

CALIFORNIA DEPARTMENT OF JUSTICE
TITLE 11. LAW
DIVISION 5. FIREARMS REGULATIONS
CHAPTER 4. DOCUMENTATION REQUIREMENTS FOR FIREARMS AND
AMMUNITION ELIGIBILITY CHECKS, CHAPTER 8. DROS ENTRY SYSTEM (DES),
and CHAPTER 11. FIREARM PRECURSOR PARTS
TEXT OF PROPOSED REGULATIONS

Chapter 4. Documentation Requirements for Firearms ~~and~~, Ammunition, and Firearm Precursor Part Eligibility Checks

Article 2. Additional Documentation Requirements

§ 4045.1. Additional Documentation Requirements for Eligibility Checks with Federal Non-Compliant California Driver License or Identification Card.

This section applies to all firearms, ammunition, and firearm precursor part eligibility checks, including any eligibility check described in Division 5. For the purposes of this section, “eligibility checks” refers to background checks based on any application or report for which an applicant is required to submit a driver license or identification card, or the number from a driver license or identification card, so that the Department of Justice may determine the applicant's eligibility to possess a firearm ~~or~~, ammunition, or firearm precursor part under state or federal law.

... (Omitting subdivisions (a)-(e))

(f) Applications or reports submitted electronically via the Dealer Record of Sale (DROS) Entry System (DES), including applications or reports submitted pursuant to Chapters 8, 10, and 11 of this Division 5.

For eligibility checks based on applications or reports submitted to the Department of Justice electronically via the DES, the ~~firearm~~firearms dealer, ammunition vendor, or firearm precursor part vendor shall examine the applicant's driver license or identification card. If the applicant's California driver license or identification card is federal non-compliant with the notation “FEDERAL LIMITS APPLY” on the front, the ~~firearm~~firearms dealer ~~or~~, ammunition vendor, or firearm precursor part vendor shall require the applicant to submit a copy of the document required in subdivision (b), as well as a copy of the document required in subdivision (c) if

applicable. ~~The firearm~~[firearms](#) dealer ~~or~~, ammunition vendor, or firearm precursor part vendor shall retain a copy of the “FEDERAL LIMITS APPLY” driver license or identification card, as well as the supporting documents, as part of the permanent record. These applications and reports include:

(1) Application(s) to purchase a firearm. The ~~firearm~~[firearms](#) dealer shall confirm compliance with this subdivision on DES, as necessary during the application or reporting process. The ~~firearm~~[firearms](#) dealer shall keep a copy of the document(s) required in subdivisions (a) through (c) as part of the permanent record of the transaction described in Penal Code section 28215, subdivision (c).

(2) Applications to purchase ammunition, as described in Penal Code section 30370. The ~~firearm~~[firearms](#) dealer or ammunition vendor shall confirm compliance with this subdivision on DES, as necessary during the application or reporting process. The firearms dealer or ammunition vendor shall keep a copy of the document(s) required in subdivisions (a) through (c).

(3) Applications to purchase firearm precursor parts, as described in Penal Code section 30470. The firearms dealer, ammunition vendor, or firearm precursor part vendor shall confirm compliance with this subdivision on DES, as necessary during the application or reporting process. The firearms dealer, ammunition vendor or firearm precursor part vendor shall keep a copy of the document(s) required in subdivisions (a) through (c).

(g) Applications or reports submitted to other agencies that include fingerprint data to be used by the Department of Justice to determine the applicant's eligibility to possess a ~~firearm~~[firearm](#), ammunition, or firearm precursor part under state or federal law.

