



Bureau of Firearms
P.O. Box 160487
SACRAMENTO, CA.95816-0487

February 17, 2015

ADVANCE NOTICE OF INTENT TO FILE EMERGENCY REGULATIONS
TITLE 11, DIVISION 5, CHAPTER 9.
Firearm Safety Certificate Program and Safe Handling Demonstrations

This notice is being sent pursuant to Government Code section 11346.1, subdivision (a)(2), which requires that State of California agencies give a five working day advance notice of intent to file emergency regulations with the Office of Administrative Law (OAL). The California Department of Justice (DOJ) intends to file an Emergency Rulemaking package with OAL establishing the Firearm Safety Certificate Program and Safe Handling Demonstrations.

DOJ plans to file the Emergency Rulemaking package with OAL at least five working days from the date of this notice. If you would like to make comments on the enclosed Finding of Emergency or the proposed regulations, they must be received by both DOJ and OAL within five calendar days after OAL posts the filing on its website. Comments should be sent simultaneously to:

Jeff Amador
California Department of Justice
Bureau of Firearms
P.O. Box 160487
Sacramento, CA 95816-0487

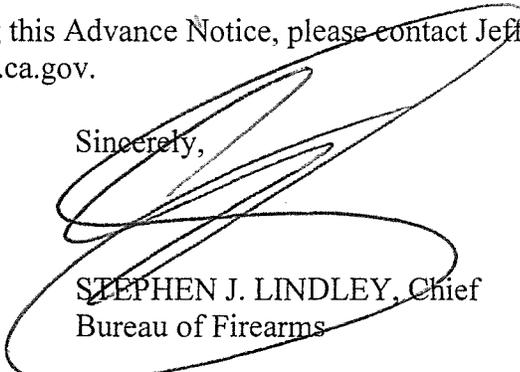
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Upon filing, OAL will have ten (10) calendar days within which to review and make a decision on the proposed emergency rulemaking file. If approved, OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective for a minimum of 180 days.

You may also view the proposed regulatory text and Finding of Emergency on the following website:
<http://oag.ca.gov/firearms/regs>.

If you have any questions concerning this Advance Notice, please contact Jeff Amador at (916) 227-4217 or Jeff.Amador@doj.ca.gov.

Sincerely,



STEPHEN J. LINDLEY, Chief
Bureau of Firearms

For KAMALA D. HARRIS
Attorney General

February 17, 2015

Notice of Proposed Emergency Action

Pursuant to the requirements of Government Code section 11346.1, subdivision (a)(1), the Department of Justice (Department) is providing notice of proposed emergency adoption of regulations regarding Firearm Safety Certificates and Safe Handling Demonstrations.

Submission of Comments

Government Code section 11346.1, subdivision (a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the OAL, the OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6.

The text of the proposed emergency regulations, all documents incorporated by reference, and the "Finding of Emergency" are posted on the Department's website at <http://oag.ca.gov/firearms>.

The Department plans to file the emergency rulemaking package with OAL at least five working days from the date at the top of this notice. If you would like to comment on the proposed emergency regulations or the Finding of Emergency, your comments must be received by both the Department and the OAL within five days of the Department's filing with OAL. Responding to comments is strictly at the Department's discretion. Send comments simultaneously to:

Department of Justice
Bureau of Firearms
Attn: Jeff Amador
P.O. Box 160487
Sacramento, CA 95816

and

Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Finding of Emergency

The Department of Justice (Department or DOJ) finds that an emergency exists, and that the immediate adoption of Chapter 9, of Division 5, of Title 11 is necessary to avoid serious harm to the public peace, health, safety, or general welfare.

Specific Facts Demonstrating The Need For Immediate Action

Pursuant to Penal Code section 26840, effective January 1, 2015, a firearms dealer shall not deliver a firearm unless the recipient presents a valid Firearm Safety Certificate (FSC) that was acquired by passing a written test on firearm safety. Additionally, Penal Code sections 26850 and 26860 state a firearms dealer shall not deliver a firearm unless the recipient performs a safe handling demonstration with the handgun or long gun being delivered.

These emergency regulations are necessary for the implementation and on-going management of the FSC program and the establishment of safe handling demonstrations for long guns and for handguns with an alternative design.

Because California law generally requires the recipient of a firearm to have an FSC, without these emergency regulations the retail sale of firearms would have essentially stopped as of January 1, 2015. The negative financial impact on over 2000 firearms dealers and their employees throughout the state would be immediate and severe. Absent the revenue from retail gun sales, within a few weeks hundreds of dealerships will be forced into bankruptcy. The negative fiscal impact will not be limited to the firearms industry. Because the general public would no longer be able to lawfully acquire firearms, the state will undoubtedly face civil lawsuits claiming California firearm laws violate an individual's second amendment right to bear arms. The cost of defending such lawsuits could be hundreds of thousands of dollars.

Explanation of Failure to Adopt Nonemergency Regulations

The Department originally intended to develop a manual, pre-paid, process for the issuance of FSCs. In addition to being generally inefficient for the Department and the firearms industry, a manual process would create an unreasonable financial burden for certified instructors who would have to purchase FSCs in blocks of ten in advance of issuing them to persons who pass the written test. Many low volume dealers who are also certified instructors would not issue ten FSCs in an entire year. In response to input received from stakeholders within the California firearms industry, the Department developed an automated, web-based application (Firearms Certification System) by which certified instructors are able to submit payment for and issue FSCs on demand. The increased efficiency (versus a manual process) of the automated Firearms Certification System will benefit firearms dealers, certified instructors, gun purchasers, and the Department. However, its development necessitated an 8 to 10 month delay in drafting the accompanying FSC regulations that establish the business rules of the Firearms Certification System. In fact, the design, development, and implementation of the Firearms Certification System remained on-going through January 1, 2015. Additionally, several months of extensive

research were needed to identify and determine the appropriate safe handling demonstration steps for six types of long guns and eight types of handguns with alternative designs.

Authority and Reference Citations

Authority: Penal Code sections 26710, 26850, 26853, 26856, 26859, 26860, 31625, 31635, 31640, 31645, 31650, 31655, 31660, and 31665.

Reference: Penal Code sections 16400, 26710, 26840, 26850, 26853, 26856, 26859, 26860, 29800-29825, 31625, 31635, 31640, 31645, 31650, 31655, 31660, and 31665; 18 U.S.C. § 922(d) and (g); Code of Federal Regulations, Title 27, Part 178.32.

