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November 29, 2016

Office of Administrative Law
Attention: Chapter 2 Compliance Unit
300 Capitol Mall, Suite 1250
Sacramento, CA 95814
staff@oal.ca.gov
VIA U.S. MAIL, EMAIL, AND FAX: (916) 323-6826

**Re: Petition to the Office of Administrative Law
Underground Regulation - Department of Justice Prohibition Against
Private Party Firearm Transactions with Out-of-State Sellers**

To Whom it May Concern:

We write on behalf of our clients the National Rifle Association of America and the California Rifle & Pistol Association, Inc., as well as their respective members who reside in California, including law-abiding firearm owners, dealers, distributors, and manufacturers (hereinafter collectively "Petitioners").

Pursuant to Government Code section 11340.5 and California Code of Regulations section 260, Petitioners hereby petition the Office of Administrative Law ("OAL") to investigate and make a determination about the use of an underground regulation by the California Department of Justice ("DOJ") prohibiting private party firearm transactions with out-of-state sellers.

For the reasons set forth below, Petitioners maintain that DOJ's effectual prohibition of private party firearm transactions with out-of-state sellers is an unauthorized underground regulation.

I. IDENTIFICATION OF PETITIONERS

Names: National Rifle Association of America and California Rifle & Pistol Association, Inc., and each of their respective members and clients who reside in California, through Joseph A. Silvoso, III of Michel & Associates, P.C.

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II. AGENCY ENFORCING UNDERGROUND REGULATION

California Department of Justice, Bureau of Firearms.

III. DESCRIPTION OF PURPORTED UNDERGROUND REGULATION AND EVIDENCE OF ENFORCEMENT THEREOF

A. Existing state and federal laws and regulations

With some exceptions, all firearm loans, sales, and transfers (hereafter collectively “sales” or “sell”) must be processed through a licensed firearms dealer (“dealer”).¹ Dealers, of course, can sell their own inventory. The process of selling a firearm is subject to a background check² and a 10-day wait.³

Because California law requires dealers to process firearm sales⁴ when two individuals, both of whom do not possess a firearm dealer license, want to sell a firearm from one private person to the other, the firearm must be transferred through a dealer. The seller or transferor (hereafter collectively “seller”) must deliver the firearm to the dealer, who then retains possession of the firearm while the transaction is being processed by the state.⁵

The method by which a dealer processes a private party transfer (“PPT”), defined as a firearm transfer from one individual to another, is different from the method a dealer uses to sell a firearm from its own inventory.⁶ For a PPT, a dealer must obtain information from *both* the seller and purchaser

¹ Pen. Code, § 27545.

² 27 C.F.R. § 478.124; Pen. Code, § 28215.

³ Pen. Code, §§ 26815, 27540.

⁴ There are limited exceptions to this requirement not pertinent to this petition.

⁵ Pen. Code, § 28050, subd. (b).

⁶ The differences concerning the transfer process can be found in the attached *DES Application - Firearms Dealership User Guide* at pp. 37-58, California Department of Justice, Bureau of Firearms, https://oag.ca.gov/sites/all/files/agweb/pdfs/firearms/dros_entry_guide.pdf (Dec. 29, 2014, Rev. 2). There are different processes for handgun sales, private party handgun transfers, long gun (meaning rifles and shotguns) sales, and private party long gun transfers.

while filling out the information for the sale.⁷ Once it has been confirmed that the purchaser or transferee (hereinafter collectively “purchaser”) is not prohibited from “possessing, receiving, owning, or purchasing a firearm,” and after the required waiting period has elapsed, the dealer will then deliver the firearm to the purchaser.⁸ For PPTs, however, “[i]f the dealer cannot legally deliver the firearm to the purchaser,” the dealer must immediately return the firearm to the seller.⁹ Dealers may charge up to ten dollars for PPTs in addition to the state-required fees associated with the background check and transfer process.¹⁰ A dealer may not charge any additional fees for performing a PPT.¹¹

These requirements mirror federal law to a certain extent. Federal law requires¹² that when two individuals who reside in different states and who wish to transfer a firearm must do so through a dealer in the recipient’s home state.¹³ If under federal law the transfer could not be processed, the firearm would need to be returned to the seller, and processed through a dealer in the seller’s state of residence.¹⁴

B. The Problematic Underground Regulation at Issue, as Enforced by DOJ

DOJ’s current policies illegally prevent any PPT involving a seller who is a resident of another state.

DOJ has set up a policy and computer processing system that prevents individuals located out-of-state from selling firearms via the PPT process, despite this sale being allowed under California and federal law. Instead, DOJ requires dealers to treat such PPTs as if the dealer purchased the firearm and the dealer is selling the firearm as if it was from their own inventory to the PPT buyer. By doing so, DOJ is requiring the dealer conducting the transaction to treat it as if it were a “standard” commercial/retail firearm sale rather than as a PPT.

Because the dealer is required to process the sale as a standard sale, a byproduct of DOJ’s unlawful requirements is that the dealer can charge a fee in excess of the maximum \$10 fee for PPTs established by Penal Code section 28055. As a result, extra fees of \$50-75 for “handling” are being added by various dealers within California, even though they are doing no more than receiving the

⁷ Pen. Code, § 28160.

⁸ Pen. Code, § 28050, subd. (c); Pen. Code, § 27540.

⁹ Pen. Code, § 28050, subd. (d).

¹⁰ Pen. Code, § 28055, subd. (a).

¹¹ Pen. Code, § 28055, subd. (c).

¹² There are limited exceptions to this requirement not pertinent to this petition.

¹³ 18 U.S.C. §§ 922(a)(3) and 922(b)(3); 27 CFR § 478.29.

¹⁴ See, e.g., 18 U.S.C. § 922(b)(3).

firearm from the seller and transferring it to the buyer as a “standard” firearm sale.

Although DOJ’s specific reasoning for conducting the transfer this way has not been formally discussed or made public, DOJ has told Petitioners that one reason is that it would be impossible to *immediately* return the firearm¹⁵ to an out-of-state seller in the event that the dealer cannot legally deliver the firearm to the purchaser. But this argument is without merit. It is true under federal law that a dealer in California cannot transfer a firearm to an individual who resides in another state.¹⁶ But in such cases, the firearm would and should simply be returned *immediately* to a *licensed firearm dealer* in the seller’s state of residence if it cannot otherwise be returned to the seller directly. DOJ’s misunderstanding of the law, and its implementation thereof, results in a requirement that both the seller and the purchaser be California residents for a PPT. As a result, DOJ’s reasoning lacks any statutory support and makes the above PPTs cost prohibitive for some firearm purchasers.

What’s more, although California’s electronic dealer record of sale (“DROS”) entry system (“DES”) for processing firearm transactions does not clarify whether out-of-state residents may sell their firearms in a PPT, DOJ has provided “tips” for entering seller information, including how to enter an out-of-state driver’s license, for dealer acquisition transactions.¹⁷ No such “tips” are provided for PPTs,¹⁸ leaving dealers confused about the ability to process PPTs involving out-of-state sellers.