For eligibility checks based on applications or reports submitted to other agencies that include fingerprint data to be used by the Department of Justice to determine the applicant's eligibility to possess a ~~firearm~~[firearm](#), ammunition, or firearm precursor part under state or federal law, if the applicant presents a federal non-compliant California driver license or identification card with the notation “FEDERAL LIMITS APPLY” on the front, the agency shall require the applicant to submit copies of the documents required in subdivision (b), as well as a copy of the document required in subdivision (c) if applicable. The agency shall keep a copy of the documents required in subdivisions (a) through (c) as part of the permanent record of the application. The

Department of Justice may request a copy of the document(s) at a future date. Applicants of these applications and reports include:

...(Omitting subdivisions (g)(1)-(g)(4))

Note: Authority cited: Sections 28060, 28100, 28155, 28215 and 28220, Penal Code. Reference: Sections 832.15, 832.16, 13511.5, 16400, 18900, 18905, 23000, 26150, 26155, 26170, 26710, 26815, 27540, 27560, 27565, 27875, 27920, 27966, 28000, 28160, 28215, 28220, 28250, 29182, 29500, 30105, 30370, [30470](#), 31000, 31005, 32650, 32655, 32700, 32705, 32710, 32715, 33300, 33305 and 33850, Penal Code; Section 12101, Health and Safety Code; and Section 922, Title 18, United States Code.

Chapter 8. DROS Entry System (DES)

§ 4210. Terms of Use and Required Information.

(a) Firearms dealers and each of their authorized associates, authorized account associates, or salespersons; ~~and~~ ammunition vendors and each of their authorized associates, authorized account associates, or salespersons; ~~and~~ [firearm precursor part vendors and each of their authorized associates, authorized account associates, or salespersons,](#) who will use DES on behalf of the firearms dealer ~~or~~ ammunition vendor, [or firearm precursor part vendor](#) must agree to the following “Terms of Use:”

[Subdivision (a)(1) is not included within this document as there are no changes to the existing text.]

(2) AUTHORIZATION

I am a licensed firearms dealer Certificate of Eligibility (COE) Holder, authorized associate, authorized account associate, or salesperson of the firearms dealer, or an ammunition vendor, authorized ammunition vendor associate, authorized ammunition vendor account associate, or ammunition vendor salesperson, [or a firearm precursor part vendor, firearm precursor part vendor authorized associate, firearm precursor part vendor authorized account associate, or firearm precursor part vendor salesperson,](#) and am

authorized to use DES on behalf of the firearms dealer-~~or~~, ammunition vendor, or firearm precursor part vendor.

(3) ACCESS

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 dealer-~~or~~, ammunition vendor, or firearm precursor part vendor. Each authorized associate, authorized account associate, or salesperson shall request and use ~~his/her~~their own DES account after the Dealer COE Holder-~~or~~, ammunition vendor, or firearm precursor part vendor has granted authorization. The DES enables the Dealer COE Holder-~~or~~, ammunition vendor, or firearm precursor part vendor to authorize the functions each user is able to access.

(4) CONFIDENTIALITY AND UNAUTHORIZED USE

It is the responsibility of the user and the firearms dealer-~~or~~, ammunition vendor, or firearm precursor part vendor to protect the confidentiality of the individual password selected by each user to access DES.

If a Dealer COE Holder, authorized associate, authorized account associate, ~~or~~ salesperson, ~~or~~ ammunition vendor, authorized ammunition vendor associate, authorized ammunition vendor account associate, ~~or~~ ammunition vendor salesperson, firearm precursor part vendor, firearm precursor part vendor authorized associate, firearm precursor part vendor authorized account associate, or firearm precursor part vendor salesperson becomes aware that an unauthorized user has obtained access to DES, they must notify the Customer Support Center immediately. Contact information is available upon logging into the DES account. Notwithstanding such notification, the Department shall not be liable for transaction charges fraudulently incurred on a DES account. It is the ~~dealer's or ammunition vendor's~~ responsibility of the dealer, ammunition vendor, or firearm precursor part vendor to pay these transaction charges.

