



## CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Firearm Dealer Violation List

### Level 1 Violations

- Notification of \$31.19 Dealer Record of Sale fee is not posted (Cal. Penal Code 26875).
- Notification of \$1.00 Firearms Safety Act Fee is not posted (Cal. Penal Code 26875).
- Notification of \$5.00 Safety and Enforcement fee is not posted (Cal. Penal Code 26785).
- Notification of \$10.00 Private Party Transfer fee is not posted (Cal. Penal Code 26785).
- Misstatement of Government Fees (Cal. Penal Code 26880).
- Dealer Record of Sale not filed in consecutive order (Cal. Penal Code 28215(c)(1)).
- Failure to Display License (Cal. Penal Code 26810).
- Failure to Display License at Gun Show (Cal. Penal Code 26805).
- Firearms Safety Certificates are not signed (Cal. Penal Code 26840(a); 11 CCR 4254(g)).
- Failure to provide prohibition notice and transfer forms for denials (Cal. Penal Code 26815 (d)).
- Failure to provide prohibited storage of firearm(s), ammunition, or ammunition feeding device(s) (Cal. Penal Code 29830 (c)).
- Failure to report voluntary storage of firearm(s) (Cal. Penal Code 26892 (e)(1)).
- Failure to report 45-day hold of firearm(s) after voluntary storage return denied (Cal. Penal Code 26892 (e)(2)).
- Failure to transfer firearm(s) to LEA after after voluntary storage return denied and 45-day hold expired (Cal. Penal Code 26892 (d)(3)).
- Failure to report 45-day hold of firearm(s) after PPT purchaser and seller denied (Cal. Penal Code 28050(g)(1)).
- Failure to transfer firearm(s) to LEA after PPT purchaser and seller denied and 45-day hold expired (Cal. Penal Code 28050 (g)(2)).
- Incomplete Firearm Safe or Lock Box Affidavit (i.e. missing make, model, customer initials) (Cal. Penal Code 23635).

### Level 2 Violations

- Failure to post warning signs (Cal. Penal Code 26835(a)(1-9); 26806(c)).
- Firearm Safety Certification Instructor Certificate does not meet requirements (Cal. Penal Code 31635; 11 CCR § 4259).
- Firearm Safety Certification Test and Certification requirements not met (11 CCR 4253).
- Dealer Record of Sale information is completed (Cal. Penal Code 28160).
- Licensee does not use Electronic Card reader for California Drivers License or California Identification (Cal. Penal Code 28180(a)).
- Right thumb print is not included on Dealer Record of Sale (Cal. Penal Code 281650 (b)).
- Photocopies of non-scanned identification are not maintained (Cal. Penal Code 28180 (b)(2)).
- Dealer Record of Sale worksheets not retained for three years (Cal. Penal Code 28215 (c)(2)).



## CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Firearm Dealer Violation List

### Level 2 Violations (Continued)

- Failure to ensure for Firearm Safety Certificate successfully passed the objective test (Cal. Penal Code 31645).
- Failure to provide or update current hours of operation (11 CCR 4018(a); 4018(b)(2)).
- Dealer Record of Sale submissions held more than 30 days are not canceled (Cal. Penal Code 26910).
- Firearm Private Party Transfer fees shall not exceed \$10.00 per firearm (Cal. Penal Code 26825; 28055).
- Licensee fails to conduct proper Private Party Transfers (Cal. Penal Code 26825; 27545; 28050).
- Warning labels are not available for delivery firearms (Cal. Penal Code 23635(e); 23640).
- Failure to provide list of employees to Gun Show Producer (Cal. Penal Code 27320).
- Dealer is unable to provide or confirm firearm safe or safety device documentation after sale or transfer resulting in dealer being unable to confirm if firearm safety device is DOJ approved (Cal. Penal Code 23635).
- Missing ammunition Dealer Record of Sale (Cal. Penal Code 30352(a)).
- Photocopies of Federal Limits Apply identification/proof of lawful presence for firearm purchase not retained (11 CCR 4045.1(f)(1)).
- Photocopies of Federal Limits identification/proof of lawful presence for ammunition purchase not retained (11 CCR 4045.1(f)(2)).
- Ammunition Private Party Transfer fees shall not exceed \$5.00 (11 CCR 4263).
- Failure to administer Firearms Safety Certification test that conforms to requirements (Cal. Penal Code 31640 (b-d)).
- Firearm Safety Certification test area is not a separate room or is not a partitioned area (Cal. Penal Code 31640(f)).
- Collusion in the administration of Firearms Safety Certification Testing. Some examples of collusion include answering questions on behalf of the applicant, knowingly grading the examination falsely, or providing an advance copy of the test to an applicant (Cal. Penal Code 27550).
- Firearm acquisition record is not submitted to DOJ (Cal. Penal Code 26905).
- Firearm Dealer's firearm acquisitions record in Acquisition and Disposition Book does not reconcile with firearm acquisition records (Cal. Penal Code 26905; 11 CCR 4022).
- Failure to maintain functioning digital video and audio surveillance system (Cal. Penal Code 26806).
- Did not submit report of purchase of firearms acquired from consignments, pawns auctions (Cal. Bus. & Prof. Code 21628.2(b)).
- Secondhand Dealer's firearm acquisition forms do not reconcile with Federal Acquisition and Disposition book or with firearm (Cal. Bus & Prof. Code 21628.2(b)).
- Secondhand firearm worksheets are incomplete (Cal. Bus. & Prof. Code 21628.2(b)).



## CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Firearm Dealer Violation List

### Level 2 Violations (Continued)

- Ammo Dealer Record of Sale missing information (Cal. Penal Code 30352(a)).
- Secondhand firearms acquired sold or transferred prior to 30 day mandatory retention period (Cal. Bus. & Prof. Code 21636).

### Level 3 Violations

- Missing proof of age for Firearms Safety Certificate Applicant (11 CCR 4245(a)).
- Invalid evidence of identity and age for firearm or ammunition purchase applicant (Cal. Penal Code 28215(a)(1)).
- Missing or invalid Certificate of Eligibility for each agent or employee (Cal. Penal Code 26915).
- Missing Dealer Record of Sale of Worksheets (Cal. Penal Code 28215).
- Missing/invalid Large Capacity Magazine Permit (Cal. Penal Code 32315).
- Missing or Invalid Secondhand Dealer license (Cal. Bus. & Prof. Code 21640).
- Failure to secure firearms at Gun Show (Cal. Penal Code 27305).
- Violation of Security Requirements when not open for business (Cal. Penal Code 26890).
- Firearm transaction records not made available for inspection (Cal. Penal Code 26900(a)).
- Federal Acquisition and Disposition Record Book not maintained or unavailable (Cal. Penal Code 26900(b)).
- DROS transaction records not made available for inspection (Cal. Penal Code 28215(b)(3)).
- Incorrect, incomplete or missing information documented in Federal Acquisition and Disposition Record Book (Cal. Penal Code 28100).
- Proof of exemption not retained for firearms sold, delivered, given, or transferred to individuals under 21 years of age (Cal. Penal Code 27510).
- Licensee did not notify DOJ upon delivery of firearm following conclusion of waiting period (Cal. Penal Code 28225).
- Proof of peace officer waiting period exemptions not properly maintained (Cal. Penal Code 26950(b)(3); 27650(b)(3); 28160(a)(4)).
- Large Capacity Magazine permit and exemption records are not maintained (Cal. Penal Code 32310; 32400; 11 CCR 5483).
- Firearm safety device or firearm safe documentation unconfirmed, no due diligence to ensure firearm safety device exists (Cal. Penal Code 23635).
- Copy of valid and signed Firearms Safety Certificate are not retained (Cal. Penal Code 26840(a); 11 CCR 4254(g)).
- Copy of Firearm Safety Certificate exemption is not retained (Cal. Penal Code 31700).
- Alters, counterfeits, or falsifies a handgun or Firearm Safety Certificate or the use of an altered, counterfeited, or falsified handgun or Firearm Safety Certificate to purchase a firearm or handgun (Cal. Penal Code 31620).



## CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Firearm Dealer Violation List

### Level 3 Violations (Continued)

- Employees accessing ammunition without a Certificate of Eligibility (Cal. Penal Code 30347).
- Incomplete or missing safe handling affidavits (Cal. Penal Code 26850).
- Invalid or missing proof of residency documentation for handgun transactions (Cal. Penal Code 26845).
- Failure to maintain a copy of exemption for one firearm purchase per 30-day period (Cal. Penal Code 27535).
- Failure to maintain unsafe handgun exemption records (Cal. Penal Code 32000(b)).
- Ammunition displayed is accessible without the assistance of an associate (11 CCR 4262; 30350).
- Failure to maintain ammunition exemption information (11 CCR 4286; 30355).

### Level 4 Violations

- Conducting business at a place not designated on the license (Cal. Penal Code 26805).
- Absence of required digital and audio video surveillance system (Cal. Penal Code 26806).
- Fraudulent certificate of employment for licensee (Cal. Penal Code 26700).
- Fraudulent Sellers Permit (Cal. Penal Code 26700).
- Fraudulent local license/letter (Cal. Penal Code 26700).
- Fraudulent Federal Firearms License (Cal. Penal Code 26700).
- Fraudulent Dealer Record of Sale documentation (Cal. Penal Code 28250).
- Missing or invalid Dangerous Weapons Permit (Cal. Penal Code 31005).
- Inventory firearms are not at licensed location and/or failure to report loss of theft of firearm or ammunition (Cal. Penal Code 26885(a); 26885(b)).
- Falsification of serial number on DROS worksheet/DROS firearm not in possession (Cal. Penal Code 28160(a)(9)).
- 10 day waiting period waived for unqualified purchaser or waived for a prohibited person (Cal. Penal Code 26815).
- Failure to abide by 10 day waiting period for firearms sold/transferred (Cal. Penal Code 26815(a); 27540(a)).
- Sale, loan, or transfer of firearm to someone other than actual purchaser (straw purchase) (Cal. Penal Code 27515).
- Sale of non-roster handgun to unauthorized individual (Cal. Penal Code 32000).
- Returned firearm(s) stored for prohibited individuals without DROS (Cal. Penal Code 29830(d)).
- Returned ammunition stored for prohibited individuals without DROS (Cal. Penal Code 29830(e)).
- Sale or delivery of a firearm to a prohibited person (Cal. Penal Code 27500).
- Verified licensee in possession of assault weapon (Cal. Penal Code 30605).
- Sale or transfer of assault weapons (Cal. Penal Code 30600).