IV. THE RULE IS A REGULATION WITH NO APPLICABLE EXEMPTION

The California Administrative Procedure Act (“APA”) defines “regulation” as “every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.”¹⁹ Every “regulation” adopted by a state agency is subject to the APA rulemaking procedures unless expressly exempted by statute.²⁰ Furthermore, over the years, the Supreme Court of California has repeatedly stated that:

“A regulation subject to the APA . . . has two principal identifying characteristics. [Citation.] First, the agency must intend its rule to apply generally, rather than in a specific case. The rule need not, however, apply universally; a rule applies generally so long as it declares how a certain class of

¹⁵ As required in Penal Code section 28050, subdivision (d).

¹⁶ 18 U.S.C. § 922(b)(3).

¹⁷ *DES Application - Firearms Dealership User Guide* at pp. 65-66, California Department of Justice, Bureau of Firearms, https://oag.ca.gov/sites/all/files/agweb/pdfs/firearms/dros_entry_guide.pdf (Dec. 29, 2014, Rev. 2).

¹⁸ *Id.* at pp. 37-64.

¹⁹ Gov. Code, § 11342.600.

²⁰ Gov. Code, § 11346.

cases will be decided. [Citation.] Second, the rule must ‘implement, interpret, or make specific the law enforced or administered by [the agency], or . . . govern [the agency’s] procedure.’ [Citation.]”²¹

Ultimately, DOJ, as a whole, is obligated to follow the APA rulemaking procedures.

State agencies are prohibited from issuing, utilizing, enforcing, or attempting to enforce any “guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, which is a regulation as defined in [Government Code] section 11342.600” (hereinafter collectively “rule”), unless the rule was enacted pursuant to the APA.²² A rule that meets the APA’s broad definition of “regulation,” but that was not enacted in compliance with the APA’s procedures, is called an “underground regulation.”²³

In this case, DOJ’s rule applies *generally* in that it affects *all* private party firearm transactions in which the seller is an out-of-state resident, not just a select few cases.²⁴ Furthermore, DOJ’s rule has been adopted to *implement* and *interpret* the law enforced or administered by DOJ. Thus, DOJ is maintaining a “regulation,” as defined by Government Code section 11342.600, that should have, but has not been, adopted pursuant to the APA.

Also, DOJ’s rule has not been expressly exempted by statute from the requirement that it be adopted as a “regulation” pursuant to the APA. “When the Legislature has intended to exempt regulations from the APA, it has done so by clear, unequivocal language.”²⁵ Nothing in the Penal Code or other California law exempts DOJ from the regulation adoption requirements of the APA.

Ultimately, compliance with the APA rulemaking procedures is mandatory.²⁶ “[A]ny doubt as to the applicability of the APA’s requirements should be resolved in favor of the APA.”²⁷ “[I]f [a rule] looks like a regulation, reads like a regulation, and acts like a regulation, it will be treated as a

²¹ *Morning Star Co. v. State Bd. of Equalization* (2006) 38 Cal. 4th 324, 333-34 [quoting *Tidewater Marine Western, Inc. v. Bradshaw* (1996) 14 Cal. 4th 557, 571].

²² Gov. Code, § 11340.5, subd. (a).

²³ Cal. Code Regs., tit. 1, § 250, subd. (a).

²⁴ As a side note, DOJ’s rule has a significantly greater impact on members of the United States Military who may be stationed in California but do not otherwise qualify as a California resident.

²⁵ *United Systems of Arkansas, Inc. v. Stamison* (1998) 63 Cal. App. 4th 1001, 1010.

²⁶ *Armistead v. State Personnel Board* (1978) 22 Cal. 3d 198, 205.

²⁷ *Californians for Pesticide Reform v. California Dept. of Pesticide Regulation* (2010) 184 Cal.App.4th 887, 908 [citing *Grier v. Kizer* (2d Dist. 1990) 219 Cal. App. 3d 422, 438].

regulation whether or not the [issuing] agency . . . so labeled it.”²⁸ Thus, as explained above, DOJ’s non-codified, non-exempt development and use of its rule effectually prohibiting private party firearm transactions for out-of-state residents violate the APA rulemaking procedures.

This is not a case in which the regulation is essentially reiterating the law, nor is the regulation the only legally tenable interpretation of a statute or other regulation. Here, the regulation departs from the law, for which DOJ should have complied with the APA. In fact, in addition to the laws discussed above, the regulation conflicts with the statute that authorizes DOJ to make rules. The Penal Code specifically requires the Attorney General to adopt regulations that “[a]llow the seller . . . and the purchaser . . . to complete a sale . . . through a dealer, and to allow those persons and the dealer to preserve the confidentiality of those records[.]”²⁹ Penal Code section 28060, which provides the sole authority for DOJ to enact regulations regarding PPTs, makes no mention of prohibiting such transactions when they involve an out-of-state seller. Instead, this section specifically includes sales made pursuant to the dealer processing requirement for PPTs and all of its exceptions,³⁰ indicating a clear intent of the Legislature to limit DOJ’s authority to the provisions of the Penal Code.

As a result, because DOJ’s regulation is in direct conflict with the Penal Code provisions regarding PPTs and the regulatory authority granted to DOJ, the underground regulation imposed by DOJ is far from necessary to effectuate the purpose for which the Legislature created DOJ. Accordingly, Petitioners seek to invalidate and enjoin DOJ’s enforcement of the challenged rule as an unlawful underground regulation.

V. THE UNDERGROUND REGULATION RAISES ISSUES OF CONSIDERABLE PUBLIC IMPORTANCE

The Second Amendment of the United States Constitution guarantees the right of law-abiding adults to keep and bear arms for lawful purposes. DOJ’s underground regulation unduly affects the entire process of lawfully acquiring firearms in California. The implementation of DOJ’s regulation directly pertains to the right of firearm owners to acquire firearms and the seller’s ability to have their property returned to them immediately. In addition to raising serious constitutional concerns, DOJ is abusing its authority under the Penal Code, and as discussed above, has enacted a regulation in direct conflict with its regulatory duties. Also, not only does DOJ’s regulation affect countless individuals, it also imposes significant burdens on dealers in California because Petitioners and other dealers are unable to process certain lawful business transactions as a result of the regulation.

The implementation of an un-promulgated and un-published standard leaves the protection of Second Amendment rights to the unfettered and non-transparent discretion of DOJ. The citizens have been deprived of their ability to comment on the implementation of such an approach in the absence of a formal rulemaking procedure. Because of these issues, DOJ’s improper underground regulation raises

²⁸ *State Water Resources Control Bd. v. Office of Admin. Law* (1993) 12 Cal. App. 4th 697, 702.

²⁹ Pen. Code, § 28060, subd. (a).

³⁰ Pen. Code, § 28060, subd. (a)(2); Pen. Code, § 27500 et seq.

an issue of considerable public importance that requires prompt resolution.

