

California Department of Justice
FIREARMS DIVISION
Randy Rossi, Director

INFORMATION BULLETIN

Subject: **REQUIREMENT FOR DEALERS TO
CONDUCT PRIVATE PARTY TRANSFERS /
ALLOWABLE FEES**

No.:
2001 FD-01

Date:
03/26/01

For further information contact:
**Firearms Division
(916) 227-3703**

**TO: ALL LICENSED FIREARMS DEALERS, CHIEFS OF POLICE, SHERIFFS
OFFICES, DISTRICT ATTORNEYS**

This Information Bulletin is intended to remind dealers of their obligations regarding private party transfers including the 10-day waiting period and the fees that firearms dealers are permitted by law to charge when conducting these transfers. Firearms dealers are required to conduct private party transfers pursuant to Penal Code section 12071(b)(5). Dealers may not limit the days or hours in which private party transfers are conducted.

The allowable fees are limited by statute. Pursuant to Penal Code section 12082, the fees that can be charged are as follows:

1. The private party purchaser or transferee, or person being loaned the firearm may be required by the firearms dealer to pay a fee not to exceed \$10.00 per firearm, and the applicable Dealer's Record of Sale (DROS) fee that the DOJ may charge pursuant to Penal Code section 12076. The DROS fee is currently \$14.00 and the Safety fee is currently \$1.00, a total of \$15.00.
2. Subsequent to the end of the 10-day waiting period or one business day following the notification of the purchaser that his/her DROS has been released from a DOJ required "hold", the dealer may charge a storage fee. However, such fees must be clearly posted and may not be misrepresented as any governmental fee.
3. Private party transfers of multiple handguns at the same time are handled as follows:
 - A separate DROS must be completed for each handgun.
 - The DROS/Safety fee for the first handgun is a total of \$15.00.
 - The DROS/Safety fee for each additional handgun is \$11.00.
 - The dealer may charge the buyer or transferee, or person being loaned the firearm a fee not to exceed \$10.00 per firearm, for the processing of the private party transfer.

Information Bulletin
Requirement for Dealers to Conduct Private
Party Transfers/Allowable Fees
Page 2

4. A single DROS shall be completed for any number of long gun transfers that are processed at the same time. The DROS/Safety fee for the transaction is a total of \$15.00 and the dealer may charge the purchaser or transferee, or person being loaned the firearm a fee not to exceed \$10.00 per firearm, for the processing of the private party transfer.

5. In a private party transfer involving a combination of handguns and long guns, a separate DROS will be required for each handgun and a single DROS will be required for any number of long guns. The DROS/Safety fees will be \$15.00 for the first handgun DROS and \$15.00 for the long gun DROS. There is no discount for the processing of a combination of handgun and long gun DROS.

Fees other than the DROS/Safety fee charged by the firearms dealer for sales from their own inventory or consignment sales are not addressed in the law. However, any additional fees charged by the dealer must be clearly posted and the dealer shall not misstate the amount of fees charged by a governmental agency.

Firearms dealers that violate these laws may be subject to civil or criminal penalties and/or required to pay restitution to parties that have been overcharged.

If you have any questions regarding this Information Bulletin, please visit the Firearms Division web site at <http://caag.state.ca.us/firearms/> or call the Firearms Division at (916) 227-3703.

Sincerely,



RANDY ROSSI, Director
Firearms Division

For BILL LOCKYER
Attorney General

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