...(Omitting subdivisions (a)(5) and (a)(6) and (b)(1) through subdivision (b)(6))

(b)(7) To establish a DES user account as a firearm precursor part vendor, who may sell, deliver or handle firearm precursor parts, the following information shall be provided:

(A) Certificate of Eligibility (COE) number

- (B) Firearm precursor part vendor license number
- (C) Unique personal ID number (e.g., CDL number or CID number)
- (D) Complete name
- (E) Three identity verification questions/answers
- (F) User selected password

(8) To establish a DES user account as an authorized firearm precursor part vendor associate or salesperson, who may sell, deliver or handle firearm precursor parts, the following information shall be provided:

- (A) Certificate of Eligibility (COE) number
- (B) Firearm precursor part vendor license number of firearm precursor part vendor
- (C) Unique personal ID number (e.g., CDL number or CID number)
- (D) Complete name
- (E) Three identity verification questions/answers
- (F) User selected password

(9) To establish a DES user account as an authorized firearm precursor part vendor account associate, who shall not sell, deliver or handle firearm precursor parts, the following information shall be provided:

- (A) Certificate of Eligibility (COE) number of firearm precursor part vendor
- (B) Firearm precursor part vendor license number of a firearm precursor part vendor
- (C) Unique personal ID number (e.g., CDL number or CID number)
- (D) Complete name
- (E) Three identity verification questions/answers
- (F) User selected password

Note: Authority cited: Sections 28105, 28155, 28205, 30352 **and**, 30370, 30452 and 30470, Penal Code. Reference: Sections 28105, 28155, 28205, 28220 **and**, 30395 and 30495, Penal Code.

Chapter 11. Firearm Precursor Parts

Article 1. General

§ 4300. Title and Scope.

This chapter shall be known as the “Department of Justice Regulations for Firearm Precursor Parts,” and may be cited as such and referred to herein as “these regulations.” The provisions of these regulations shall provide the directives for a firearm precursor part vendor to obtain a firearm precursor part vendor license. These regulations shall also provide the directives for an individual to purchase or transfer a firearm precursor part into an individual’s possession.

Note: Authority cited: Sections 30452, 30470, 30485 and 30495, Penal Code. Reference: Sections 16532, 26700, 30485 and 30495, Penal Code.

§ 4301. Definition of Key Terms.

(a) “Automated Firearms System” or “AFS” is the name of a repository of firearm records maintained by the Department, as established by Penal Code section 11106.

(b) “Basic Firearm Precursor Part Eligibility Check” means the Department's firearm precursor part eligibility check as prescribed by Penal Code section 30470, subdivision (c). The Department shall conduct a Basic Firearm Precursor Part Eligibility Check to authorize a California resident for a single precursor part transaction or purchase.

(c) “California Ammunition Vendor” or “CAV” means a person or entity having a valid license to sell ammunition, issued pursuant to Penal Code section 30385.

(d) “California Firearm Precursor Part Vendor” or “CFPPV” means a person or entity having a valid license to sell firearm precursor parts, issued pursuant to Penal Code section 30485.

(e) “California Firearms Dealer” or “CFD” means a person having a valid license to sell firearms issued pursuant to Penal Code sections 26700 to 26915, inclusive.

(f) “Certificate of Eligibility” or “COE” means a certificate issued pursuant to Penal Code section 26710, which states that the Department has checked its records and determined that the applicant was not prohibited from acquiring or possessing firearms at the time the check was performed.

(g) “CFARS” means the Department's California Firearms Application Reporting System. An individual can access the CFARS website at the following web address:

<https://cfars.doj.ca.gov/login.do>.

(h) “Dealer Record of Sale Entry System” or “DES” means the Department’s website that a firearm precursor part vendor will use to submit a firearm precursor part purchaser's or transferee's information to the Department before the Department can approve a firearm precursor part purchase or transfer. A firearm precursor part vendor can access the DES website at the following web address: <https://des.doj.ca.gov/login.do>.

(i) “Department” means the California Department of Justice.

(j) “Federal Firearms License” means a license issued pursuant to Section 922, Title 18 of the United States Code, for the purpose of importing, manufacturing, or dealing in firearms, or importing or manufacturing of ammunition.

(k) “Firearm Precursor Part Transaction Number” or “FPPTN,” is a number issued by the Department to uniquely identify each request to authorize the purchase or transfer of a firearm precursor part.

(l) “Firearms eligibility check” means a state and federal background check, conducted pursuant to Penal Code section 28220, that is used to determine an individual's eligibility to possess, receive, own, or purchase a firearm.

(m) “Head of the agency” means the chief of police or the director of public safety for a police department, the sheriff for a county sheriff's office, the head of an agency or their designee for a state law enforcement agency, and the manager in charge of any local field office for a federal law enforcement agency.