Informative Digest/Policy Statement Overview

Prior to taking delivery of a firearm from a licensed firearms dealer, Penal Code sections 26840, 26850, and 26860 require the recipient to present a valid FSC and perform a safe handling demonstration with the firearm being delivered. To obtain an FSC, an individual must pass a written objective test on firearms safety developed by the Department and administered by certified instructors. As detailed below, the regulations create a comprehensive program for the issuance of FSCs and establish safe handling demonstrations for long guns and for handguns with alternative designs as statutorily mandated by the Penal Code sections specified above.

§4250. DOJ Certified Instructor Qualifications and Application Information

This section establishes the qualifications required to become a DOJ Certified Instructor. Applicants must have prior certification to provide training from one of the specified organizations specified in Penal Code section 31635. Applicants must also have and maintain a valid Certificate of Eligibility to ensure he or she is not prohibited from lawfully possessing firearms. This section also specifies that a DOJ Certified Instructor's certification is valid for five years provided he or she maintains a valid COE.

§4251. Firearms Certification System "Conditions of Use" and User Accounts

This section establishes the "Conditions of Use" to which DOJ Certified Instructors must agree to establish a user account for access to the Firearms Certification System. This section also specifies the information that must be provided to create a user account.

§4252. FSC Test Applicant Qualifications and Fee

This section requires FSC test applicants to present a valid California driver license or identification card issued by the Department of Motor Vehicles showing the applicant to be at least 18 years old. This section also identifies the FSC fee for taking the written test (twice if failed the first time) and being issued an FSC as twenty five dollars (\$25), fifteen dollars (\$15) of which is forwarded to the Department pursuant to Penal Code section 31650.

§4253. FSC Test Topics, Guidelines, Scoring, and Recordkeeping

This section specifies the FSC test consists of 30 questions (10 true/false, 20 multiple choice) covering, but not limited to, the following topics specified in Penal Code section 31640:

- The laws applicable to carrying and handling firearms, particularly handguns

- The responsibilities of ownership of firearms, particularly handguns
- Current law as it relates to the private sale and transfer of firearms
- Current law as it relates to the permissible use of lethal force
- What constitutes safe firearm storage
- Issues associated with bringing a firearm into the home
- Prevention strategies to address issues associated with bringing firearms into the home

The applicant must correctly answer at least 23 of the 30 questions to pass the test and receive an FSC.

This section also specifies additional requirements regarding the testing process such as the allowed use of a translator and retaking the FSC test if the applicant fails on the first attempt.

§4254. FSC Issuance

This section establishes the process by which FSCs are issued via the Firearms Certification System including:

Payment of the fifteen dollar (\$15) DOJ fee must be made with a major credit/debit card prior to issuance of an FSC. Payment by cash or check is not accepted.

The FSC recipient's complete name, California identification type, California driver license or identification card number, and date of birth must be entered to create the FSC record. The FSC issue and expiration dates and the DOJ Certified Instructor's first name and first initial of his or her last name will be generated by the Firearms Certification System and printed on the FSC.

DOJ Certified Instructors are able to preview the information and make changes if needed, prior to submission into the Firearms Certification System. Changes cannot be made after the information has been submitted.

Each FSC will be available for reprint, without any additional fee, for 24 hours from the date and time payment is received.

The DOJ Certified Instructor and the recipient must sign the FSC once it is printed.

§4255. FSC Replacement

This section establishes that if an FSC is lost or destroyed, the DOJ Certified Instructor who issued the original FSC is authorized to issue a replacement FSC via the Firearms Certification System to the original FSC holder. A five dollar (\$5) fee, collected from the FSC holder, must be paid to the Department for issuance of the replacement FSC.

§4256. Safe Handling Demonstration Steps Applicability and Definitions

This section establishes the following requirements and definitions applicable to safe handling demonstrations:

- The safe handling demonstration steps specified are generally applicable to the various models of each firearm "type" (e.g. pump action long gun, break-top revolver, etc.). However, they may not be appropriate for a particular firearm model. If necessary, the

DOJ Certified Instructor will inform the firearm recipient of the safe handling demonstration steps for the firearm being delivered.

- If only the serialized or finished frame or receiver of a weapon is being delivered, no safe handling demonstration is required.
- If the DOJ Certified Instructor determines the firearm being delivered uses a cartridge size/type for which no dummy round is available on the retail market, the safe handling demonstration may be performed without using a dummy round.
- The firearm recipient must safely perform each step of the safe handling demonstration from start to finish without error. If an error is made at any time during the demonstration, the firearm recipient must start over from step number one.
- The DOJ Certified Instructor must provide instruction regarding how to render the firearm safe in the event of a jam (malfunction).
- Upon successful completion of the safe handling demonstration, the DOJ Certified Instructor, firearm recipient, and firearms dealer (or dealer authorized employee) must sign and date a Safe Handling Demonstration Affidavit, BOF 039 (Rev. 01/2015). If the DOJ Certified Instructor is also the licensed firearms dealer or an employee of the dealer, he or she is authorized to sign the affidavit as both the DOJ Certified Instructor and as the dealer/employee delivering the firearm.
- A “dummy round” must be brightly colored orange, red, or otherwise readily identifiable. If no readily identifiable dummy round is available, an empty cartridge casing with an empty primer pocket may be used.
- “Muzzle awareness” means the firearm is pointed in a safe direction, preferably down at the ground.
- “Trigger discipline” means the trigger finger is outside of the trigger guard and alongside the frame or receiver, at all times.

