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DIVISION OF LAW ENFORCEMENT
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Debra M. Cornez, Director
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SENT VIA EMAIL TO Dale.Mentink@oal.ca.gov

RE: California Department of Justice's File and Print Regulations for Registration of Bullet-Button Assault Weapons

Dear Director Cornez:

The California Department of Justice, Bureau of Firearms (the "Department") submits the enclosed file and print regulations regarding the registration of bullet-button assault weapons, as described in Penal Code section 30900, subdivision (b). The Department's promulgation of these regulations is exempt from the Administrative Procedures Act. (Pen. Code, § 30900, subd. (b)(5).)

These regulations are all directly related to implementation of the bullet-button assault weapon registration process in a manner consistent with the purposes of the assault weapons law. For the reasons explained below, these regulations require the inclusion of a number of definitional and other provisions in order to effectuate the statutory scheme, and to provide clear guidance so that owners of weapons know what they are required to register. These regulations are all either directly responsive to the statutory mandate or consistent with the well-established principle that "[a]n administrative agency is not limited to the exact provisions of a statute in adopting regulations to enforce its mandate," and the "absence of any specific statutory provisions regarding the regulation of an issue does not mean that such a regulation exceeds statutory authority," because the agency is authorized to 'fill up the details' of the statutory scheme." (*PaintCare v. Mortensen* (2015) 233 Cal.App.4th 1292, 1307–1308, quoting *Ford Dealers Assn. v. Department of Motor Vehicles* (1982) 32 Cal.3d 347, 362.) There is no requirement that the authorizing statute set forth every component of an agency's implementing regulations. "[T]o conclude that . . . the Legislature [must] define in advance every problem it expects an agency to address is to suggest that the Legislature had little need for agencies in the first place." (*Association of California Insurance Companies v. Jones* (2017) 2 Cal.5th 376, 398.)

THE ASSAULT WEAPONS LAW AND BULLET-BUTTON ASSAULT WEAPONS

The Assault Weapons Control Act ("AWCA") (Pen. Code, § 30500, et seq.)[1] restricts the possession, purchase, sale, manufacture, and distribution of assault weapons. The AWCA is not a strict prohibition on assault weapons, because its provisions have only applied prospectively, to prohibit the new entry of assault weapons on the market while grandfathering in the possession of previously-owned weapons. After the enactment of the AWCA, and after each subsequent set of amendments to the definition of "assault weapon,"[2] persons who were previously in lawful possession of such weapons have been required to register those weapons with the Department as a condition of their grandfathering.

Recent amendments to the AWCA intended to close the "bullet-button loophole" established a new registration process for bullet-button assault weapons. A bullet-button is a magazine release device on a firearm that requires the use of a tool (which can be a bullet) to remove the magazine from the firearm. Pursuant to a law passed last year, certain weapons with a bullet-button are now considered to be assault weapons, based on a new definition of "fixed magazine" as "an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action." (§ 30515, subd. (b).) The law also created a new registration process for "[a]ny person who, from January 1, 2001, to December 31, 2016, inclusive, lawfully possessed an assault weapon that does not have a fixed magazine, as defined in Section 30515, including those weapons with an ammunition feeding device that can be readily removed from the firearm with the use of a tool." (§ 30900, subd. (b)(1).) Registration of these weapons must occur prior to January 1, 2018, but not before the effective date of the regulations implementing the registration requirements. (*Ibid.*) The Department is authorized to promulgate "regulations for the purpose of implementing" the registration requirements, and this rulemaking is exempt from the APA. (*Id.*, subd. (b)(5).)

REGULATIONS FOR REGISTRATION OF BULLET-BUTTON ASSAULT WEAPONS

The enclosed file and print regulations fall within the scope of the Department's statutory exemption from APA-rulemaking, because they are directly relevant to and reasonably necessary for the registration of bullet-button assault weapons.

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[1] All subsequent statutory citations are to the Penal Code unless otherwise specified. References to proposed regulations in title 11 of the California Code of Regulations will indicate that those sections are "proposed."

[2] The AWCA defines prohibited assault weapons by name, and by characteristic. Section 30510 lists specified models of rifles, pistols, and shotguns that are defined as assault weapons, and also indicates that certain lists of weapons identified by judicial decisions, as well as by the Department's regulations, are also assault weapons.