As advocacy organizations that represent a significant membership in California and beyond, Petitioners are directly affected by DOJ's underground regulation. Petitioners' membership is adversely impacted by the underground regulation because it includes the law-abiding firearm-owning general public and firearm dealers, distributors, and manufacturers who own firearms that could be subject to DOJ's rule. Petitioners with an interest in reviewing and commenting on DOJ's policies and procedures, who rely on the review and approval process of firearm-related regulations, are adversely affected by this underground approach due to the lack of transparency and clarity. These Petitioners have been denied their right to engage in the review process and provide vital public input.

Ultimately, the regulation at issue here is unconstitutional as it unduly infringes on the Second Amendment right of law-abiding citizens to keep and bear arms.

VI. CERTIFICATION

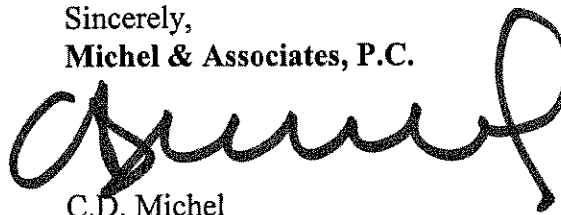
I certify that, on the date of this letter, I submitted a copy of this petition and all attachments to DOJ, addressed as follows:

Kamala Harris, Attorney General
Stephen Lindley, Bureau Chief
CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
P.O. Box 820200
Sacramento, CA 94203-0200
Fax: 916-227-7480

VII. CONCLUSION

Petitioners appreciate the opportunity to present this petition to OAL, and thank you for assistance with this important issue. We look forward to your response and determination that DOJ's effectual prohibition of private party transactions with out-of-state sellers is an unauthorized underground regulation. Please do not hesitate to contact me if there are any questions regarding the foregoing.

Sincerely,
Michel & Associates, P.C.



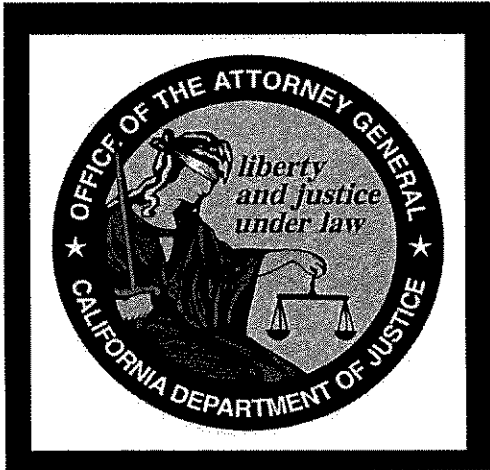
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**California Department of Justice
Bureau of Firearms**

**California Department of Justice
Bureau of Firearms
12/29/2014
Rev. 2**



9. DROS TRANSACTIONS

OVERVIEW

DROS Transactions are required on the following handgun and long gun transaction types:

- Dealer Handgun Sale
- Private Party Handgun Transfer
- Peace Officer Non-Roster Handgun Sale
- Exempt Handgun Sale
- Pawn/Consignment Handgun Redemption
- Curio/Relic Handgun Sale
- Olympic Pistol Sale
- Handgun Loan
- Dealer Long Gun Sale
- Private Party Long Gun Transfer
- Pawn/Consignment Long Gun Redemption
- Curio/Relic Long Gun Sale
- Long Gun Loan

To perform a DROS transaction:

- 1) Your account must be setup with the **Enter Transactions** permission (see Section 7).
- 2) If you are associated to more than one dealership, you must select the dealership that you want to be associated with for your DES session before you can submit a DROS.
- 3) You must review any unread bulletins prior to submitting a DROS.
- 4) You must acknowledge any Urgent Firearms Eligibility Notices prior to submitting a DROS.

ENTERING PURCHASER AND SELLER INFORMATION

All DROS transaction types require the entry of purchaser information. Seller information is only required on the following transaction types:

- Private Party Handgun Transfer
- Handgun Loan
- Private Party Long Gun Transfer
- Long Gun Loan

Purchaser and seller information will be captured by swiping the California Driver's License or Identification card through a magnetic card swipe reader. Any missing or incorrect information will be keyed directly into the appropriate fields.

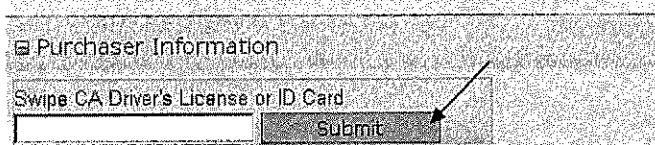


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To Enter Purchaser or Seller Information:

- 1) Swipe the driver's license or identification card through the magnetic card swipe reader.
- 2) Click on the **Submit** button in the **Swipe CA Driver's License or ID Card** area (see Figure 9.1).

Figure 9.1, Submit Driver's License Information



- 3) Verify that the data displays correctly. **Note:** If the information will not scan, you must manually enter the information.
- 4) Correct information as necessary.
- 5) Complete all applicable fields, including Firearms Eligibility Questions 1 - 4.

Tips:

- **Single Name** – If the purchaser or seller has a single name (example: Wasp, Sky, Rebel), enter the single name in the Last Name field and enter an asterisk (*) in the first name field (Suffix and Middle Name fields must be blank).
- **Purchaser's City** – The city will automatically appear based on the zip code; however, if the zip code has more than one city name or variation listed, you will need to select the correct city name from the City drop down list.
- **Citizenship** – If you select **NO** from the **U.S. Citizen** drop down list, the system will display additional fields that must be entered. Select the Country of Citizenship from the drop down list and enter either the Alien Registration number or the I-94 number. **Note:** These numbers can be found on the purchaser or seller's Permanent Resident card (Green Card) or I-94 Arrival/Departure card.
- **HSC Number** – The Handgun Safety Certificate number (HSC) or an HSC exemption code is required on all handgun transactions. These fields will only be present when the HSC is required prior to the purchase of a handgun.
- **FSC Number** – Effective January 1, 2015, HSC will become the Firearm Safety Certificate (FSC). Per Penal Code section 31615, the FSC number will be required for purchase or delivery of firearms; handguns and/or long guns. However – purchasers with a valid HSC will be able to utilize the HSC number or an HSC exemption to purchase handguns until the HSC expiration date.



Dealer Handgun Sale

Select the ***Dealer Handgun Sale*** transaction type when a handgun listed on the DOJ's Roster of Certified Handguns is being purchased from a dealer (see <http://certguns.doj.ca.gov>).

To submit a Dealer Handgun Sale transaction:

- 1) From the Main Menu page, select the ***Submit DROS*** link. The *Select Transaction Type* page will display.
 - 2) Select the ***Dealer Handgun Sale*** link. The *Submit Dealer Handgun Sale* form will display.
 - 3) Enter the Purchaser Information (see Entering Purchaser and Seller Information above).
 - 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:
 - i. **CFD Number** – Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting period exemption displays a ***Purchaser CFD Number*** field. Enter the purchaser's valid CFD number.
 - ii. **Peace Officer** – This waiting period exemption requires a signed letter (wet signature) from the head of his/her law enforcement agency. You must keep a copy of the letter on file.
 - iii. **Special Weapons Permit** – Select **Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a ***Special Weapons Permit Number*** field. Enter the purchaser's Special Weapons permit number.
- Note:** Selecting a waiting period exemption will automatically apply the 30-Day Restriction Exemption.
- c. **30-Day Restriction Exemption** - Click on the **30-Day Restriction Exemption** check box if the purchaser has provided proof of having a valid exemption from the one handgun purchase per 30 days restriction.
 - d. **Make** – Select the name of the firearm manufacturer from the ***Make*** drop down list. The **Model** field will display with a list of all available models for the selected make. **Tip:** Opening the ***Make*** drop down list and typing the first character of the make will take you to that section of the list.
 - e. **Model** – Select the appropriate model from the **Model** drop down list. The **Caliber** field will display. If there are multiple calibers available for the selected make/model combination, select the appropriate caliber from the drop down list; otherwise, the system will select the caliber if only one caliber is available. The system enters additional firearm information (barrel length, unit of measure, material, and category) once you have narrowed the firearm selection criteria to a single firearm.