§4257. Safe Handling Demonstration Steps for Conventional Long Guns

This section establishes the steps that comprise a safe handling demonstration for the following types of long guns:

- Pump Action Long Gun
- Break-Top Long Gun
- Bolt Action Long Gun
- Lever Action Long Gun
- Semiautomatic Long Gun with a Detachable Magazine
- Semiautomatic Long Gun with a Fixed Magazine

§4258. Safe Handling Demonstration Steps for Handguns with Alternative Designs

This section establishes the steps that comprise a safe handling demonstration for the following types of handguns with alternative designs:

- Semiautomatic Pistol with a Non-Locking Slide
- Semiautomatic Pistol with a Fixed Magazine
- Semiautomatic Pistol with a Magazine Operated Toggle Lock
- Semiautomatic Pistol with a Top-Feeding Magazine
- Semiautomatic Pistol with a Tip-Up Barrel
- Break-Top Revolver

- Single Shot Pistol
- Derringer

§4259. Comparable Training Qualifications, Course Content, and Certificates of Completion

This section establishes the requirement for an entity to be recognized by the Department as providing comparable firearm training pursuant to Penal Code section 31635. The requirements include the following:

- Applications must be submitted on DOJ form BOF 946 (Rev. 01/2015)
- Comparable training entity must be staffed with at least one DOJ Certified Instructor who has a minimum of 100 hours of verifiable experience teaching firearms safety
- Training course must include instruction on the safe handling demonstration steps for specified types of handguns and long guns and instruction on how to render a firearm safe in the event of a malfunction
- All students to successfully perform the safe handling demonstration with the conventional firearms provided by the DOJ Certified Instructor
- Upon successful completion of the comparable training course, each student must be issued a Certificate of Completion

Forms Incorporated by Reference

Comparable Training Entity Application, BOF 946 (Rev. 01/2015)
 DOJ Certified Instructor Application, BOF 037 (Rev. 01/2015)
 Firearm Safety Certificate, BOF 034 (Rev. 01/2015)
 Safe Handling Demonstration Affidavit, BOF 039 (Rev. 01/2015)

Other Matters Prescribed by Statute Applicable to the Agency or to Any Specific Regulation or Class of Regulations

None.

Mandate on Local Agencies or School Districts

The Department has determined the proposed emergency regulations do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed emergency regulations.

Technical, Theoretical, and Empirical Study, Report, or Similar Document, if any, Upon Which the Department Relied

None.

Cost Estimates

The Department has assessed the potential for significant adverse impact that might result from the proposed emergency action and has determined:

- There will be no non-discretionary costs or savings to local agencies
- There will be no costs to school districts
- There will be no costs or savings in federal funding to the State

As detailed on the attachment to the Economic and Fiscal Impact Statement (STD. 399), the Department estimates its costs (state agency) directly related to the Firearm Safety Certificate program will be approximately \$8,900,000 over the three year period from 7/1/2014 through 6/30/2017. During that same period, the Department anticipates statutorily authorized fee revenue of \$12,000,000 from the issuance of an estimated 800,000 FSCs. Specifically, subdivision (b) of section 31650 of the Penal Code authorizes “a fee of twenty-five dollars (\$25), fifteen dollars (\$15) of which is to be forwarded to the department....” Subdivisions (c) and (d) of section 31650 of the Penal Code authorize use of surplus revenue from those fees to be used to cover the Department’s cost of conducting various firearms related enforcement activities unrelated to the FSC program.

Text of Emergency Regulations

Title 11, Division 5

Chapter 9. Firearm Safety Certificate Program and Safe Handling Demonstrations

Article 1. DOJ Certified Instructors

§4250. DOJ Certified Instructor Qualifications and Application Information

- (a) Department of Justice (“the Department” or DOJ) Certified Instructor applicants must have a valid Certificate of Eligibility (COE) issued pursuant to Penal Code section 26710. Initial applicants must also submit a copy of their training certification from one of the following:
- (1) Department of Consumer Affairs, State of California-Firearm Training Instructor.
 - (2) Director of Civilian Marksmanship, Instructor or Rangemaster.
 - (3) Federal Government, Certified Rangemaster or Firearm Instructor.
 - (4) Federal Law Enforcement Training Center, Firearm Instructor Training Program or Rangemaster.
 - (5) United States Military, Military Occupational Specialty (MOS) as marksmanship or firearms instructor. Assignment as Range Officer or Safety Officer is not sufficient.
 - (6) National Rifle Association-Certified Instructor, Law Enforcement Instructor, Rangemaster, or Training Counselor.
 - (7) Commission on Peace Officer Standards and Training (POST), State of California-Firearm Instructor or Rangemaster.
 - (8) Authorization from a State of California accredited school to teach a firearm training course.
 - (9) Training deemed equivalent by the Department pursuant to section 4259 of these regulations.
- (b) Initial and renewal applications must be submitted on a DOJ Certified Instructor Application, BOF 037 (Rev. 01/2015), which is incorporated by reference.
- (c) A DOJ Certified Instructor’s certification is valid for five years provided he or she maintains a valid COE. To remain valid, a COE must be renewed annually.

Note: Authority cited: Sections 26710, and 31635, Penal Code.
Reference: Sections 26710, 29800-29825 and 31635, Penal Code; Sections 8100 and 8103, Welfare and Institutions Code; 18 U.S.C. § 922(d) and (g); and Title 27, Part 178.32, Code of Federal Regulations.

§4251. Firearms Certification System “Conditions of Use” and User Accounts

- (a) To establish a user account for access to the Firearms Certification System, DOJ Certified Instructors must agree to the following “Conditions of Use:”

(1) NON-LIABILITY

The Department is not responsible for and will have no liability for hardware, software, information, or other items or any services provided by any persons other than the Department. In no event shall either party be liable to the other or any third party, under any theory of liability, including but not limited to any contract or tort claim for any cause whatsoever, for any indirect, incidental, special or consequential damages, including loss of revenue or profits, even if aware of the possibility thereof.

(2) AUTHORIZATION

I am a DOJ Certified Instructor and am authorized to use the Firearms Certification System for participation in the Firearm Safety Certificate (FSC) program.

It is my responsibility, as a DOJ Certified Instructor, to protect the confidentiality of the password I select to access the Firearms Certification System. If I become aware of an unauthorized person obtaining access to the Firearms Certification System, I will notify the Customer Support Center immediately at (916) 227-3750 or via email at boffscprogram@doj.ca.gov. Notwithstanding such notification, the Department shall not be liable for transaction charges fraudulently incurred. It will be the cardholder’s responsibility to pay any charges.

(3) FEES

The FSC fee is fifteen dollars (\$15) per issuance for new FSCs and five dollars (\$5) for replacement FSCs. Multiple FSCs can be paid for in a single transaction. The Department will not provide refunds after issuance of an FSC.

(4) TRUE AND ACCURATE INFORMATION

All of the information I submit to the Department through the Firearms Certification System shall be true, accurate, and complete to the best of my knowledge.

- (b) The following information is required to establish a user account for access to the Firearms Certification System:

(1) Complete name of DOJ Certified Instructor.

(2) COE number.

