

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2017-0703-01 &	REGULATORY ACTION NUMBER 2017-1130-045	EMERGENCY NUMBER
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2-2017-0717-02 2017-0718-02 Use by Office of Administrative Law (OAL) only per agency request	2017 NOV 30 P 3:23 OFFICE OF ADMINISTRATIVE LAW
NOTICE	REGULATIONS

 AGENCY WITH RULEMAKING AUTHORITY
 Department of Justice

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER 7/14/17		PUBLICATION DATE 2017, 28-2

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Ammunition Vendor Licenseing		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT 4260, 4261, 4262, 4263, 4264	
TITLE(S) 11		AMEND	
3. TYPE OF FILING		REPEAL	
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1) N/A			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100) <input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input checked="" type="checkbox"/> Effective other (Specify) December 31, 2017			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY <input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM 56660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Jacqueline Dosch		TELEPHONE NUMBER (916) 227-5417	FAX NUMBER (Optional) E-MAIL ADDRESS (Optional) regulations@doj.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Sean McCluskie</i>	DATE 11-30-17
PRINTED NAME AND TITLE OF SIGNATORY Sean McCluskie, Chief Deputy to the Attorney General	

For use by Office of Administrative Law (OAL) only

FINAL TEXT OF REGULATIONS

California Code of Regulations

Title 11, Division 5

Chapter 10. Ammunition

§ 4260. Ammunition Vendor License Applications

(a) Applicants for an initial ammunition vendor license must complete and submit Department of Justice Ammunition Vendor License (Non-Firearms Dealer), form BOF 1021 (Orig. 01/2018), which is hereby incorporated by reference. The application must be submitted with the fee specified in section 4261 and a copy of the following:

- (1) Any regulatory or business license required by local government.
- (2) Valid seller's permit issued by the State Board of Equalization.
- (3) Federal Firearms License if the applicant is federally licensed.
- (4) Certificate of Eligibility.

(b) Applicants for renewal of an ammunition vendor license must complete and submit Department of Justice Ammunition Vendor License Renewal Fee Transmittal, form BOF/CAV-0012 (Orig. 01/2018), which is hereby incorporated by reference, with the fee specified in section 4261.

(c) A firearms dealer licensed pursuant to Penal Code sections 26700 to 26915 is automatically deemed a licensed ammunition vendor pursuant to Penal Code section 30385(d) and is not required to submit an application for an ammunition vendor license.

Note: Authority cited: Sections 30385 and 30395, Penal Code. Reference: Sections 26700, 30385, and 30395, Penal Code.

§ 4261. Ammunition Vendor License Application Fee and Term Length

(a) The annual application fee for an ammunition vendor license (initial and renewal) is \$198 per location if the vendor is not on the Centralized List of Firearm Dealers.

(b) The term of an ammunition vendor license is from January 1 through December 31, regardless of the date the initial license is issued.

(c) Ammunition vendors must submit to the Department of Justice, a copy of renewals of the licenses specified in section 4260, within 30 days of the license's expiration. Failure to do so will invalidate the ammunition vendor license until a copy of the renewed license is received by the Department of Justice.

(d) Ammunition vendor licenses will be automatically renewed for vendors who maintain active status on the Centralized List of Firearms Dealers.

Note: Authority cited: Sections 30385, 30390, and 30395, Penal Code. Reference: Sections 30385, 30390, and 30395, Penal Code.

§ 4262. Display of Ammunition

Pursuant to Penal Code section 30350, ammunition shall not be displayed for sale or transfer in a manner that allows that ammunition to be accessible to a purchaser or transferee without the assistance of the vendor or an employee of the vendor. Ammunition displayed in a shopping area open to the public is not considered "accessible" provided it is in a locked container (e.g. display case, cabinet, cage).

Note: Authority cited: Sections 30347 and 30350, Penal Code. Reference: Sections 30347 and 30350, Penal Code.

§ 4263. Vendor Fee for Processing a Private Party (non-vendor) Ammunition Sale

In addition to any applicable Department of Justice fee, an ammunition vendor may charge the purchaser a fee(s) for processing the sale of ammunition between two private parties as follows:

(a) If the purchaser will be present for immediate delivery of the ammunition, the fee shall not exceed five dollars (\$5).

(b) If the purchaser will not be present for immediate delivery of the ammunition, the vendor may charge an additional storage fee as agreed upon with the purchaser prior to the vendor receiving the ammunition.

Note: Authority cited: Section 30312, Penal Code. Reference: Section 30312, Penal Code.

§ 4264. Suspension and Forfeiture of Ammunition Vendor's License

(a) An ammunition vendor's license may be suspended for a period of up to six months for a violation of these regulations.

(b) An ammunition vendor's license may be forfeited for a breach of any of the prohibitions and requirements in Penal Code sections 30300 through 30365.

(c) All hearings related to a suspension or forfeiture shall be conducted in accordance with Government Code section 11500 et. seq.

(d) An ammunition vendor whose license is forfeited may not re-apply for a license earlier than one year from the effective date of the forfeiture.

