CALIFORNIA DEPARTMENT OF JUSTICE

TITLE 11. LAW
DIVISION 5. FIREARMS REGULATIONS
CHAPTER 4. DOCUMENTATION REQUIREMENTS FOR FIREARMS AND AMMUNITION ELIGIBILITY CHECK
AND
CHAPTER 10. AMMUNITION

NOTICE OF PROPOSED RULEMAKING

Notice published October 30, 2026

The Department of Justice (Department) proposes to adopt section 4045.2 and amend sections 4282, 4283, and 4285 of title 11, division 5, chapters 4 and 10 of the California Code of Regulations concerning methods for obtaining information from driver's licenses or identification cards (DL/IDs) for purposes of firearm and ammunition eligibility checks.

PUBLIC HEARING

The Department has not scheduled a public hearing on this proposed regulatory action. However, the Department will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any person or their authorized representative may submit written comments relevant to the proposed regulatory action. The written comment period closes on **December 15, 2026** at **5:00 p.m.** Only written comments received by that time will be considered. Please submit written comments to:

R. Ronkowski
Department of Justice
P.O. Box 160487
Sacramento, CA 95816
bofregulations@doj.ca.gov

NOTE: Written comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

AUTHORITY AND REFERENCE

Authority: Sections 28180, 30352, and 30370, Penal Code.

Reference: Sections 26710, 28180, 30352, and 30370, Penal Code; Section 922, Title 18, United States Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations:

On September 30, 2025, the Department of Motor Vehicles (DMV) began issuing DL/IDs that replace the magnetic strip with a barcode. As a result, firearm dealers and ammunition vendors are increasingly presented with identification documents that cannot be electronically read in the manner required by Penal Code section 28180. Penal Code section 28180 requires firearm dealers to obtain electronically from the magnetic strip a purchaser's name, date of birth, and DL/ID number for purposes of an eligibility check for a firearm purchase, except as authorized by the Department.

As a result of the DMV's changes, for newly issued DL/IDs without a magnetic strip, firearm dealers and ammunition vendors are manually entering identity information into the Bureau of Firearms' (Bureau) Dealer Record of Sale (DROS) Entry System (DES), which increases the likelihood of data entry errors that could introduce inaccurate information in the DROS database and the Automated Firearms System (AFS).

The DROS process/system helps prevent prohibited persons from acquiring firearms or ammunition. The DES is a web-based application used by firearm dealers to report the sale, loan, transfer, redemption, and acquisition of handguns and long guns to the Bureau. It is also used by ammunition vendors to submit ammunition purchase eligibility checks and ammunition purchase information to the Bureau. The DES is the Bureau's secure, centralized electronic platform used to process firearm dealers' records of sale and maintain information on firearm and ammunition transactions. The purpose of the AFS is to maintain a repository of firearm records to aid law enforcement's ability to identify lost or stolen firearms, track ownership, and assist in investigations. It is populated by records of firearm purchases through licensed firearm dealers, ammunition vendors, individual reports of ownership, and information from law enforcement agencies. The system supports law enforcement in investigations, prosecutions, and recovery of lost and stolen property.

Effect of the Proposed Rulemaking:

The proposed rulemaking will require firearm dealers and ammunition vendors to obtain purchaser information by using a barcode scanner if the DL/ID does not have the magnetic strip contemplated by Penal Code section 28180.

Anticipated Benefits of the Proposed Regulations:

The objective of the regulations is to prevent mistakes in the entry of firearm and ammunition purchaser information into the Bureau's databases. Reducing the risk of mistakes will benefit public safety by ensuring that law enforcement has access to accurate information for investigations, prosecutions, and recovery of lost and stolen property. The regulations will also

help ensure accurate background checks, reduce delays in purchases and rejected transactions, and reduce additional work as a result of data entry mistakes.

Comparable Federal Regulations:

There are no existing federal regulations or statutes comparable to these proposed regulations.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Department has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern the method of reading DL/IDs for purposes of firearm and ammunition transactions.