(n) “Prohibited Armed Persons File” means the database established by Penal Code section 30000.

(o) “Purchaser” means an individual purchasing or accepting transfer of a firearm precursor part.

(p) “Standard Firearm Precursor Part Eligibility Check” means the Department's firearm precursor part eligibility check as prescribed by Penal Code section 30470, subdivision (b).

(q) “Sworn federal law enforcement officer’s credential” means identification indicating an individual is a sworn federal law enforcement officer.

(r) “Sworn state or local peace officer’s credential” means identification indicating an individual is a sworn state or local peace officer pursuant to Part 2, Chapter 4.5, of the Penal Code (commencing with section 830).

Note: Authority cited: Sections 30452, 30470, 30485, Penal Code. Reference: Sections 11106, 16150, 16151, 16532, 26710, 30452, 30470, 30485, Penal Code.

Article 3. Firearm Precursor Part Purchases and Transfers

§ 4320. Standard Firearm Precursor Part Eligibility Check (AFS Match).

(a) A purchaser is authorized to purchase or accept transfer of a firearm precursor part if their information matches an entry in the AFS and does not match an entry in the Prohibited Armed Persons File.

(1) A purchaser may request, through a firearm precursor part vendor, that the Department conduct a Standard Firearm Precursor Part Eligibility Check to determine if the purchaser qualifies for this authorization.

(b) The fee for a Standard Firearm Precursor Part Eligibility Check is \$1.00.

(c) The firearm precursor part vendor shall collect the purchaser's name, date of birth, current address, and driver license or other government identification number in the manner described in Penal Code section 28180, and telephone number, and enter this information into the DES website.

(d) Upon the Department's completion of the Standard Firearm Precursor Part Eligibility Check, the Department shall update the purchaser's DES record to instruct the firearm precursor part vendor to approve or reject the purchase or transfer.

(e) If the purchase or transfer is rejected, the firearm precursor part vendor shall provide the purchaser with an FPPTN that can be used to obtain the reason for the rejection through the Department's CFARS website.

Note: Authority cited: Sections 30452, 30470, Penal Code. Reference: Sections 16532, 28180, 30452 and 30470, Penal Code.

§ 4321. Basic Firearm Precursor Part Eligibility Check (Single Transaction or Purchase).

(a) A purchaser is authorized to purchase or accept transfer of a firearm precursor part if they are not prohibited from purchasing or possessing a firearm precursor part, subsequent to affirmation by the Department.

(1) A purchaser may request, through a firearm precursor part vendor, that the Department conduct a Basic Firearm Precursor Part Eligibility Check to determine if the purchaser qualifies for this authorization.

(2) A purchaser may instead seek authorization by following the procedure set forth by section 4320, 4322, 4323, or 4324, as applicable.

(b) The fee for a Basic Firearm Precursor Part Eligibility Check is \$1.00.

(c) The firearm precursor part vendor shall collect the purchaser's name, date of birth, current address, gender, hair color, eye color, height, weight, and driver license or other government identification number in the manner described in Penal Code section 28180, and telephone number, United States citizenship status, United States Citizenship and Immigration Services (USCIS) number or I-94 (if applicable), place of birth, alias name(s), and race, and enter this information into the DES website.

(d) The firearm precursor part vendor will provide the purchaser with an FPPTN to monitor the status of the Basic Firearm Precursor Part Eligibility Check through the Department's CFARS website.

(1) An approved Basic Firearm Precursor Part Eligibility Check can only be used for one firearm precursor part purchase or transfer, and the approval expires 30 calendar days from when it is issued.

(2) If the Basic Firearm Precursor Part Eligibility Check is denied, the Department shall notify the purchaser of the reason for the denial via U.S. Mail.

(e) Upon the Department's completion of a Basic Firearm Precursor Part Eligibility Check, the Department shall update the purchaser's DES record.

Note: Authority cited: Sections 30452 and 30470, Penal Code. Reference: Sections 16532, 28180, 30452 and 30470, Penal Code; and Section 922, Title 18, United States Code.