- (3) DOJ Certified Instructor number.
- (4) User Name (assigned by DOJ).
- (5) Email address.
- (6) Answers to three identity verification questions (selected from a choice of ten).
- (7) User selected password.
- (c) The acquisition and maintenance of the device and software used to access the internet and interface with the Firearms Certification System shall be the responsibility of each DOJ Certified Instructor. For optimal performance, DOJ Certified Instructors must utilize a web browser compatible with the Firearms Certification System.

Note: Authority cited: Section 31625, 31650, 31655, and 31665, Penal Code.
Reference: Section 31625, 31650, 31655, and 31665, Penal Code.

Article 2. FSC Test

§4252. FSC Test Applicant Qualifications and Fee

- (a) Applicants for the FSC test must be at least 18 years old and must present clear evidence of identity and age in the form of a valid California driver license or identification card issued by the Department of Motor Vehicles.
- (b) The fee for taking the FSC test (twice if failed the first time) and being issued an FSC is twenty five dollars (\$25), fifteen dollars (\$15) of which is forwarded to the Department pursuant to Penal Code section 31650.

Note: Authority cited: Sections 31625, 31640, 31645, and 31650, Penal Code.
Reference: Sections 16400, 31625, 31640, 31645, 31650, and 31655, Penal Code.

§4253. FSC Test Topics, Guidelines, Scoring, and Recordkeeping

- (a) The FSC test consists of 30 questions (10 true/false, 20 multiple choice) covering, but not limited to, the following topics specified in Penal Code section 31640:
 - (1) The laws applicable to carrying and handling firearms, particularly handguns.
 - (2) The responsibilities of ownership of firearms, particularly handguns.
 - (3) Current law as it relates to the private sale and transfer of firearms.
 - (4) Current law as it relates to the permissible use of lethal force.

- (5) What constitutes safe firearm storage.
- (6) Issues associated with bringing a firearm into the home.
- (7) Prevention strategies to address issues associated with bringing firearms into the home.
- (b) Only DOJ Certified Instructors are authorized to administer the FSC test.
- (c) DOJ Certified Instructors may give only administrative instructions to an FSC test applicant while he or she is taking the test.
- (d) FSC test applicants may not use any notes, review materials, or obtain assistance from any person once he/she begins the FSC test. DOJ Certified Instructors must maintain adequate supervision at all times to ensure the applicant does not receive outside assistance.
- (e) If an FSC test applicant is unable to read, a translator may be used to administer the test orally. The DOJ Certified Instructor must inform the translator that only the language of an FSC test may be read or interpreted. No further explanation of the questions or answers to the questions may be provided.
- (f) FSC test applicants are not permitted to keep a copy of their test or answer sheet.
- (g) FSC test applicants must correctly answer at least 23 of the 30 questions to pass the test and receive an FSC.
- (h) If an applicant fails the FSC test, after 24 hours have elapsed, he or she may take a different version of the FSC test without any additional fee (one free retest). The retest must be taken from the same DOJ Certified Instructor except upon permission by the Department, which shall be granted only for good cause shown.
- (i) If the DOJ Certified Instructor observes a test applicant using reference materials or receiving unauthorized assistance while taking the FSC test, the applicant is automatically disqualified.
- (1) The DOJ Certified Instructor must note their observations and reasons for the disqualification on the back of the applicant's test answer sheet and sign & date the answer sheet.
- (2) Fifteen dollars (\$15) must be returned to the applicant because no FSC will have been issued. The applicant may retake the test after 24 hours have elapsed but he or she will be required to pay the entire twenty five dollar (\$25) fee regardless of whether the disqualification occurred on the first or second attempt at taking the FSC test.
- (j) DOJ Certified Instructors must retain all completed FSC test answer sheets for five years from the test date. The completed answer sheets must be made available for inspection upon request by any peace officer, or authorized DOJ personnel upon presentation of

proper identification.

Note: Authority cited: Sections 31640 and 31645, Penal Code.
Reference: Sections 31625, 31635, 31640, and 31645, Penal Code.

Article 3. FSC Issuance and Replacement

§4254. FSC Issuance

- (a) If an applicant passes the FSC test, the DOJ Certified Instructor shall immediately issue a Firearm Safety Certificate, BOF 034 (Rev. 01/2015), which is incorporated by reference, to the successful applicant.
- (b) FSCs are issued via the Firearms Certification System.
- (c) Payment of the fifteen dollar (\$15) DOJ fee must be made prior to issuance of an FSC. Payment options are limited to major credit/debit cards (e.g. MasterCard, Visa, American Express, and Discover cards). Payment by cash or check is not accepted.
- (d) The FSC recipient's complete name, California identification type, California driver license or identification card number, and date of birth must be entered to create the FSC record. The FSC issue date, expiration date, and the DOJ Certified Instructor's first name and first initial of his or her last name will be generated by the Firearms Certification System and printed on the FSC.
- (e) DOJ Certified Instructors can preview the information and make changes if needed, prior to submission into the Firearms Certification System. Changes cannot be made after the information has been submitted.
- (f) Each FSC will be available for reprint, without any additional fee, for 24 hours from the date and time payment is received.
- (g) The DOJ Certified Instructor and the recipient must sign the FSC once it is printed.

Note: Authority cited: Sections 31625, 31645, 31650, and 31655, Penal Code.
Reference: Sections 26840, 31625, 31640, 31645, 31650, and 31655, Penal Code.

§4255. FSC Replacement

- (a) If an FSC is lost or destroyed, upon request and proof of identification, the DOJ Certified Instructor who issued the original FSC is authorized to issue a replacement FSC via the Firearms Certification System to the original FSC holder.
- (b) DOJ Certified Instructors may search the Firearms Certification System for specific FSC records; however, only records of FSCs issued by the DOJ Certified Instructor conducting the search will be displayed.

- (c) A replacement FSC can be issued via the Firearms Certification System upon the DOJ Certified Instructor's payment of a five dollar (\$5) fee to DOJ.
- (d) DOJ Certified Instructors are authorized to charge the FSC holder a five dollar (\$5) fee to recover the fee paid to the Department.

Note: Authority cited: Section 31660, Penal Code.
Reference: Sections 31655 and 31660, Penal Code.