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- f. **Serial Number** – Enter and re-enter the serial number stamped on the firearm.
- g. **Other Number** – If applicable, enter an additional number stamped on the firearm.
- h. **Color** – Select the color of the firearm from the **Color** drop down list.
- i. **New/Used Gun** – Select whether the firearm is new or used from the **New/Used Gun** drop down list.
- j. **Firearm Safety Device (FSD)** – Select the method that the purchaser is using to comply with the FSD requirements. (For information regarding the Roster of Firearms Safety Devices Certified for Sale, see the Office of the Attorney General's website: <http://oag.ca.gov/firearms/fsdcertlist>.) **Note:** This field will not display when the waiting period exemption is for a peace officer.
 - i. **Antique** – Select this type if the firearm is an antique pursuant to federal law.
 - ii. **Approved Lock Box** – Select this type if the FSD is a DOJ Certified Lock Box.
 - iii. **FSD Purchased** – Select this type if the purchaser is purchasing a DOJ Certified FSD that is not included with the purchase of the firearm.
 - iv. **OEM** – Select this type if the firearm being purchased comes with a Certified FSD from the manufacturer.
 - v. **Safe Affidavit** – Select this type if the purchaser provides an affidavit that they own a Certified FSD Gun Safe.
- k. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.

Private Party Handgun Transfer

Select the ***Private Party Handgun Transfer*** transaction type when the individual selling or transferring a handgun is not a firearms dealer.

To submit a Private Party Handgun Transfer transaction:

- 1) From the Main Menu page, select the **Submit DROS** link. The *Select Transaction Type* page will display.
- 2) Select the **Private Party Handgun Transfer** link. The *Submit Private Party Handgun Transfer* form will display.
- 3) Enter the Purchaser and Seller Information (see Entering Purchaser and Seller Information above).
- 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:



DES Application – Firearms Dealership User Guide

- i. **CFD Number** –Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting period exemption displays a **Purchaser CFD Number** field. Enter the purchaser’s valid CFD number.
 - ii. **Peace Officer** – This waiting period exemption requires a signed letter (wet signature) from the head of his/her law enforcement agency. You must keep a copy of the letter on file.
 - iii. **Special Weapons Permit** – Select **Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a **Special Weapons Permit Number field**. Enter the purchaser’s Special Weapons permit number.
- c. **Frame Only** – Select **Yes** or **No** whether the purchase is for a frame only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating.
 - d. **Make** – Select the name of the firearm manufacturer from the **Make** drop down list. **Tip:** Opening the **Make** drop down list and typing the first character of the Make will take you to that section of the list.
 - e. **Model** – Enter the model of the handgun being purchased.
 - f. **Caliber** – Select the caliber of the handgun from the **Caliber** drop down list.
 - g. **Additional Caliber** – If appropriate, select any additional calibers from the **Additional Caliber** drop down list.
 - h. **Barrel Length** – Enter the length of the handgun’s barrel. The barrel length can be from 1 – 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.
 - i. **Unit** – Select the barrel length unit of measure from the **Unit** drop down list.
 - j. **Category** – Select the appropriate handgun category from the **Category** drop down list.
 - k. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
 - l. **Other Number** – If applicable, enter an additional number stamped on the firearm.
 - m. **Color** – Select the color of the firearm from the **Color** drop down list.
 - n. **Firearm Safety Device (FSD)** – Select the method that the purchaser is using to comply with the FSD requirements. (For information regarding Roster of Firearms Safety Devices Certified for Sale, see the Office of the Attorney General’s website: <http://oag.ca.gov/firearms/fsdcertlist>.) **Note:** This field will not display when the waiting period exemption is for a peace officer.
 - i. **Antique** – Select this type if the firearm is an antique pursuant to federal law.



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- ii. **Approved Lock Box** – Select this type if the FSD is a DOJ Certified Lock Box.
- iii. **FSD Purchased** – Select this type if the Purchaser is purchasing a DOJ Certified FSD that is not included with the purchase of the firearm.
- iv. **OEM** – Select this type if the firearm being purchased comes with a Certified FSD from the manufacturer.
- v. **Safe Affidavit** – Select this type if the purchaser provides an affidavit that they own a Certified FSD Gun Safe.
- o. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.

Peace Officer Non-Roster Handgun Sale

Select the ***Peace Officer Non-Roster Handgun Sale*** transaction type when the peace officer provides a letter from the head of his/her agency (dated within 30 days) exempting the peace officer from the 10-day waiting period; the authorization letter should be on agency letterhead with a wet signature.

Note: Peace officers are exempt from purchasing non-roster firearms.

To submit a Peace Officer Non-Roster Handgun transaction:

- 1) From the *Main Menu* page, select the **Submit DROS** link. The *Select Transaction Type* page will display.
- 2) Select the ***Peace Officer Non-Roster Handgun Sale*** link. The *Submit Peace Officer non-Roster Handgun Sale* form will display.
- 3) Enter the Purchaser Information (see Entering Purchaser and Seller Information above).
- 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Frame Only** – Select **Yes** or **No** whether the purchase is for a frame only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating.
 - c. **Make** – Select the name of the firearm manufacturer from the **Make** drop down list. **Tip:** Opening the **Make** drop down list and typing the first character of the Make will take you to that section of the list.
 - d. **Model** – Enter the model of the handgun being purchased.
 - e. **Caliber** – Select the caliber of the handgun from the **Caliber** drop down list.
 - f. **Additional Caliber** – If appropriate, select any additional calibers from the **Additional Caliber** drop down list.
 - g. **Barrel Length** – Enter the length of the handgun's barrel. The barrel length can be from 1 – 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.
 - h. **Unit** – Select the barrel length unit of measure from the **Unit** drop down list.



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- i. **Category** – Select the appropriate handgun category from the **Category** drop down list.
- j. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
- k. **Other Number** – If applicable, enter an additional number stamped on the firearm.
- l. **Color** – Select the color of the firearm from the **Color** drop down list.
- m. **New/Used Gun** – Select whether the firearm is new or used from the **New/Used Gun** drop down list.
- n. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.

Exempt Handgun Sale

Select the **Exempt Handgun Sale** transaction type when the handgun being purchased meets the Exempt Handgun definition; i.e. peace officer purchasing non-roster firearms without a waiting period exemption letter, returning a firearm to its owner, single shot / single action sale (per Penal Code section 32100), etc.

