased online. Bump stocks are illegal to use in New York, but not to purchase or own. (James Keivom/New York Daily News)

ALBANY — When Manhattan state Sen. Brad Hoylman set out to see how easy it was to obtain a bump stock device it didn't take long for him to find a disturbing answer.

"Within a few keystrokes, I had ordered one which was delivered to my apartment in about a week's time," Hoylman, a Democrat and gun control advocate, told the Daily News Thursday.

Hoylman said a simple Google search led him to the site of a manufacturer — Slide Fire Solutions — that sold the devices, which allows semi-automatic rifles to mimic machine guns. The purchase was completed in 15 minutes and cost \$159.95 plus an additional \$14.95 for shipping.

"It should not be this easy to buy devices this dangerous," Hoylman said, noting that a bump stock was used by Las Vegas gunman Stephen Paddock when he killed 58 concertgoers in October.

"I have to admit I felt a little sick when it arrived because these devices could have easily ended up in the hands of somebody with bad intentions," Hoylman said.

The ready availability of bump stocks, Hoylman said, is a stark reason why New York needs to close a loophole in state law that makes them illegal to use but not illegal to sell or possess.

"(The loophole) makes no sense because the only reason to own a bump stock would be to use it — unless you are a state senator wanting to see how easy it is to buy one," Hoylman said.

Hoylman is one of a handful of state lawmakers who've introduced legislation to ban the devices in New York. The bills, however, have become ensnared in the heated debate over gun control and face an uncertain fate in the GOP-controlled Senate.

<http://www.nydailynews.com/news/national/state-senator-shocked-frightened-ease-bump-stock-purchases-article-1.3849982>