Article 4. Safe Handling Demonstration Steps

§4256. Safe Handling Demonstration Steps Applicability and Definitions

- (a) The safe handling demonstration steps specified in this article are generally applicable to the various models of each firearm "type" (e.g. pump action long gun, break-top revolver, etc.). However, they may not be appropriate for a particular firearm model. If necessary, the DOJ Certified Instructor will inform the firearm recipient of the safe handling demonstration steps for the firearm being delivered.
- (b) If only the serialized or finished frame or receiver of a weapon is being delivered, no safe handling demonstration is required.
- (c) If the DOJ Certified Instructor determines the firearm being delivered uses a cartridge size/type for which no dummy round is available on the retail market, the safe handling demonstration may be performed without using a dummy round.
- (d) The firearm recipient must safely perform each step of the safe handling demonstration from start to finish without error. If an error is made at any time during the demonstration, the firearm recipient must start over from step number one.
- (e) The DOJ Certified Instructor must provide instruction regarding how to render the firearm safe in the event of a jam (malfunction).
- (f) Upon successful completion of the safe handling demonstration, the DOJ Certified Instructor, firearm recipient, and firearms dealer (or dealer authorized employee) must sign and date a Safe Handling Demonstration Affidavit, BOF 039 (Rev. 01/2015), which is hereby incorporated by reference. If the DOJ Certified Instructor is also the licensed firearms dealer or an employee of the dealer, he or she is authorized to sign the affidavit as both the DOJ Certified Instructor and as the dealer/employee delivering the firearm.
- (g) As used in this article, a "dummy round" must be brightly colored orange, red, or otherwise readily identifiable. If no readily identifiable dummy round is available, an empty cartridge casing with an empty primer pocket may be used.
- (h) As used in this article, "muzzle awareness" means the firearm is pointed in a safe direction, preferably down at the ground.

- (i) As used in this article, “trigger discipline” means the trigger finger is outside of the trigger guard and alongside the frame or receiver, at all times.

Note: Authority cited: Sections 26850, 26853, 26856, 26859, and 26860, Penal Code.
Reference: Sections 26850, 26853, 26856, 26859, and 26860, Penal Code.

§4257. Safe Handling Demonstration Steps for Conventional Long Guns

(a) Pump Action Long Gun

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

- (1) Open the ejection port.
- (2) To ensure the firearm is unloaded, visually and physically inspect the chamber/barrel and the magazine follower. If the magazine follower is not visible, there could be cartridges still in the tubular magazine.
- (3) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
- (4) While maintaining muzzle awareness and trigger discipline, load one dummy round into the magazine loading port.
- (5) Pull the forend (or forearm) rearward toward the receiver causing the dummy round to enter the breech. Push the forend forward to chamber the round. The dummy round should have moved from the tubular magazine into the chamber.
- (6) Push the action (carrier) release button and again pull the forend toward the receiver causing the action to open. The dummy round should extract from the chamber and be ejected through the ejection port.
- (7) Engage the safety.
- (8) Apply the firearm safety device, if applicable.

(b) Break-Top Long Gun

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

- (1) Open the breech.

- (2) To ensure the firearm is unloaded, visually and physically inspect the chamber/barrel.
- (3) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
- (4) While maintaining muzzle awareness and trigger discipline, load one dummy round into a barrel.
- (5) Close and lock the action.
- (6) Unlock and open the action.
- (7) Remove the dummy round.
- (8) Apply the firearm safety device, if applicable.

(c) Bolt Action Long Gun

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

- (1) To ensure the firearm is unloaded, visually and physically inspect the chamber/barrel and the internal magazine.
- (2) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
- (3) While maintaining muzzle awareness and trigger discipline, load one dummy round into the chamber/barrel.
- (4) Close and lock the action.
- (5) Unlock and open the action.
- (6) Remove the dummy round.
- (7) Apply the firearm safety device, if applicable.

(d) Lever Action Long Gun

When handling a lever action firearm with an exposed hammer, use caution and consult your DOJ Certified Instructor for the proper safe handling steps. Use only flat point, hollow point, round nose flat point or similar rounds. Never use pointed or conical point

rounds in a centerfire rifle with a tubular magazine. Failure to follow these instructions may result in injury to yourself or others, or cause damage to your firearm.

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

- (1) Open the breech.
- (2) To ensure the firearm is unloaded, visually and physically inspect the chamber/barrel and the magazine follower. If the magazine follower is not visible, there could be cartridges still in the tubular magazine.
- (3) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
- (4) While maintaining muzzle awareness and trigger discipline, load one dummy round into the chamber/barrel.
- (5) Close and lock the action.
- (6) Unlock and open the action.
- (7) Remove the dummy round.
- (8) Apply the firearm safety device, if applicable.

(e) Semiautomatic Long Gun with a Detachable Magazine

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

- (1) Remove the magazine.
- (2) Pull the bolt back and lock it open if possible.
- (3) To ensure the firearm is unloaded, visually and physically inspect the chamber/barrel.
- (4) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
- (5) While maintaining muzzle awareness and trigger discipline, load one dummy round into the magazine.

- (6) Insert the magazine into the magazine well.
- (7) Close and lock the action.
- (8) Unlock and open the action.
- (9) Remove the dummy round.
- (10) Apply the firearm safety device, if applicable.

(f) Semiautomatic Long Gun with a Fixed Magazine

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

- (1) Pull the bolt back and lock it open if possible.
- (2) To ensure the firearm is unloaded, visually and physically inspect the chamber/barrel and the internal magazine.
- (3) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
- (4) While maintaining muzzle awareness and trigger discipline, load one dummy round into the magazine.
- (5) Close and lock the action.
- (6) Unlock and open the action.
- (7) Remove the dummy round (the dummy round should have extracted from the chamber and ejected from the breech).
- (8) Apply the firearm safety device, if applicable.

Note: Authority cited: Section 26860, Penal Code.
Reference: Section 26860, Penal Code.

§4258. Safe Handling Demonstration Steps for Handguns with Alternative Designs

(a) Semiautomatic Pistol with a Non-Locking Slide

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining

muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

- (1) Remove the magazine.
- (2) Because this type of firearm does not allow the slide to be locked back, pull the slide back, visually and physically check the chamber to ensure it is clear.
- (3) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
- (4) Load one dummy round into the magazine.
- (5) Insert the magazine into the magazine well of the firearm.
- (6) Manipulate the slide release or pull back and release the slide.
- (7) Remove the magazine.
- (8) Visually inspect the chamber to reveal a round can be chambered with the magazine removed.
- (9) Lock the slide back to eject the dummy round. If the firearm is of a model that does not allow the slide to be locked back, pull the slide back and physically check the chamber to ensure the chamber is clear.
- (10) Apply the safety, if applicable.
- (11) Apply the firearm safety device, if applicable.

