

# California Code of Regulations

## Title 11, Division 5

### **Chapter 8 DROS Entry System**

#### **§4200. Title and Scope.**

This chapter, which shall be known as the “DROS Entry System,” pertains to access and use of the DROS (Dealer’s Record of Sale) Entry System (DES) for the submission of information concerning the sale or transfer of firearms pursuant to Penal Code section 28205.

Note: Authority cited: Sections 28105 and 28155, Penal Code; *Mineral Associations Coalition v. State Mining and Geology Bd.* (2006) 138 Cal.App.4th 574, 589.  
Reference: Sections 26815, 27540, 28105, 28155, 28205, 28220, and 28225, Penal Code.

#### **§4210. Terms of Use and Required Information**

(a) Firearms dealers and each of their employees who will use DES on behalf of the firearms dealership must agree to the following “Terms of Use:”

(1) NON-LIABILITY

DOJ is not responsible for and will have no liability for hardware, software, information, or other items or any services provided by any persons other than DOJ. In no event shall either party be liable to the other or any third party, under any theory of liability, including but not limited to any contract or tort claim for any cause whatsoever, for any indirect, incidental, special or consequential damages, including loss of revenue or profits, even if aware of the possibility thereof.

(2) AUTHORIZATION

I am the licensed firearms dealer (“Dealership COE Holder”) or an employee of the firearms dealer and am authorized to use DES on behalf of the firearms dealership.

(3) CONFIDENTIALITY AND UNAUTHORIZED USE

It is the responsibility of the user and the firearms dealership to protect the confidentiality of the individual password selected by each user to access DES.

If a dealership becomes aware that an unauthorized user has obtained access to DES, the dealership must notify the DROS Service Center immediately. Notwithstanding such notification, DOJ shall not be liable for transaction charges fraudulently incurred on the account of this dealership. It is the dealership’s responsibility to pay these transaction charges.

(4) TRANSACTIONS INVOLVING MULTIPLE FIREARMS

A transaction means a single sale, lease, or transfer of any number of firearms to one person at the same time. It is the responsibility of the user to indicate that a transaction consists of more than one firearm while entering DROS information for submission to DOJ. If the user does not indicate the transaction consists of more than one firearm prior to submission, another DROS submission fee (\$25) will be required for the additional firearms.

Upon submission of a DROS, the fee will be charged to the dealership's account. DOJ will not provide refunds after submission and acceptance of a DROS.

(5) TRUE AND ACCURATE INFORMATION

All of the information I submit to DOJ through DES shall be true, accurate, and complete to the best of my knowledge.

(b) (1) To establish a DES user account as a Dealership COE Holder, the following information must be provided:

- (A) Certificate of Eligibility (COE) number
- (B) California Firearms Dealer (CFD) number
- (C) Federal Firearms License (FFL) number
- (D) Unique personal ID number (must be same ID # used to obtain COE)
- (E) Complete name
- (F) Three identity verification questions/answers
- (G) User selected password

(2) To establish a DES user account as an employee, the following information must be provided:

- (A) Certificate of Eligibility (COE) number of dealer/employer
- (B) California Firearms Dealer (CFD) number of dealer/employer
- (C) Federal Firearms License (FFL) number of dealer/employer
- (D) Unique personal ID number (e.g. CDL number or CID number)
- (E) Complete name
- (F) Three identity verification questions/answers

(G) User selected password

Note: Authority cited: Sections 28105 and 28155, Penal Code.

Reference: Sections 28105 and 28155, Penal Code; *Mineral Associations Coalition v. State Mining and Geology Bd.* (2006) 138 Cal.App.4th 574, 589.

**§4220. System Access**

- (a) For optimal performance, DES users must utilize a web browser that is compatible with the DES application.
- (b) The acquisition and maintenance of the device and software used to access the internet and interface with DES shall be the responsibility of each firearms dealership.

Note: Authority cited: Sections 28105, 28205, and 28155, Penal Code.

Reference: Sections 28105, 28205, 28220, and 28225, Penal Code.

**§4230. Delivery of Firearms following DROS Submission**

- (a) If DOJ determines the firearm purchaser/transferee is not prohibited by state or federal law from purchasing or possessing firearms, immediately following the conclusion of the ten-day waiting period, the status of the DES transaction record will change from “Pending” to “Approved.” The DES transaction record will also specify the 30-day time period during which the firearm may be delivered to the approved purchaser/transferee.
- (b) A firearm may be delivered to the purchaser/transferee only if the status of the DES transaction record is “Approved.” If the current status is “Pending,” “Rejected,” “Delayed,” or “Denied,” the firearm shall not be delivered.
- (c) Upon delivery of the firearm, the dealership COE holder or an authorized employee of the dealership must access the DES delivery menu, locate the DROS transaction by the name of the purchaser/recipient or by the DROS number, and then click on “deliver firearm” to record the time and date the firearm is delivered.

Note: Authority cited: Sections 28105, and 28155, Penal Code; *Mineral Associations Coalition v. State Mining and Geology Bd.* (2006) 138 Cal.App.4th 574, 589.

Reference: Sections 26815, 28105, 28155, 28160, 28205, 28220, and 28225, Penal Code.

**§4240. Billing, Payment, and Suspension for Non-Payment**

- (a) Monthly billing statements for the previous month’s DROS activity will be delivered electronically via DES to the dealership’s account on the first day of each month.
- (b) Payment must be made using a major credit card or debit card. The balance due as indicated on the monthly billing statement must be paid in full within 30 days of the billing statement date (first day of month).
- (c) If payment for the previous month’s DROS activity is not made within 30 days, the firearms dealership’s access (all COE holders and employees) to DES will be suspended until full payment for the past due amount is received.

- (d) While suspended, a dealership will be unable to submit DROS and may not deliver firearms for which a DROS was previously submitted. All other firearms dealer activities, including status on the Centralized List of Firearms Dealers, are unaffected by a suspension for non-payment.

Note: Authority cited: Section 28225, Penal Code; *Mineral Associations Coalition v. State Mining and Geology Bd.* (2006) 138 Cal.App.4th 574, 589.  
Reference: Sections 26815, 27540, 28105, 28205, 28220, and 28225, Penal Code.