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Bureau of Criminal Apprehension

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April 3, 2024

Representative Kelly Moller
Public Safety Finance and Policy Committee Chair
509 State Office Building
St. Paul, MN 55155
rep.kelly.moller@house.mn.gov

Chair Moller and Committee Members,

H.F. 2609 DE1 proposes to amend Minnesota Statutes 2023 Supplement, section 609.67, subdivision 1 (d) to include general language for binary trigger mechanisms in the definition of “trigger activator”. The purpose of this letter is to provide technical support to inform the author and committee members regarding firearm trigger mechanisms, specifically binary triggers.

When loaded and cocked/ready to fire, triggers on firearms are typically in a forward position and require the trigger to be pulled rearward to discharge the firearm. Semiautomatic firearms (Glock pistols are one example) discharge a single cartridge (round of ammunition) during the rearward movement of the trigger only, and then require the release of rearward pressure and (some degree of) forward travel of the trigger to ready the firearm to discharge a subsequent cartridge.

Firearms with binary triggers discharge a cartridge during the rearward movement of the trigger and discharges another (a second) cartridge during the forward movement of the trigger. The firearm fires a round when the trigger is pulled and fires another round upon release of the trigger. This effectively doubles the rate of fire.

The current language for the definition of “trigger activator” includes, in part: “(2) a device that allows a semiautomatic firearm to shoot more than one shot with a single pull of the trigger...”. The phrase “single pull of the trigger” could be interpreted to include the release of the trigger. However, this language is widely interpreted to specify machine guns based on similarities to the definition of “machine gun” in current state statute¹ and “machinegun” in 26 U.S. Code § 5845².

¹ Minn. Stat. § 609.67, subd. 1 (a) "Machine gun" means any firearm designed to discharge, or capable of discharging automatically more than once by a single function of the trigger.

² 26 U.S. Code § 5845 (b) The term “machinegun” means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.

Additionally, in an open letter to all federal firearms licensees on March 22, 2022, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) indicated that binary trigger mechanisms “may not be machineguns.” The addition of the proposed language³ would address binary triggers as they are currently designed to function and avoid confusion regarding prohibition of such in Minnesota.

Firearms may be obtained already equipped with a binary trigger from a manufacturer or vendor. Binary triggers are also available as after-market accessories for installation in semiautomatic firearms.

Sincerely,



Catherine Knutson
Deputy Superintendent – Forensic Science Services

cc: Drew Evans, Superintendent

³ HF2609 DE1 Minn. Stat. § 609.67, subd. 1 (d) “Trigger activator” means...(2) a device that allows a semiautomatic firearm to shoot more than one shot with a single pull of the trigger, a single pull and release of the trigger, or by harnessing the recoil of energy of the semiautomatic firearm to which it is affixed so that the trigger resets and continues firing without additional physical manipulation of the trigger.”