§ 4322. Purchasing of a Firearm and Firearm Precursor Parts in a Single Transaction.

(a) When a purchaser is purchasing or transferring a firearm and a firearm precursor part in the same transaction, the Department shall complete a firearms eligibility check before the purchaser can take possession of the firearm or firearm precursor part.

(b) Except as provided in subdivision (c), a purchaser of a firearm and a firearm precursor part in the same transaction shall only pay the fee for the firearms eligibility check as prescribed in section 4001 of this title.

(c) If the purchaser wants to take possession of the firearm precursor part before the Department completes the firearms eligibility check, the purchaser shall conduct a separate transaction following the procedure set forth by section 4320, 4321, 4323 or 4324, as appropriate, and pay any associated fee prior to taking possession of the firearm precursor part.

Note: Authority cited: Section 30452, Penal Code. Reference: Sections 28220, 30452 and 30470, Penal Code.

§ 4323. COE Verification Process.

(a) A purchaser is authorized to purchase a firearm precursor part if they hold a current Certificate of Eligibility, subsequent to verification by the Department.

(1) A purchaser may request, through a firearm precursor part vendor, that the Department conduct a COE Verification to determine if the purchaser qualifies for this authorization.

(b) The fee for COE Verification is \$1.00.

(c) The firearm precursor part vendor shall collect the purchaser's name, date of birth, current address, and driver license or other government identification number in the manner described in Penal Code section 28180, telephone number, and COE number, and enter the information into the DES website.

(d) Upon the Department's completion of the COE Verification, the Department shall update the purchaser's DES record to instruct the firearm precursor part vendor to approve or reject the firearm precursor part purchase or transfer.

Note: Authority cited: Sections 30452 and 30470, Penal Code. Reference: Sections 16532, 26710, 28180 and 30470, Penal Code.

§ 4324. Firearm Precursor Part Purchases or Transfers for Exempted Individuals.

(a) The following types of identification will properly identify an individual who is exempt pursuant to Penal Code section 30452, subdivision (e), from Department approval to purchase or accept transfer of a firearm precursor part.

(1) A firearm precursor part vendor shall present a valid Firearm Precursor Part Vendor License issued pursuant to Penal Code section 30485.

(2) A person who is on the centralized list of exempted federal firearms licensees maintained by the Department shall present a Department-issued Listing Acknowledgement Letter indicating that the individual is currently on the centralized list of exempted federal firearms licensees.

(3) A gunsmith shall present a valid Type 01 Federal Firearms License.

(4) A wholesaler shall present a valid Type 01 Federal Firearms License.

(5) A manufacturer of firearms shall present a valid Type 07 Federal Firearms License.

(6) An importer of firearms or ammunition shall present a valid Type 08 Federal Firearms License.

(7) A manufacturer of ammunition shall present a valid Type 06 Federal Firearms License.

(8) An authorized law enforcement representative of a city, county, city and county, or state or federal government shall present written authorization from the head of the agency authorizing the firearm precursor part purchase or transfer, as described by Penal Code section 30452, subdivision (e)(7).

(9) A properly identified sworn peace officer, as defined in Chapter 4.5 of Title 3 of Part 2 of the Penal Code, who is authorized to carry a firearm in the course and scope of the officer's duties, shall present both:

(A) A sworn state or local peace officer's credential, and

(B) Verifiable written certification from the head of the agency, as described by Penal Code section 30452, subdivision (e)(7)(B)(i), which expires 30 days after issuance.

(10) A properly identified sworn federal law enforcement officer, who is authorized to carry a firearm in the course and scope of the officer's duties, shall present both:

(A) A sworn federal law enforcement officer's credential, and

(B) Verifiable written certification from the head of the agency, as described by Penal Code section 30452, subdivision (e)(7)(B)(i), which expires 30 days after issuance.

(b) For persons identified pursuant to subdivisions (a)(9) and (a)(10), the firearm precursor part vendor shall keep a photocopy of the front and back of the credential and the identification document provided pursuant to subdivision (c), along with the original verifiable written certification from the head of the agency. The firearm precursor part vendor shall make a copy of these records available to the Department upon request.

