

4261, FINAL TEXT

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FINAL TEXT OF REGULATIONS

California Code of Regulations Title 11, Division 5

Chapter 10. Ammunition

§ 4260. Ammunition Vendor License Applications

(a) Applicants for an initial ammunition vendor license must complete and submit Department of Justice Ammunition Vendor License (Non-Firearms Dealer), form BOF 1021 (Orig. 01/2018), which is hereby incorporated by reference. The application must be submitted with the fee specified in section 4261 and a copy of the following:

- (1) Any regulatory or business license required by local government.
- (2) Valid seller's permit issued by the California Department of Tax and Fee Administration.
- (3) Federal Firearms License if the applicant is federally licensed.
- (4) Certificate of Eligibility pursuant to Penal Code section 26710.

(b) Applicants for renewal of an ammunition vendor license must complete and submit Department of Justice Ammunition Vendor License Renewal Fee Transmittal, form BOF/CAV-0012 (Orig. 01/2018), which is hereby incorporated by reference, with the fee specified in section 4261.

(c) A firearms dealer licensed pursuant to Penal Code sections 26700 to 26915 is automatically deemed a licensed ammunition vendor pursuant to Penal Code section 30385(d) and is not required to submit an application for an ammunition vendor license.

Note: Authority cited: Sections 30385 and 30395, Penal Code. Reference: Sections 26700, 30385, and 30395, Penal Code.

§ 4261. Ammunition Vendor License Application Fee and Term Length

(a) The annual application fee for an ammunition vendor license (initial and renewal) is \$198 per location if the vendor is not on the Centralized List of Firearm Dealers.

(b) The term of an ammunition vendor license is one year from the date of issuance.

(c) Ammunition vendors must submit to the Department of Justice, a copy of renewals of the licenses specified in section 4260, within 30 days of the license's expiration. Failure to do so will invalidate the ammunition vendor license until a copy of the renewed license is received by the Department of Justice.

(d) Ammunition vendor licenses will be automatically renewed for vendors who maintain active status on the Centralized List of Firearms Dealers.

Note: Authority cited: Sections 30385, 30390, and 30395, Penal Code. Reference: Sections 30385, 30390, and 30395, Penal Code.

§ 4262. Display of Ammunition

Pursuant to Penal Code section 30350, ammunition shall not be displayed for sale or transfer in a manner that allows that ammunition to be accessible to a purchaser or transferee without the assistance of the vendor or an employee of the vendor. Ammunition displayed in a shopping area open to the public is not considered “accessible” provided it is in a locked container (e.g. display case, cabinet, cage).

Note: Authority cited: Sections 30347, 30385 and 30350, Penal Code. Reference: Sections 30347 and 30350, Penal Code.

§ 4263. Vendor Fee for Processing a Private Party (non-vendor) Ammunition Sale

In addition to any applicable Department of Justice fee, an ammunition vendor may charge the purchaser a fee(s) for processing the sale of ammunition between two private parties as follows:

(a) If the purchaser will be present for immediate delivery of the ammunition, the fee shall not exceed five dollars (\$5).

(b) If the purchaser will not be present for immediate delivery of the ammunition, the vendor may charge an additional storage fee as agreed upon with the purchaser prior to the vendor receiving the ammunition.

Note: Authority cited: Sections 30312 and 30385, Penal Code. Reference: Section 30312, Penal Code.

§ 4264. Suspension and Forfeiture of Ammunition Vendor’s License

(a) An ammunition vendor’s license may be suspended for a period of up to six months for a violation of these regulations.

(b) An ammunition vendor’s license may be forfeited for a breach of any of the prohibitions and requirements in Penal Code sections 30300 through 30365.

(c) All hearings related to a suspension or forfeiture shall be conducted in accordance with Government Code section 11500 et. seq.

(d) An ammunition vendor whose license is forfeited may not re-apply for a license earlier than one year from the effective date of the forfeiture.

Note: Authority cited: Sections 30385 and 30395, Penal Code. Reference: Sections 30300, 30305, 30306, 30312, 30314, 30342, 30345, 30347, 30348, 30350, 30352, 30355, 30357, 30360, 30362, 30363, 30365, and 30395, Penal Code.