Forms Incorporated by Reference:

None.

Other Statutory Requirements:

None.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department's Initial Determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: The Department estimates $50,000 in additional expenditures for the current fiscal year to install barcode readers and train staff on the updated processes.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.

Other non-discretionary costs or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Cost impacts on representative person or business: The Department estimates that a representative private person or business will necessarily incur a one-time cost to purchase a barcode scanner to read barcodes on newly issued DL/IDs. A survey of scanners that could be used for this purpose revealed an approximate range of $197 to $404 at the time of assessment.

Significant effect on housing costs: None.

Significant, statewide adverse economic impact directly affecting businesses, including ability to compete: The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Results of the Economic Impact Assessment (EIA):

The Department concludes that it is (1) unlikely that the proposal will create or eliminate jobs within the state, (2) unlikely that the proposal will create new businesses or eliminate existing businesses within the state, and (3) unlikely that the proposal will result in the expansion of businesses currently doing business within the state.

The Department also concludes that:

(1) The proposal will benefit the health and welfare of California residents by establishing an alternative method for firearm dealers and ammunition vendors to electronically capture purchaser information. This will help prevent data inaccuracies in the Bureau's firearm databases, which will benefit public safety by ensuring that law enforcement have access to accurate information for investigations, prosecutions, and recovery of lost and stolen property. Complete and accurate information also helps ensure that firearms and ammunition are not purchased by anyone prohibited by law from owning or possessing a firearm.

(2) The proposal will not benefit worker safety because it does not regulate worker safety standards.

(3) The proposal will not benefit the state's environment because it does not change any applicable environmental standards.

Business report requirement: None.

Small business determination: The Department has determined that this proposed action affects small businesses.

Penal Code section 28180 requires firearm dealers and ammunition vendors to obtain electronically from the magnetic strip a purchaser's name, date of birth, and driver's license or identification number for purposes of an eligibility check for a firearms purchase. The proposed rulemaking will require firearms dealers and ammunition vendors to obtain purchaser information by using a barcode scanner if the DL/ID does not have the magnetic strip contemplated by Penal Code section 28180.

Firearm dealers and ammunition vendors will incur a one-time cost of anywhere between $197 and $404 to purchase a barcode scanner to read barcodes on newly issued DL/IDs.

CONSIDERATION OF ALTERNATIVES

Government Code section 11346.5, subdivision (a)(13), requires that the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Department invites interested persons to submit alternatives with respect to the proposed regulations during the written comment period.

The Department has determined that the proposed regulations are the most effective way for firearm dealers and ammunition vendors to accurately obtain purchaser information if the DL/ID does not have the magnetic strip contemplated by Penal Code section 28180. Using a barcode scanner is easier and quicker than manually entering the purchaser's information.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

R. Ronkowski
Department of Justice
P.O. Box 160487
Sacramento, CA 95816
(559) 970-0360
bofregulations@doj.ca.gov

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

L. Baladjay-Fretland
Department of Justice
P.O. Box 160487
Sacramento, CA 95816
(916) 210-2621
bofregulations@doj.ca.gov

AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. As of the date this Notice of Proposed Rulemaking (Notice) is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the "express terms" of the regulations), the Initial Statement of Reasons, and any information upon which the proposed rulemaking is

based. The text of this Notice, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Department's website at https://oag.ca.gov/firearms/regs. Please refer to the contact information listed above to obtain copies of these documents.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the Department analyzes all timely and relevant comments received during the 45-day public comment period, the Department will either adopt these regulations substantially as described in this notice or make modifications based on the comments. If the Department makes modifications which are sufficiently related to the originally-proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the name and address indicated above. The Department will accept written comments on the modified regulations for at least 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons will be available on the Department's website at https://oag.ca.gov/firearms/regs. Please refer to the contact information included above to obtain a written copy of the Final Statement of Reasons.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Department's website at https://oag.ca.gov/firearms/regs.