To submit an Exempt Handgun Sale transaction:

- 1) From the *Main Menu* page, select the **Submit DROS** link. The *Select Transaction Type* page will display.
- 2) Select the **Exempt Handgun Sale** link. The *Submit Exempt Handgun Sale* form will display.
- 3) Enter the Purchaser Information (see Entering Purchaser and Seller Information above).
- 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:
 - i. **CFD Number** – Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting Period exemption displays a **Purchaser CFD Number** field. Enter the purchaser's valid CFD number.
 - ii. **Peace Officer** – This waiting period exemption requires a signed letter (wet signature) from the head of his/her law enforcement agency. You must keep a copy of the letter on file.
 - iii. **Special Weapons Permit** – Select **Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a **Special Weapons Permit Number** field. Enter the purchaser's Special Weapons permit number.



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Note: Selecting a waiting period exemption will automatically apply the 30-Day Restriction Exemption.

- c. **30-Day Restriction Exemption** - Click on the **30-Day Restriction Exemption** check box if the purchaser has provided proof of having a valid exemption from the one handgun purchase per 30 days restriction.
- d. **Frame Only** – Select **Yes** or **No** whether the purchase is for a frame only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating.
- e. **Make** – Select the name of the firearm manufacturer from the **Make** drop down list. **Tip:** Opening the **Make** drop down list and typing the first character of the make will take you to that section of the list.
- f. **Model** – Enter the model of the handgun being purchased.
- g. **Caliber** – Select the caliber of the handgun from the **Caliber** drop down list.
- h. **Additional Caliber** – If appropriate, select any additional calibers from the **Additional Caliber** drop down list.
- i. **Barrel Length** – Enter the length of the handgun's barrel. The barrel length can be from 1 - 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.
- j. **Unit** – Select the barrel length unit of measure from the **Unit** drop down list.
- k. **Category** – Select the appropriate handgun category from the **Category** drop down list.
- l. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
- m. **Other Number** – If applicable, enter an additional number stamped on the firearm.
- n. **Color** – Select the color of the firearm from the **Color** drop down list.
- o. **New/Used Gun** – Select whether the firearm is new or used from the **New/Used Gun** drop down list.
- p. **Firearm Safety Device (FSD)** – Select the method that the purchaser is using to comply with the FSD requirements. (For information regarding Roster of Firearms Safety Devices Certified for Sale, see the Office of the Attorney General's website: <http://oag.ca.gov/firearms/fsdcertlist>.) **Note:** This field will not display when the waiting period exemption is for a peace officer.
 - i. **Antique** – Select this type if the firearm is an antique pursuant to federal law.
 - ii. **Approved Lock Box** – Select this type if the FSD is a DOJ Certified Lock Box.
 - iii. **FSD Purchased** – Select this type if the purchaser is purchasing a DOJ Certified FSD that is not included with the purchase of the firearm.



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- iv. **OEM** – Select this type if the firearm being purchased comes with a Certified FSD from the manufacturer.
- v. **Safe Affidavit** – Select this type if the purchaser provides an affidavit that they own a Certified FSD Gun Safe.
- q. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.

Pawn/Consignment Handgun Redemption

Select the ***Pawn/Consignment Handgun Redemption*** transaction type when the purchaser is redeeming a handgun that had been pawned or consigned.

To submit a Pawn/Consignment Handgun Redemption transaction:

- 1) From the *Main Menu* page, select the **Submit DROS** link. The *Select Transaction Type* page will display.
- 2) Select the ***Pawn/Consignment Handgun Redemption*** link. The *Submit Pawn/Consignment Handgun Redemption* form will display.
- 3) Enter the Purchaser Information (see Entering Purchaser and Seller Information above).
- 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:
 - i. **CFD Number** – Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting period exemption displays a **Purchaser CFD Number** field. Enter the purchaser's valid CFD number.
 - ii. **Peace Officer** – This waiting period exemption requires a signed letter (wet signature) from the head of his/her law enforcement agency. You must keep a copy of the letter on file.
 - iii. **Special Weapons Permit** – Select **Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a **Special Weapons Permit Number** field. Enter the purchaser's Special Weapons permit number.
 - c. **Frame Only** – Select **Yes** or **No** whether the purchase is for a frame only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating.
 - d. **Make** – Select the name of the firearm manufacturer from the **Make** drop down list. **Tip:** Opening the **Make** drop down list and typing the first character of the make will take you to that section of the list.
 - e. **Model** – Enter the model of the handgun being purchased.
 - f. **Caliber** – Select the caliber of the handgun from the **Caliber** drop down list.



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- g. **Additional Caliber** – If appropriate, select any additional calibers from the **Additional Caliber** drop down list.
- h. **Barrel Length** – Enter the length of the handgun's barrel. The barrel length can be from 1 - 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.
- i. **Unit** – Select the barrel length unit of measure from the **Unit** drop down list.
- j. **Category** – Select the appropriate handgun category from the **Category** drop down list.
- k. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
- l. **Other Number** – If applicable, enter an additional number stamped on the firearm.
- m. **Color** – Select the color of the firearm from the **Color** drop down list
- n. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.

Curio/Relic Handgun Sale

Select the **Curio/Relic Handgun Sale** transaction type when the handgun being purchased meets the Curio/Relic handgun definition.

To submit a Curio/Relic Handgun Sale Transaction:

- 1) From the *Main Menu* page, select the **Submit DROS** link. The *Select Transaction Type* page will display.
- 2) Select the **Curio/Relic Handgun Sale** link. The *Submit Curio/Relic Handgun Sale* form will display.
- 3) Enter the Purchaser Information (see Entering Purchaser and Seller Information above).
- 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:
 - i. **CFD Number** – Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting period exemption displays a **Purchaser CFD Number** field. Enter the purchaser's valid CFD number.
 - ii. **Collector** – Select **Collector** from the drop down list if the purchaser has a Collector COE number. Selecting the collector waiting period exemption displays a **COE Number** field. Enter the purchaser's valid COE number.
 - iii. **Peace Officer** – This waiting period exemption requires a signed letter (wet signature) from the head of his/her law enforcement agency. You must keep a copy of the letter on file.



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- iv. **Special Weapons Permit** – Select **Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a **Special Weapons Permit Number field**. Enter the purchaser's Special Weapons permit number.

Note: Selecting a waiting period exemption will automatically apply the 30-Day Restriction Exemption.

