

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
TEXT OF PROPOSED REGULATIONS

The original text published in the California Code of Regulations has no underline. Changes are illustrated by black underline for proposed insertions and ~~black strikethrough~~ for proposed deletions.

Chapter 4. Documentation Requirements for Firearms and Ammunition Eligibility Check

Article 3. Form of the Register or the Record of Electronic Transfer

§ 4045.2. Methods for obtaining information from driver's license or identification card

- (a) The purchaser's or transferee's name, date of birth, and driver's license or identification number shall be obtained electronically by scanning or swiping the purchaser's driver's license or identification.
- (b) If, due to technical limitations, the dealer's or ammunition vendor's equipment is unable to obtain the required information from the purchaser's or transferee's driver's license or identification, the firearms dealer or ammunition vendor shall retain a photocopy of the driver's license or identification as proof of compliance.

NOTE: Authority cited: Sections 28180, 30352, Penal Code. Reference: Sections 28180, 30352, Penal Code.

Chapter 10. Ammunition

Article 2. Ammunition Purchases or Transfers

§ 4282. Standard Ammunition Eligibility Check (AFS Match)

(a) A purchaser or transferee is authorized to purchase ammunition if their information matches an entry in the Automated Firearm System and does not match an entry in the Prohibited Armed Persons File.

(1) A purchaser or transferee may request, through an ammunition vendor, that the Department conduct a Standard Ammunition Eligibility Check to determine if the ammunition purchaser or transferee qualifies for this authorization.

(b) As authorized by Penal Code section 30370, subdivision (e), the fee for a Standard Ammunition Eligibility Check is \$5.00.

(c) The ammunition vendor shall collect the purchaser's or transferee's name, date of birth, current address, and driver's license or other government identification number in the manner described in ~~Penal Code section 28180~~ section 4045.2, and telephone number, and enter this information into the DES website.

(d) Upon the Department's completion of the Standard Ammunition Eligibility Check, the Department shall update the purchaser's or transferee's DES record to instruct the ammunition vendor to approve or reject the purchase or transfer.

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

NOTE: Authority cited: Sections 30352 and 30370, Penal Code. Reference: Sections 28180, 30352 and 30370, Penal Code.

§ 4283. Basic Ammunition Eligibility Check (Single Transaction or Purchase)

(a) A purchaser or transferee is authorized to purchase ammunition if they are not prohibited from purchasing or possessing ammunition, subsequent to affirmation by the Department.

(1) A purchaser or transferee may request, through an ammunition vendor, that the Department conduct a Basic Ammunition Eligibility Check to determine if the purchaser or transferee qualifies for this authorization.

(2) A purchaser or transferee may instead seek authorization by following the procedure set forth by section 4282, 4284, 4285, or 4286, as applicable.

(b) As authorized by Penal Code section 30370, subdivision (c), the fee for a Basic Ammunition Eligibility Check is \$19.00.

(c) The ammunition vendor shall collect the ammunition purchaser's or transferee's name, date of birth, current address, gender, hair color, eye color, height, weight, and driver's license or other government identification number in the manner described in ~~Penal Code section 28180~~section 4045.2, and telephone number, United States citizenship status, federal 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 ammunition vendor will provide the purchaser or transferee an ATN to monitor the status of the Basic Ammunition Eligibility Check through the Department's CFARS website.

(1) An approved Basic Ammunition Eligibility Check can only be used for one ammunition purchase or transfer, and the approval expires 30 calendar days from when it is issued.

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

(e) Upon the Department's completion of a Basic Ammunition Eligibility Check, the Department shall update the purchaser's or transferee's DES record.

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

§ 4285. COE Verification Process

(a) A purchaser or transferee is authorized to purchase ammunition if they hold a current Certificate of Eligibility, subsequent to verification by the Department.

(1) A purchaser or transferee may request, through an ammunition vendor, that the Department conduct a COE Verification to determine if the purchaser or transferee qualifies for this authorization.

(b) As authorized by Penal Code section 30370, subdivision (e), the fee for COE Verification is \$5.00.

(c) The ammunition vendor shall collect the ammunition purchaser's or transferee's name, date of birth, current address, and driver's license or other government identification number in the manner described in ~~Penal Code section 28180~~section 4045.2, 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 or transferee's DES record to instruct the ammunition vendor to approve or reject the ammunition purchase or transfer.

NOTE: Authority cited: Sections 30352 and 30370, Penal Code. Reference: Sections 26710, 28180 and 30370, Penal Code.