Note: Authority cited: Section 30395, Penal Code. Reference: Sections 30300, 30305, 30306, 30312, 30314, 30342, 30345, 30347, 30348, 30350, 30352, 30355, 30357, 30360, 30362, 30363, 30365, and 30395, Penal Code.

ADOPT



**CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
Application for
Ammunition Vendor License (Non-Firearms Dealer)**



Part A - Ammunition Vendor or Business Entity Information

Ammunition Vendor or Business Entity Name

Street Address City County State Zip Code

Mailing Address (if different) City County State Zip Code

Business Email Address Telephone Number Fax Number

Hours of Operation

Monday Tuesday Wednesday Thursday Friday Saturday Sunday

to to to to to to to

Local Ammunition Vendor Licensing Authority (issuer of local business license)

Local Law Enforcement Agency (police or sheriff's department)

Please indicate the type of business ownership:

- ☐ Individual Owner/Sole Proprietor ☐ Limited Partnership ☐ Corporate Ownership
☐ Limited Liability Company ☐ General Partnership ☐ Limited Liability Partnership

OPTIONAL: Please provide the name, title, address, phone number, and email address of the applicant's agent for service of process in the State of California.

Name Title

Street Address City County State Zip Code

Email Address Telephone Number Fax Number

OPTIONAL: Please provide the name, title, address, phone number, and email address of the person to contact for clarification of information provided in this application package:

Name Title

Street Address City County State Zip Code

Email Address Telephone Number Fax Number



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BUREAU OF FIREARMS
Application for
Ammunition Vendor License (Non-Firearms Dealer)



Part B - Ammunition Vendor Licensee Information

Licensee Name/Responsible Party (as it appears on California driver license or identification card)

Certificate of Eligibility (COE) Number

COE Expiration Date

Federal Firearms License (FFL) Number (if applicable)

FFL Expiration Date

Local Business License (LBL) Number

LBL Expiration Date

Other Local License (OLL) Number

OLL Expiration Date

California Board of Equalization Seller's Permit Number

Part C - Additional Ammunition Vendor Licensee(s)

Please complete this section if there is more than one licensee/responsible party with a COE and LBL for the Ammunition Vendor listed above.

Licensee Name/Responsible Party (as it appears on California driver license or identification card)

COE Number

COE Expiration Date

Licensee Name/Responsible Party (as it appears on California driver license or identification card)

COE Number

COE Expiration Date

Licensee Name/Responsible Party (as it appears on California driver license or identification card)

COE Number

COE Expiration Date



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CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
Application for
Ammunition Vendor License (Non-Firearms Dealer)



Part D - Employee Certificate of Eligibility Information

Please complete this section for every employee with a COE who will be handling, selling, delivering, or have under his/her custody or control any ammunition.

Employee Name (as it appears on California driver license or identification card) _____

COE Number _____

COE Expiration Date _____

Employee Name (as it appears on California driver license or identification card) _____

COE Number _____

COE Expiration Date _____

Employee Name (as it appears on California driver license or identification card) _____

COE Number _____

COE Expiration Date _____

Part E - Certification

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

Printed Name of Licensee/Responsible Party listed in Part B _____

Signature _____

Date _____

Printed Name of Licensee/Responsible Party listed in Part C _____

Signature _____

Date _____

Printed Name of Licensee/Responsible Party listed in Part C _____

Signature _____

Date _____

Printed Name of Licensee/Responsible Party listed in Part C _____

Signature _____

Date _____

Part F - Fees

Ammunition Vendor License Annual Fee:

\$198

Please make a check or money order payable to the Department of Justice. Mail check and completed application to the below address:

Department of Justice
Bureau of Firearms - Ammunition Vendor Licensing Unit
P.O. Box 160487
Sacramento, CA 95816-0487



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Application for Ammunition Vendor License (Non-Firearms Dealer) INSTRUCTIONS



Application Requirements

Applications for an ammunition vendor license must be typed or printed in ink. Incomplete applications will not be processed and will be returned with all required fees. Applications must be accompanied by copies of the Federal Firearms License (FFL) (if applicable), Local Business License (LBL), the Board of Equalization's Seller's Permit for each individual identified as a licensee in conjunction with the business, and a listing of all employees with a certificate of eligibility (COE). If you have any questions, please contact the Bureau of Firearms at (916) 227-2665.

Part A - Ammunition Vendor or Business Entity Information

- Provide the ammunition vendor or business entity name, telephone number, fax number, physical location, mailing address, and business email address. The physical location information is frequently different when a post office box or a rural route number is used as the mailing address.
- Provide type of business ownership.
- Name, title, address, phone number, and email address of the applicant's agent for service of process in the State of California. Please reference weblink <http://www.sos.ca.gov/business-programs/business-entities/service-process/> for more information regarding service of process.
- Name, title, address, phone number, and email address of the person to contact for clarification of information provided in this application package.
- Provide the ammunition vendor's hours of operation for each day of the week listed, using hh:mm AM/PM format.
- Provide the local ammunition vendor licensing authority's name, along with the name of the police or sheriff's department that is responsible for law enforcement protection in your community. The local licensing authority is the local department or bureau that issues the local business license in your jurisdiction.