- c. **30-Day Restriction Exemption** - Click on the 30-Day Restriction Exemption check box if the purchaser has provided proof of having a valid exemption from the one handgun purchase per 30 days restriction.
- d. **Frame Only** – Select **Yes** or **No** whether the purchase is for a handgun frame only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating.
- e. **Make** – Select the name of the firearm manufacturer from the **Make** drop down list. **Tip:** Opening the **Make** drop down list and typing the first character of the make will take you to that section of the list.
- f. **Model** – Enter the model of the handgun being purchased.
- g. **Caliber** – Select the caliber of the handgun from the **Caliber** drop down list.
- h. **Additional Caliber** – If appropriate, select any additional calibers from the **Additional Caliber** drop down list.
- i. **Barrel Length** – Enter the length of the handgun's barrel. The barrel length can be from 1 - 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.
- j. **Unit** – Select the barrel length unit of measure from the **Unit** drop down list.
- k. **Category** – Select the appropriate handgun category from the **Category** drop down list.
- l. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
- m. **Other Number** – If applicable, enter an additional number stamped on the firearm.
- n. **Color** – Select the color of the firearm from the **Color** drop down list.
- o. **New/Used Gun** – Select whether the firearm is new or used from the **New/Used Gun** drop down list.
- p. **Firearm Safety Device (FSD)** – Select the method that the purchaser is using to comply with the FSD requirements. (For information regarding Roster of Firearms Safety Devices Certified for Sale, see the Office of the Attorney General's website: <http://oag.ca.gov/firearms/fsdcertlist>.) **Note:** This field will not display when the waiting period exemption is for a peace officer.
 - i. **Antique** – Select this type if the firearm is an antique pursuant to federal law.



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- ii. **Approved Lock Box** – Select this type if the FSD is a DOJ Certified Lock Box.
 - iii. **FSD Purchased** – Select this type if the purchaser is purchasing a DOJ Certified FSD that is not included with the purchase of the firearm.
 - iv. **OEM** – Select this type if the firearm being purchased comes with a Certified FSD from the manufacturer.
 - v. **Safe Affidavit** – Select this type if the purchaser provides an affidavit that they own a Certified FSD Gun Safe.
- q. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.

Olympic Pistol Sale

Select the ***Olympic Pistol Sale*** transaction type when the handgun being purchased meets the Olympic Pistol handgun definition.

To submit an Olympic Pistol Sale transaction:

- 1) From the *Main Menu* page, select the **Submit DROS** link. The *Select Transaction Type* page will display.
- 2) Select the ***Olympic Pistol Sale*** link. The *Submit Olympic Pistol Sale* form will display.
- 3) Enter the Purchaser Information (see Entering Purchaser and Seller Information above).
- 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:
 - i. **CFD Number** – Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting period exemption displays a **Purchaser CFD Number** field. Enter the purchaser's valid CFD number.
 - ii. **Peace Officer** – This waiting period exemption requires a signed letter (wet signature) from the head of his/her law enforcement agency. You must keep a copy of the letter on file.
 - iii. **Special Weapons Permit** – Select **Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a **Special Weapons Permit Number field**. Enter the purchaser's Special Weapons permit number.
 - c. **30-Day Restriction Exemption** - Click on the **30-Day Restriction Exemption** check box if the purchaser has provided proof of having a valid exemption from the one handgun purchase per 30 days restriction.



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- d. **Frame Only** – Select **Yes** or **No** whether the purchase is for a frame only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating.
- e. **Make** – Select the name of the firearm manufacturer from the **Make** drop down list. **Tip:** Opening the **Make** drop down list and typing the first character of the make will take you to that section of the list.
- f. **Model** – Enter the model of the handgun being purchased.
- g. **Caliber** – Select the caliber of the handgun from the **Caliber** drop down list.
- h. **Additional Caliber** – If appropriate, select any additional calibers from the **Additional Caliber** drop down list.
- i. **Barrel Length** – Enter the length of the handgun’s barrel. The barrel length can be from 1 - 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.
- j. **Unit** – Select the barrel length unit of measure from the **Unit** drop down list.
- k. **Category** – Select the appropriate handgun category from the **Category** drop down list.
- l. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
- m. **Other Number** – If applicable, enter an additional number stamped on the firearm.
- n. **Color** – Select the color of the firearm from the **Color** drop down list.
- o. **New/Used Gun** – Select whether the firearm is new or used from the **New/Used Gun** drop down list.
- p. **Firearm Safety Device (FSD)** – Select the method that the Purchaser is using to comply with the FSD requirements. (For information regarding Roster of Firearms Safety Devices Certified for Sale, see the Office of the Attorney General’s website: <http://oag.ca.gov/firearms/fsdcertlist>.) **Note:** This field will not display when the waiting period exemption is for a peace officer.
 - i. **Antique** – Select this type if the firearm is an antique pursuant to federal law.
 - ii. **Approved Lock Box** – Select this type if the FSD is a DOJ Certified Lock Box.
 - iii. **FSD Purchased** – Select this type if the purchaser is purchasing a DOJ Certified FSD that is not included with the purchase of the firearm.
 - iv. **OEM** – Select this type if the firearm being purchased comes with a Certified FSD from the manufacturer.
 - v. **Safe Affidavit** – Select this type if the purchaser provides an affidavit that they own a Certified FSD Gun Safe.
- q. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.



Handgun Loan (Loan between two California residents with an anticipated return to owner date)

To submit a Handgun Loan transaction:

- 1) From the *Main Menu* page, select the **Submit DROS** link. The *Select Transaction Type* page will display.
- 2) Select the **Handgun Loan** link. The *Submit Handgun Loan* form will display.
- 3) Enter the Purchaser and Seller Information (see Entering Purchaser and Seller Information above).
- 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:
 - i. **CFD Number** – Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting Period exemption displays a **Purchaser CFD Number** field. Enter the purchaser's valid CFD number.
 - ii. **Peace Officer** – This waiting period exemption requires a signed letter (wet signature) from the head of his/her law enforcement agency. You must keep a copy of the letter on file.
 - iii. **Special Weapons Permit** – Select **Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a **Special Weapons Permit Number** field. Enter the purchaser's Special Weapons permit number.
 - c. **30-Day Restriction Exemption** - Click on the **30-Day Restriction Exemption** check box if the purchaser has provided proof of having a valid exemption from the one handgun purchase per 30 days restriction.
 - d. **Frame Only** – Select **Yes** or **No** whether the purchase is for a frame only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating.
 - e. **Make** – Select the name of the firearm manufacturer from the **Make** drop down list. **Tip:** Opening the **Make** drop down list and typing the first character of the make will take you to that section of the list.
 - f. **Model** – Enter the model of the handgun being purchased.
 - g. **Caliber** – Select the caliber of the handgun from the **Caliber** drop down list.
 - h. **Additional Caliber** – If appropriate, select any additional calibers from the **Additional Caliber** drop down list.
 - i. **Barrel Length** – Enter the length of the handgun's barrel. The barrel length can be from 1 - 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.



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- j. **Unit** – Select the barrel length unit of measure from the **Unit** drop down list.
- k. **Category** – Select the appropriate handgun category from the **Category** drop down list.
- l. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
- m. **Other Number** – If applicable, enter an additional number stamped on the firearm.
- n. **Color** – Select the color of the firearm from the **Color** drop down list.
- o. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.

Dealer Long Gun Sale

Select the **Dealer Long Gun Sale** transaction type when a Long Gun is being purchased from a dealer.