(b) Semiautomatic Pistol with a Fixed Magazine

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

- (1) Lock the slide back.
- (2) Load one dummy round into the stripper clip.
- (3) Insert the stripper clip into the magazine slot of the firearm.
- (4) Pull the stripper slip out of the slot to allow the slide to go forward.
- (5) Visually inspect the chamber to reveal a round is chambered.

(6) Lock the slide back to eject the dummy round.

(7) Apply the safety, if applicable.

(8) Apply the firearm safety device, if applicable.

(c) Semiautomatic Pistol with a Magazine Operated Toggle Lock

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

(1) Remove the magazine.

(2) Visually and physically inspect the chamber, to ensure the firearm is unloaded.

(3) Insert the magazine into the magazine well of the firearm.

(4) Lock the toggle back.

(5) Remove the magazine.

(6) Remove the firearm safety device, if applicable. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.

(7) Load one dummy round into the magazine.

(8) Insert the magazine into the magazine well of the firearm.

(9) Manipulate the toggle release or pull back and release the toggle.

(10) Remove the magazine.

(11) Visually inspect the chamber to reveal a round can be chambered with the magazine removed.

(12) Insert the magazine into the magazine well of the firearm.

(13) Lock the toggle back to eject the dummy round. If the firearm is of a model that does not allow the toggle to be locked back, pull the toggle back and physically check the chamber to ensure the chamber is clear.

(14) Apply the safety, if applicable.

(15) Apply the firearm safety device, if applicable.

(d) Semiautomatic Pistol with a Top-Feeding Magazine

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

(1) Open the slide.

(2) Visually and physically inspect the chamber, to ensure the firearm is unloaded.

(3) Load one dummy round into the stripper clip.

(4) Insert the stripper clip into the magazine slot of the firearm.

(5) Pull the stripper clip out of the slot to allow the slide to go forward.

(6) Visually inspect the chamber to see it is loaded.

(7) Lock open the slide to eject the dummy round.

(8) Remove the magazine.

(9) Apply the safety, if applicable.

(10) Apply the firearm safety device, if applicable.

(e) Semiautomatic Pistol with a Tip-Up Barrel

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

(1) Remove the magazine.

(2) Activate the barrel release to tip up the barrel.

(3) Visually and physically inspect the chamber to ensure the firearm is unloaded.

(4) Load one dummy round into the barrel.

(5) Close the barrel.

- (6) Insert the magazine into the magazine well of the firearm.
- (7) Remove the magazine.
- (8) Activate the barrel release to tip up the barrel to reveal a round can be chambered with the magazine removed.
- (9) Tip up the barrel to remove the dummy round.
- (10) Apply the safety, if applicable.
- (11) Apply the firearm safety device, if applicable.

(f) Break-Top Revolver

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

- (1) Open the revolver by unlocking the frame lock.
- (2) Visually and physically inspect each chamber to ensure the revolver is unloaded.
- (3) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
- (4) While maintaining muzzle awareness and trigger discipline, load one dummy round into a chamber of the cylinder and rotate the cylinder so the round is in the next-to-fire position.
- (5) Close the cylinder and the frame lock.
- (6) Open the revolver by unlocking the frame lock.
- (7) Tip the barrel forward from the frame, activating the ejection star, ejecting the dummy round.
- (8) Apply the firearm safety device, if applicable.

(g) Single Shot Pistol

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining

muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

- (1) Open the breech.
- (2) Visually and physically inspect the chamber to ensure it is clear.
- (3) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
- (4) While maintaining muzzle awareness and trigger discipline, load one dummy round into the chamber.
- (5) Close the breech mechanism.
- (6) Open the breech to eject the dummy round from the barrel.
- (7) Apply the firearm safety device, if applicable.

(h) Derringer

The demonstration shall commence with the firearm unloaded and locked with the firearm safety device with which it is required to be delivered, if applicable. While maintaining muzzle awareness and trigger discipline at all times, the firearm recipient shall correctly and safely perform the following:

- (1) Open the breech.
- (2) Visually and physically inspect the barrels to ensure the firearm is unloaded.
- (3) Remove the firearm safety device. If the firearm safety device prevents any of the previous steps, remove the firearm safety device during the appropriate step.
- (4) While maintaining muzzle awareness and trigger discipline, load one dummy round into a barrel.
- (5) Close and lock the action.
- (6) Unlock and open the action.
- (7) Remove the dummy round.
- (8) Apply the firearm safety device, if applicable.

Note: Authority cited: Section 26850, Penal Code.
Reference: Section 26850, Penal Code.

Article 5. Comparable Training in Firearms Safety

§4259. Comparable Training Qualifications, Course Content, and Certificates of Completion

- (a) Applications for DOJ recognition of an entity that provides comparable training pursuant to Penal Code section 31635 must be submitted on a Comparable Training Entity Application, BOF 946 (Rev. 01/2015) which is incorporated by reference.
- (b) Every five years, the Department will send a notice to the comparable training entity that requires a reply confirming the entity wants to continue being recognized by the Department as providing comparable training pursuant to Penal Code section 31635. Failure to reply will result in DOJ recognition being discontinued.
- (c) The comparable training entity must be staffed with at least one DOJ Certified Instructor who has a minimum of 100 hours of verifiable experience teaching firearms safety. Within ten business days of the action, the comparable training entity must report the following on form BOF 946:
 - (1) The addition of a DOJ Certified Instructor.
 - (2) The removal of a DOJ Certified Instructor.
- (d) The comparable training must include all of the following:
 - (1) Instruction on Safe Handling Demonstration Steps for the following conventional firearm types:
 - (A) Semiautomatic pistol.
 - (B) Double action revolver.
 - (C) Single action revolver.
 - (D) Pump action long gun.
 - (E) Bolt action long gun.
 - (F) Semiautomatic long gun with a detachable magazine.
 - (G) Semiautomatic long gun with a fixed magazine.
 - (H) Break-top long gun.
 - (I) Lever action long gun.
 - (2) Instruction on Safe Handling Demonstration Steps for the following firearms with alternative designs:

- (A) Semiautomatic pistol with a non-locking slide.
 - (B) Semiautomatic pistol with a fixed magazine.
 - (C) Semiautomatic pistol with a magazine-operated toggle lock.
 - (D) Semiautomatic pistol with a top-feeding magazine.
 - (E) Semiautomatic pistol with a tip-up barrel.
 - (F) Break-top revolver.
 - (G) Single shot pistol.
 - (H) Derringer.
- (3) Instruction on how to render a firearm safe in the event of a malfunction.
- (4) Requirement for all students to successfully perform the Safe Handling Demonstration with the conventional firearm types specified in paragraph (1). The firearms used for the Safe Handling Demonstration must be provided by the DOJ Certified Instructor.
- (e) Upon successful completion of the comparable training course, each student must be issued a Certificate of Completion that includes the following:
- (1) Name of the comparable training course.
 - (2) Name of the student.
 - (3) Signature of the DOJ Certified Instructor.
 - (4) Date the comparable training course was completed.

Note: Authority cited: Section 31635, Penal Code.
Reference: Section 31635, Penal Code.



**CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
Comparable Training Entity Application**
California Penal Code section 31635(b)



| Type of Action Requested | | | | |
|--|--|--|----------------------------------|--|
| <input type="checkbox"/> New Application | | <input type="checkbox"/> Revision to Entity/DOJ Certified Instructor Information | | |
| (Sections A, B, C, and E must be completed) | | | | |
| A. Training Entity Information | | | | |
| Training Entity Name: | | | | |
| Owner/Responsible Party Last Name: | | First Name: | | Middle Name: |
| Training Entity Address: | | | City: | State: Zip Code: |
| Telephone Number (include area code): | | | Email Address: | |
| B. Firearms Safety Training Course Information | | | | |
| Firearms Safety Training Course Title: | | | | |
| <input type="checkbox"/> YES <input type="checkbox"/> NO | | Do you want your firearms safety training course and telephone number included on the Bureau of Firearms website listing of entities giving comparable firearms safety training? | | |
| C. Department of Justice Certified Instructor Information (100 hour teaching/training requirement) | | | | |
| DOJ Certified Instructor Last Name: | | First Name: | DOJ Certified Instructor Number: | Instructor Status: <input type="checkbox"/> Add <input type="checkbox"/> Remove |
| Instructor Signature (Not required for removal) | | | Date | |
| D. Additional Department of Justice Certified Instructors (if any) | | | | |
| DOJ Certified Instructor Last Name: | | First Name: | DOJ Certified Instructor Number: | Instructor Status: <input type="checkbox"/> Add <input type="checkbox"/> Remove |
| Instructor Signature (Not required for removal) | | | Date | |
| DOJ Certified Instructor Last Name: | | First Name: | DOJ Certified Instructor Number: | Instructor Status: <input type="checkbox"/> Add <input type="checkbox"/> Remove |
| Instructor Signature (Not required for removal) | | | Date | |
| E. Declaration | | | | |
| <p><i>I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I understand the Department of Justice has no responsibility for insurance coverage for myself, my instructor(s), my student(s), or my course(s) on firearm training, use, and safety. I declare the Firearms Safety Certificate Training Course identified above will include the minimum requirements specified in CCR Section 4259 (d) in Division 5, Title II. I understand the Department of Justice's recognition as as comparable entity can be revoked for cause.</i></p> | | | | |
| _____ | | | _____ | |
| Owner/Responsible Party Signature | | | Date | |

CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Comparable Training Entity Application Instructions

Instructor Qualifications

A Department of Justice (DOJ) Certified Instructor number must be provided on the application for each proposed instructor. For each proposed instructor, the application must be accompanied by a resume/statement indicating a minimum of 100 hours of verifiable experience teaching/training firearms safety. The resume/statement must include contact information for experience verification.

Minimum Course Requirements

By signing this application, you declare the course provided at the training entity named on page 1 will include a minimum of the following:

1. Instruction on Safe Handling Demonstration Steps for the following conventional firearm types:
 - Semiautomatic pistol
 - Double action revolver
 - Single action revolver
 - Pump action long gun
 - Bolt action long gun
 - Semiautomatic long gun with detachable magazine
 - Semiautomatic long gun with fixed magazine
 - Break-top long gun
 - Lever action long gun

2. Instruction on Safe Handling Demonstration Steps for the following firearms with alternative designs:
 - Semiautomatic pistol with a non-locking slide
 - Semiautomatic pistol with a fixed magazine
 - Semiautomatic pistol with a magazine-operated toggle lock
 - Semiautomatic pistol with a top-feeding magazine
 - Semiautomatic pistol with a tip-up barrel
 - Break-top revolver
 - Single-shot pistol
 - Derringer

3. Instruction on how to render a firearm safe in the event of a malfunction.

4. Requirement for all students to successfully perform the Safe Handling Demonstration with the conventional firearm types.
The firearms used for the demonstration must be provided by the DOJ Certified Instructor.

Certificate of Completion

Upon successful completion of the training course, a Certificate of Completion must be issued to each student. A sample copy of the Certificate of Completion must accompany this application.

The Certificate must include the following:

- Name of the training course
- Name of the student
- Signature of the DOJ Certified Instructor
- Date course completed

Revisions

Any revisions to the comparable training entity or DOJ Certified Instructor information must be reported, through completion of this form, to the Department of Justice within 10 business days of the change of information.

Comparable Training Entity Recognition

A request to discontinue DOJ recognition as a comparable training entity must be submitted in writing to the Department of Justice within 10 business days of when the entity shall no longer be recognized as providing comparable training. The request can be sent to the address below or via email to boffscprogram@doj.ca.gov.

The Department of Justice will send a notice to the comparable training entity every five (5) years confirming the entity's status as a comparable training entity. Failure to respond to the notice will result in being removed from the list of comparable training entities.

Mail the completed application and required documentation to the following address:

**Department of Justice
Bureau of Firearms - FSC
P.O. Box 160367
Sacramento, CA 95816-0367**

DOJ Use Only

Date Received: _____ Date Processed: _____

Privacy Notice

As Required by Civil Code § 1798.17

Collection and Use of Personal Information. The Bureau of Firearms in the Department of Justice collects the information requested on this form as authorized by Penal Code section 31635, subdivision (b). The Bureau of Firearms uses this information to establish the entity on this application as providing comparable training to those entities in Penal Code section 31635. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The Department of Justice's general privacy policy is available at <http://oag.ca.gov/privacy-policy>.