Part B - Ammunition Vendor Licensee Information

- Provide the licensee name/responsible party as it appears on his/her California driver license or identification card, along with their corresponding (COE), (FFL) (if applicable), and (LBL), numbers and expiration dates. The Board of Equalization Seller's Permit number must also be provided.

Part C - Additional Ammunition Vendor Licensees

- Each additional licensee/responsible party who is listed on the FFL (if applicable), LBL, and Board of Equalization Seller's Permit, and who desires to be identified as a responsible party for this business must also provide his/her name as it appears on their California driver license or identification card along with their corresponding COE number and expiration date. Part C may be copied to accommodate as many additional licensees as necessary.

Part D - Employee Certificate of Eligibility Information

- For each agent or employee who has access to ammunition for this business, the licensee must provide the agent's or employee's name as it appears on their California driver license or identification card along with their corresponding COE number and expiration date. Part D may be copied to accommodate as many additional employees as necessary.

Part E - Signatures

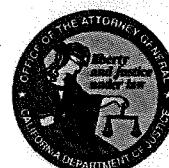
- The licensee(s) must sign and date the certification statement affirming the information provided is true and correct. Part E may be copied to accommodate as many additional signatures as necessary.

Part F - Fees

- The ammunition vendor license fee is \$198.
- Make check or money order payable to the Department of Justice for the appropriate remittance. Attach the check or money order to the lower right margin of the form.
- Mail the completed application, remittance and required documentation to the below address:

Department of Justice
Bureau of Firearms - Ammunition Vendor Licensing Unit
P.O. Box 160487
Sacramento, CA 95816-0487

Allow 30 business days for processing initial applications.



Privacy Notice

As Required by Civil Code § 1798.17

Collection and Use of Personal Information: The Division of Law Enforcement in the Department of Justice collects the information requested on this form as authorized by Penal Code section 30385. The Division of Law Enforcement uses this information to establish grounds for the issuance of the license or permit 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. If you fail to provide any of the required personal information, the unprocessed report will be returned to you for completion and resubmission.

Access to Your Information: You may review the records maintained by the Division of Law Enforcement 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 ensure you are not prohibited and establish grounds for the issuance of the license or permit indicated on this application, we may need to share the information you give us with entities as authorized in Penal Code section 11105. The information you provide may also be disclosed in the following circumstances:

- With other persons or agencies where necessary to perform their legal duties, and their use of your information is compatible and complies with state law, such as for investigations or for licensing, certification, or regulatory purposes;
- To another government agency as required by state or federal law.

Contact Information: For questions about this notice or access to your records, you may contact the Staff Services Analyst in the Customer Support Center at (916) 227-7527, via email at firearms.bureau@doj.ca.gov, or by mail at P.O. Box 160487, Sacramento, CA 95816-0487.

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**CALIFORNIA DEPARTMENT OF JUSTICE
Ammunition Vendor Licensing Unit
Ammunition Vendor License Renewal Fee Transmittal**

<Business Name>

Vendor:

<Address>

<City, CA Zip>

Total Annual Fee:

Instructions

Make any business information changes next to the line number that requires correction. If no changes are made, indicate no change by checking the appropriate box. All licensees must sign and date the renewal form. Submit the signed form and fee to:

**Department of Justice
Bureau of Firearms – Ammunition Vendor Licensing Unit
P.O. Box 160487
Sacramento, CA 95816-0487**

1. Ammunition Vendor/Business Information:
 - a. Ammunition Vendor Number
 - b. Business Telephone Number
 - c. Business Fax Number
 - d. Physical Address
 - e. Mailing Address (if different)
 - f. Business Email Address
2. Days and Hours of Operation
3. Business Type
4. Agent for Service of Process Information:
 - a. Name
 - b. Title
 - c. Physical Address
 - d. Telephone Number
 - e. Email Address
5. Alternate Contact Person Information:
 - a. Name
 - b. Title
 - c. Physical Address
 - d. Telephone Number
 - e. Email Address
6. Local Business License Authority
7. Local Law Enforcement Agency

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**CALIFORNIA DEPARTMENT OF JUSTICE
Ammunition Vendor Licensing Unit
Ammunition Vendor License Renewal Fee Transmittal**

8. Ammunition Vendor Licensee(s) Information
- a. Names(s)
 - b. Certificate of Eligibility Number(s)
 - c. Federal Firearms License Number (if applicable)
 - d. Local Business License Number
 - e. Other Local License Number (if applicable)
 - f. California Board of Equalization Sellers Permit Number
9. Employee of Certificate of Eligibility Information
- a. Names(s)
 - b. Certificate of Eligibility Number(s)
 - c. Certificate of Eligibility Expiration Date

☐ No changes

Printed Name: _____ Signature: _____ Date: _____

Printed Name: _____ Signature: _____ Date: _____

Printed Name: _____ Signature: _____ Date: _____

Printed Name: _____ Signature: _____ Date: _____

Allow 20 business days to process the renewal.

*Please note: Not receiving a renewal notice does not remove a vendor from responsibility of
timely payment.*