To submit a Dealer Long Gun Sale transaction:

- 1) From the *Main Menu* page, select the **Submit DRoS** link. The *Select Transaction Type* page will display.
- 2) Select the **Dealer Long Gun Sale** link. The *Submit Dealer Long Gun Sale* form will display.
- 3) Enter the Purchaser Information (see Entering Purchaser and Seller Information above).
- 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:
 - i. **CFD Number** – Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting period exemption displays a **Purchaser CFD Number** field. Enter the purchaser's valid CFD number.
 - ii. **Peace Officer** – This waiting period exemption requires a signed letter (wet signature) from the head of his/her law enforcement agency. You must keep a copy of the letter on file.
 - iii. **Special Weapons Permit** – Select **Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a **Special Weapons Permit Number field**. Enter the purchaser's Special Weapons permit number.
 - c. **Receiver Only** – Select **Yes** or **No** whether the purchase is for a receiver only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating..



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- d. **Make** – Select the name of the firearm manufacturer from the **Make** drop down list. **Tip:** Opening the **Make** drop down list and typing the first character of the make will take you to that section of the list.
- e. **Model** – Enter the model of the firearm being purchased.
- f. **Caliber** – Select the caliber of the firearm from the **Caliber** drop down list.
- g. **Additional Caliber** – If appropriate, select any additional calibers from the **Additional Caliber** drop down list.
- h. **Barrel Length** – Enter the length of the firearm's barrel. The barrel length can be from 1 - 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.
- i. **Unit** – Select the barrel length unit of measure from the **Unit** drop down list.
- j. **Gun Type** – Select the type of long gun from the **Gun Type** drop down list.
- k. **Category** – Select the appropriate long gun category from the **Category** drop down list.
- l. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
- m. **Other Number** – If applicable, enter an additional number stamped on the firearm.
- n. **Color** – Select the color of the firearm from the **Color** drop down list.
- o. **New/Used Gun** – Select whether the firearm is new or used from the **New/Used Gun** drop down list.
- p. **Firearm Safety Device (FSD)** – Select the method that the purchaser is using to comply with the FSD requirements. (For information regarding Roster of Firearms Safety Devices Certified for Sale, see the Office of the Attorney General's website: <http://oag.ca.gov/firearms/fsdcertlist>.) **Note:** This field will not display when the waiting period is for a peace officer.
 - i. **Antique** – Select this type if the firearm is an antique pursuant to federal law.
 - ii. **Approved Lock Box** – Select this type if the FSD is a DOJ Certified Lock Box.
 - iii. **FSD Purchased** – Select this type if the Purchaser is purchasing a DOJ Certified FSD that is not included with the purchase of the firearm.
 - iv. **OEM** – Select this type if the firearm being purchased comes with a Certified FSD from the manufacturer.
 - v. **Safe Affidavit** – Select this type if the purchaser provides an affidavit that they own a Certified FSD Gun Safe.
- q. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.



Private Party Long Gun Transfer

Select the ***Private Party Long Gun Transfer*** transaction type when the individual selling or transferring a Long Gun is not a firearms dealer.

To submit a Private Party Long Gun Transfer transaction:

- 1) From the *Main Menu* page, select the ***Submit DROS*** link. The *Select Transaction Type* page will display.
- 2) Select the ***Private Party Long Gun Transfer*** link. The *Submit Private Party Long Gun Transfer* form will display.
- 3) Enter the Purchaser and Seller Information (see Entering Purchaser and Seller Information above).
- 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:
 - i. **CFD Number** – Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting period exemption displays a ***Purchaser CFD Number*** field. Enter the purchaser's valid CFD number
 - ii. **Peace Officer** – This waiting period exemption requires a signed letter (wet signature) from the head of his/her law enforcement agency. You must keep a copy of the letter on file.
 - iii. **Special Weapons Permit** – Select **Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a ***Special Weapons Permit Number*** field. Enter the purchaser's Special Weapons permit number.
 - c. **Receiver Only** – Select **Yes** or **No** whether the purchase is for a receiver only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating.
 - d. **Make** – Select the name of the firearm manufacturer from the ***Make*** drop down list. **Tip:** Opening the ***Make*** drop down list and typing the first character of the make will take you to that section of the list.
 - e. **Model** – Enter the model of the firearm being purchased.
 - f. **Caliber** – Select the caliber of the firearm from the ***Caliber*** drop down list.
 - g. **Additional Caliber** – If appropriate, select any additional calibers from the ***Additional Caliber*** drop down list.
 - h. **Barrel Length** – Enter the length of the firearm's barrel. The barrel length can be from 1 - 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.
 - i. **Unit** – Select the barrel length unit of measure from the ***Unit*** drop down list.



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- j. **Gun Type** – Select the type of firearm from the **Gun Type** drop down list.
- k. **Category** – Select the appropriate long gun category from the **Category** drop down list. **Note:** The Category drop down list is blank until a **Gun Type** is selected.
- l. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
- m. **Other Number** – If applicable, enter any additional number stamped on the firearm.
- n. **Color** – Select the color of the firearm from the **Color** drop down list.
- o. **Firearm Safety Device (FSD)** – Select the method that the Purchaser is using to comply with the FSD requirements. (For information regarding Roster of Firearms Safety Devices Certified for Sale, see the Office of the Attorney General's website: <http://oag.ca.gov/firearms/fsdcertlist>.) **Note:** This field will not display when the waiting period exemption is for a peace officer.
 - i. **Antique** – Select this type if the firearm is an antique pursuant to federal law.
 - ii. **Approved Lock Box** – Select this type if the FSD is a DOJ Certified Lock Box.
 - iii. **FSD Purchased** – Select this type if the purchaser is purchasing a DOJ Certified FSD that is not included with the purchase of the firearm.
 - iv. **OEM** – Select this type if the firearm being purchased comes with a Certified FSD from the manufacturer.
 - v. **Safe Affidavit** – Select this type if the purchaser provides an affidavit that they own a Certified FSD Gun Safe.
- p. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.

Pawn/Consignment Long Gun Redemption

Select the ***Pawn/Consignment Long Gun Redemption*** transaction type when a long gun is being redeemed that had been pawned or consigned.

To submit a Pawn/Consignment Long Gun Redemption transaction:

- 1) From the *Main Menu* page, select the ***Submit DROS*** link. The *Select Transaction Type* page will display.
- 2) Select the ***Pawn/Consignment Long Gun Redemption*** link. The *Submit Pawn/Consignment Long Gun Redemption* form will display.
- 3) Enter the Purchaser Information (see Entering Purchaser and Seller Information above).
- 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.