(1) If the law enforcement agency does not allow photocopies to be made of the credential, the firearm precursor part vendor shall retain a business card from the sworn law enforcement officer after personally viewing the credential.

(c) At the time of delivery, the firearm precursor part vendor COE holder, authorized associate, or salesperson shall require the purchaser to provide an identification document that meets the requirements of Penal Code section 16300, to verify that the person who is receiving delivery of the firearm precursor part is the person exempted pursuant to Penal Code section 30452, subdivision (e).

(d) Once the firearm precursor part vendor has verified that the individual is exempt from Department approval to purchase or transfer a firearm precursor part, the firearm precursor part vendor may process a firearm precursor part purchase or transfer without Department approval.

Note: Authority cited: Section 30352 and 30452, Penal Code. Reference: Section 30352 and 30452, Penal Code.

§ 4325. Telephonic Access for Firearm Precursor Part Vendors.

(a) Firearm precursor part vendors without access to an internet connection due to their telephone service provider's, or other internet service providers' inability to provide access to an internet connection at their place of business may acquire telephonic access to the Department, for the Department to manually determine if a purchaser is eligible to own or possess a firearm precursor part. Firearm precursor part vendors seeking telephonic access to the Department shall complete a Firearm Precursor Part Vendor (Non-Firearms Dealer or Ammunition Vendor) Application for Telephonic Vendor Approval, Form BOF 1107 (Orig. 09/2021), which is hereby

incorporated by reference. Telephonic access to the Department will be available during the Department's Customer Support Center business hours.

(b) Firearm precursor part vendors shall acquire documentation from their telephone/internet service provider stating that the service provider does not offer internet service at the firearm precursor part vendor's place of business.

(c) After the firearm precursor part vendor has completed the application for telephonic access, the firearm precursor part vendor shall mail the Form BOF 1107, and the documentation in subdivision (b) of this section to the Department at the following address:

DEPARTMENT OF JUSTICE

BUREAU OF FIREARMS

P.O. BOX 160487

SACRAMENTO, CALIFORNIA 95816

(d) The Department shall notify the firearm precursor part vendor via U.S. Mail of the Department's determination to approve or deny the Form BOF 1107.

Note: Authority cited: Section 30470, Penal Code. Reference: Section 30470, Penal Code.

§ 4326. Delivery of Firearm Precursor Parts Following DES Submission.

(a) If the Department approves a firearm precursor part purchase or transfer as described by sections 4320, 4321, or 4323 of these regulations, the DES transaction record will change from "Pending" to "Approved."

(b) A firearm precursor part may be delivered to the purchaser only if the status of the DES transaction record is "Approved."

(c) At the time of delivery, the firearm precursor part vendor COE holder, authorized associate, or salesperson shall do the following:

(1) Require the purchaser to provide an identification document that meets the requirements of Penal Code section 16300, to verify that the person who is receiving delivery of the firearm precursor part is the person authorized to purchase a firearm precursor part.

(2) Access the approved DES firearm precursor part transaction by the name of the purchaser, and submit the firearm precursor part sale information required by Penal Code section 30452, subdivision (a).

Note: Authority cited: Sections 30452 and 30470, Penal Code. Reference: Sections 16300, 30452 and 30470, Penal Code.

§ 4327. Billing, Payment, and Suspension for Non-Payment.

(a) Monthly billing statements for the previous month's firearm precursor part eligibility check and COE verification activity will be delivered electronically via DES to the firearm precursor part vendor's account on the first day of each month.

(b) Payment shall be made using a major credit card or debit card. The balance due as indicated on the monthly billing statement shall be paid in full within 30 days of the billing statement date.

(c) If payment for the previous month's firearm precursor part eligibility check and COE verification activity is not made within 30 days, the firearm precursor part vendor's access (including all COE holders and employees) to DES will be suspended until full payment for the past due amount is received.

(d) While suspended, a firearm precursor part vendor will be unable to process or conduct a firearm precursor part purchase or transfer but will maintain their status as a licensed firearm precursor part vendor.

Note: Authority cited: Section 30470, Penal Code. Reference: Sections 30470, 30485, 30490 and 30495, Penal Code.