Providing Personal Information. All the personal information requested in the form must be provided.

Access to Your Information. You may review the records maintained by the Bureau of Firearms in the Department of Justice that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

Possible Disclosure of Personal Information. In order to establish the entity on this application as providing comparable training to those entities in Penal Code section 31635, we may need to share the information you give us with any peace officer or other person designated by the Attorney General upon request.

The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act request, as allowed by the Information Practices Act;
- To another government agency as required by state or federal law;
- In response to a court or administrative order, a subpoena, or a search warrant.

Contact Information. For questions about this notice or access to your records, you may contact the Department of Justice, Bureau of Firearms representative at P.O. Box 160367, Sacramento, CA 95816-0367 or (916) 227-3750.



**CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
Firearm Safety Certificate Program
DOJ Certified Instructor Application**



Initial Application

Renewal Application

DOJ Certified Instructor Number _____

| A. Applicant Information | | | | |
|----------------------------------|--|-------------|-------|--------------------------------|
| Last Name: | | First Name: | | Middle Name: |
| Mailing Address: | | | City: | State: Zip Code: |
| Business Address (if different): | | | City: | State: Zip Code: |
| Date of Birth (mm/dd/yyyy): | CA Driver License or Identification Card Number: | | Sex: | Phone No. (include area code): |
| Email Address: _____ | | | | |

Pursuant to Penal Code section 31635, subdivision (b), Instructor Certification from the Department requires training and certification from one of the following (select one training entity and attach a copy of the certification-initial applicants only):

- Department of Consumer Affairs, State of California - Firearm Training Instructor.
- Director of Civilian Marksmanship, Instructor or Rangemaster.
- Federal Government, Certified Rangemaster or Firearm Instructor.
- Federal Law Enforcement Training Center, Firearm Instructor Training Program or Rangemaster.
- United States Military, Occupational Specialty (MOS) as marksmanship or firearms instructor.
- National Rifle Association-Certified Instructor, Law Enforcement, Rangemaster, or Training Counselor.
- Commission on Peace Officer Standards and Training, State of California- Firearm Instructor or Rangemaster.
- Authorization from a State of California accredited school to teach a firearms training course.
- Training deemed equivalent by the Department.

All applicants for Certified Instructor must have a valid Certificate of Eligibility (COE). An application for COE is accessible on the Attorney General's website at <http://oag.ca.gov/firearms/forms>.

COE Number: _____

| B. Declaration | |
|---|------------|
| <p><i>I understand that the Department of Justice (the Department) has no responsibility for insurance coverage for myself, my students, my classes, my courses, or my oversight of firearm safe handling demonstrations. I understand that my instructor certification will be valid for five years provided I maintain a current COE. I agree to comply with the Firearm Safety Certificate (FSC) Program guidelines, procedures, and legal requirements as specified in the applicable statutes and applicable regulations. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</i></p> | |
| Signature _____ | Date _____ |

NOTE: Only DOJ Certified Instructors may administer FSC tests, issue FSCs, and oversee the firearm safe handling demonstration. (Pen. Code, §§ 26850, subd. (a) & (b), 26853, 26856, 26859, 26860, and 31645.)

If you have any questions regarding the FSC Program, please contact the Bureau of Firearms at (916) 227-3750.

Mail completed form and all required attachments to:
California Department of Justice
Bureau of Firearms - FSC
P.O. Box 160367
Sacramento, CA 95816-0367

DOJ USE ONLY

| | | |
|----------------------|-------------------------|------------------------------------|
| Received Date: _____ | Processed By BOF: _____ | Certified Instructor Number: _____ |
|----------------------|-------------------------|------------------------------------|

Privacy Notice

As Required by Civil Code § 1798.17

Collection and Use of Personal Information. The Bureau of Firearms in the Department of Justice collects the information requested on this form as authorized by Penal Code section 31635. The Bureau of Firearms uses this information to establish grounds for the issuance of the certificate indicated on this application. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The Department of Justice's general privacy policy is available at <http://oag.ca.gov/privacy-policy>.

Providing Personal Information. All the personal information requested in the form must be provided.

Access to Your Information. You may review the records maintained by the Bureau of Firearms in the Department of Justice that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

Possible Disclosure of Personal Information. In order to establish grounds for the issuance of the certificate indicated on this application, we may need to share the information you give us with any peace officer or other person designated by the Attorney General upon request.

The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act request, as allowed by the Information Practices Act;
- To another government agency as required by state or federal law;
- In response to a court or administrative order, a subpoena, or a search warrant.

Contact Information. For questions about this notice or access to your records, you may contact the Department of Justice, Bureau of Firearms at P.O. Box 160367, Sacramento, CA 95816-0367 or (916) 227-3750.



**CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
Safe Handling Demonstration
Affidavit**



On _____, _____
Date (mm/dd/yyyy) *Printed Name of Firearm Purchaser/Recipient*

performed the safe handling demonstration as required in California Penal Code sections 26850, 26853, 26856, 26859, and 26860, with the firearm (or one of the same make and model) referenced on Dealer's

Record of Sale (DROS) Number _____
DROS Number

under the supervision of _____
Printed Name of DOJ Certified Instructor *DOJ Certified Instructor Number*

I declare under penalty of perjury under the laws of the State of California that the forgoing is true and correct.

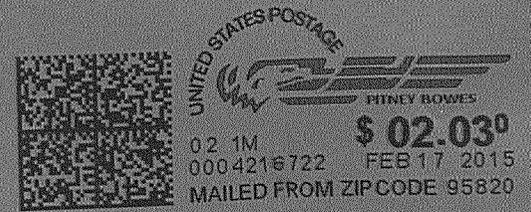
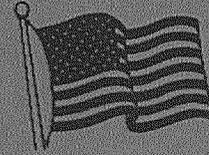
DOJ Certified Instructor Signature Date

Firearm Purchaser/Recipient Signature Date

Dealer/Employee Signature Date

Printed Name of Dealer/Employee

Division of Law Enforcement
Bureau of Firearms
P.O. Box 160487
Sacramento, CA 95816-0487



Michel & Associates, P.C.
180 East Ocean Blvd., Suite 200
Long Beach, CA 90802-4079
Attn.: Chuck Michel and Sean Brady