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- b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:
 - i. **CFD Number** – Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting period exemption displays a **Purchaser CFD Number** field. Enter the purchaser’s valid CFD number.
 - ii. **Peace Officer** – This waiting period exemption requires a signed letter (wet signature) from the head of his/her law enforcement agency. You must keep a copy of the letter on file.
 - iii. **Special Weapons Permit** – Select **Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a **Special Weapons Permit Number** field. Enter the purchaser’s Special Weapons permit number.
- c. **Receiver Only** – Select **Yes** or **No** whether the purchase is for a receiver only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating.
- d. **Make** – Select the name of the firearm manufacturer from the **Make** drop down list. **Tip:** Opening the **Make** drop down list and typing the first character of the make will take you to that section of the list.
- e. **Model** – Enter the model of the firearm being purchased.
- f. **Caliber** – Select the caliber of the firearm from the **Caliber** drop down list.
- g. **Additional Caliber** – If appropriate, select any additional calibers from the **Additional Caliber** drop down list.
- h. **Barrel Length** – Enter the length of the firearm’s barrel. The barrel length can be from 1 - 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.
- i. **Unit** – Select the barrel length unit of measure from the **Unit** drop down list.
- j. **Gun Type** – Select the type of long gun from the **Gun Type** drop down list.
- k. **Category** – Select the appropriate long gun category from the **Category** drop down list. **Note:** The Category drop down list is blank until a **Gun Type** is selected.
- l. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
- m. **Other Number** – If applicable, enter an additional number stamped on the firearm.
- n. **Color** – Select the color of the firearm from the **Color** drop down list.
- o. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.



Curio/Relic Long Gun Sale

Select the **Curio/Relic Long Gun Sale** transaction type when the firearm being purchased meets the Curio / Relic long gun definition.

To submit a Curio/Relic Long Gun Sale transaction:

- 1) From the *Main Menu* page, select the **Submit DROS** link. The *Select Transaction Type* page will display.
- 2) Select the **Curio/Relic Long Gun Sale** link. The *Submit Curio / Relic Long Gun Sale* form will display.
- 3) Enter the Purchaser Information (see Entering Purchaser and Seller Information above).
- 4) Enter the Transaction and Firearm Information as follows:
 - a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:
 - i. **CFD Number** – Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting period exemption displays a **Purchaser CFD Number** field. Enter the purchaser's valid CFD number.
 - ii. **Collector** – Select **Collector** from the drop down list if the Purchaser has a Collector COE number. Selecting the **Collector** waiting period exemption displays a COE Number field. Enter the Purchaser's valid COE number.
 - iii. **Peace Officer** – This waiting period exemption requires a letter from a valid law enforcement agency. You must keep a copy of the letter on file.
 - iv. **Special Weapons Permit** – Select **S Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a **Special Weapons Permit Number** field. Enter the purchaser's Special Weapons permit number.
 - c. **Receiver Only** – Select **Yes** or **No** whether the purchase is for a receiver only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating.
 - d. **Make** – Select the name of the firearm manufacturer from the **Make** drop down list. **Tip:** Opening the **Make** drop down list and typing the first character of the make will take you to that section of the list.
 - e. **Model** – Enter the model of the firearm being purchased.
 - f. **Caliber** – Select the caliber of the firearm from the **Caliber** drop down list.
 - g. **Additional Caliber** – If appropriate, select any additional calibers from the **Additional Caliber** drop down list.
 - h. **Barrel Length** – Enter the length of the firearm's barrel. The barrel length can be from 1 - 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.



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- i. **Unit** – Select the barrel length unit of measure from the **Unit** drop down list.
- j. **Gun Type** – Select the type of long gun from the **Gun Type** drop down list.
- k. **Category** – Select the appropriate long gun category from the **Category** drop down list. **Note:** The Category drop down list is blank until a **Gun Type** is selected.
- l. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
- m. **Other Number** – If applicable, enter an additional number stamped on the firearm.
- n. **Color** – Select the color of the firearm from the **Color** drop down list.
- o. **New/Used Gun** – Select whether the firearm is new or used from the **New/Used Gun** drop down list.
- p. **Firearm Safety Device (FSD)** – Select the method that the Purchaser is using to comply with the FSD requirements. (For information regarding Roster of Firearms Safety Devices Certified for Sale, see the Office of the Attorney General's website: <http://oag.ca.gov/firearms/fsdcertlist>.) **Note:** This field will not display when the waiting period exemption is for a peace officer.
 - i. **Antique** – Select this type if the firearm is an antique pursuant to federal law.
 - ii. **Approved Lock Box** – Select this type if the FSD is a DOJ Certified Lock Box.
 - iii. **FSD Purchased** – Select this type if the purchaser is purchasing a DOJ Certified FSD that is not included with the purchase of the firearm.
 - iv. **OEM** – Select this type if the firearm being purchased comes with a Certified FSD from the manufacturer.
 - v. **Safe Affidavit** – Select this type if the purchaser provides an affidavit that they own a Certified FSD Gun Safe.
- q. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.

Long Gun Loan (Loan between two California residents with an anticipated return to owner date)

To submit a Long Gun Loan transaction:

- 1) From the *Main Menu* page, select the **Submit DROS** link. The *Select Transaction Type* page will display.
- 2) Select the **Long Gun Loan** link. The *Submit Long Gun Loan* form will display.
- 3) Enter the Purchaser and Seller Information (see Entering Purchaser and Seller Information above).



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- 4) Enter the Transaction and Firearm Information as follows:
- a. **Gun Show Transaction?** – Select **Yes** or **No** from the drop down list.
 - b. **Waiting Period Exemption** – If applicable, select a waiting period exemption:
 - i. **CFD Number** – Select **CFD** from the drop down list if the purchaser is an active licensed firearm dealer. Selecting the CFD number waiting period exemption displays a **Purchaser CFD Number** field. Enter the purchaser's valid CFD number.
 - ii. **Peace Officer** – This waiting period exemption requires a signed letter (wet signature) from the head of his/her law enforcement agency. You must keep a copy of the letter on file.
 - iii. **Special Weapons Permit** – Select **Special Weapons Permit** from the drop down list if the purchaser has a valid Special Weapons permit. Selecting the Special Weapons permit exemption displays a **Special Weapons Permit Number** field. Enter the purchaser's Special Weapons permit number.
 - c. **Receiver Only** – Select **Yes** or **No** whether the purchase is for a receiver only; if **Yes** is selected then the firearm caliber, additional caliber, barrel length, or unit of measure will not be available for updating.
 - d. **Make** – Select the name of the firearm manufacturer from the **Make** drop down list. **Tip:** Opening the **Make** drop down list and typing the first character of the make will take you to that section of the list.
 - e. **Model** – Enter the model of the firearm being purchased.
 - f. **Caliber** – Select the caliber of the firearm from the **Caliber** drop down list.
 - g. **Additional Caliber** – If appropriate, select any additional calibers from the **Additional Caliber** drop down list.
 - h. **Barrel Length** – Enter the length of the firearm's barrel. The barrel length can be from 1 - 4 numbers, and may contain a decimal point. The barrel length may be reported in inches or centimeters.
 - i. **Unit** – Select the barrel length unit of measure from the **Unit** drop down list.
 - j. **Gun Type** – Select the type of long gun from the **Gun Type** drop down list.
 - k. **Category** – Select the appropriate long gun category from the **Category** drop down list. **Note:** The Category drop down list is blank until a **Gun Type** is selected.
 - l. **Serial Number** – Enter and then re-enter the serial number stamped on the firearm.
 - m. **Other Number** – If applicable, enter an additional number stamped on the firearm.
 - n. **Color** – Select the color of the firearm from the **Color** drop down list.
 - o. **Comments** – Enter any additional pertinent information in the **Comments** field, if applicable.