I. DEFINITIONS OF TERMS RELATING TO REGISTRATION

Proposed section 5471 provides 44 definitions relating to the new registration requirement. These definitions apply "to terms used in the identification of assault weapons pursuant to Penal Code section 30515, and for purposes of" the regulations regarding the registration requirement. (Proposed Cal. Code Regs., tit. 11, § 5471.) The registration requirement specifically references section 30515 (§ 30900, subd. (b)(1)), and the proposed definitions provide detailed, concrete guidance on what weapons must be registered. Because the registration process is fundamental to the administration and enforcement of the AWCA as a whole, these definitions will be used to interpret Penal Code section 30515 for all purposes under the AWCA.

Previously, bullet-button weapons did not fall within the statutory definition of an assault weapon, which included a weapon with "the capacity to accept a detachable magazine," in addition to any one of several specified features. (Former § 30515, subds. (a)(1) and (a)(4).) Implementing regulations defined a "detachable magazine" as "any ammunition feeding device that can be removed readily from the firearm with neither disassembly of the firearm action *nor use of a tool* being required." (Cal. Code Regs., tit. 11, § 5469, subd. (a), emphasis added.) The regulations also specified that "[a] bullet or ammunition cartridge is considered a tool." (*Ibid.*)

Effective January 1, 2017, the AWCA now regulates weapons equipped with a bullet-button. Rather than defining an assault weapon as one with "the capacity to accept a detachable magazine," subdivisions (a)(1) and (a)(4) of section 30515 now define an assault weapon in the negative, as one that "does not have a fixed magazine," and subdivision (b) further defines "fixed magazine" as "an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action." (§ 30515, subds. (a)(1), (a)(4), (b).) Weapons equipped with a bullet-button do not have a "fixed magazine," and so are now considered assault weapons if they also have one of the features listed in section 30515, subdivisions (a)(1) and (a)(4).[3]

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[3] For "a semiautomatic, centerfire rifle," these features are:

(A) A pistol grip that protrudes conspicuously beneath the action of the weapon.

(B) A thumbhole stock.

(C) A folding or telescoping stock.

(D) A grenade launcher or flare launcher.

(E) A flash suppressor.

(F) A forward pistol grip.

(§ 30515, subd. (a)(1).)

For a "semiautomatic pistol," these features are:

(A) A threaded barrel, capable of accepting a flash suppressor, forward handgrip, or silencer.

(continued...)

With two sets of exceptions discussed separately below (regarding bullet-button shotguns and the measurement of a weapon's length), the definitions in proposed section 5471 are all for terms that appear in the statutory subdivisions that were amended to include bullet-button weapons (§ 30515, subds. (a)(1), (a)(4)), or for terms that appear elsewhere in the proposed regulations. Current regulations provide just five definitions that "apply to terms used in the identification of assault weapons pursuant to Penal Code section 30515."[4] (Cal. Code Regs., tit. 11, § 5469.) Potential registrants will need to interpret and understand the terms contained in the proposed definitions in order to determine whether and how their weapons must be registered. The proposed definitions give firearms owners concrete, detailed guidance on the registration requirement, and are well within the scope of regulations that are reasonably necessary to implement the registration process.

In order to keep the registration process as consistent as possible with the enforcement of the AWCA as a whole, and to ensure that a single set of definitions governs the administration of the AWCA, these definitions will be used for the identification of assault weapons as defined in Penal Code section 30515 for all purposes under the AWCA. This will allow the same definitions used to determine whether a weapon must be registered under the AWCA to also be used to determine whether a weapon constitutes an assault weapon for other purposes under the AWCA. This is within the scope of the Department's APA-exempt rulemaking authority for registration regulations, because the registration of assault weapons that were lawfully owned before they were designated as such is an essential component of the statutory scheme regulating assault weapons. The Legislature declared that its intent in enacting the AWCA was "to place restrictions on the use of assault weapons and to establish a registration and permit procedure for their lawful sale and possession." (§ 30505, subd. (a).) Because the AWCA applies prospectively and does not effect a complete prohibition on the possession and use of designated assault weapons, registered assault weapons are exempt from many of the AWCA's restrictions on the sale, distribution, and possession of assault weapons.

(...continued)

(B) A second handgrip.

(C) A shroud that is attached to, or partially or completely encircles, the barrel that allows the bearer to fire the weapon without burning the bearer's hand, except a slide that encloses the barrel.

(D) The capacity to accept a detachable magazine at some location outside of the pistol grip.

(§ 30515, subd. (a)(4).)

[4] The existing definitions are incorporated into the proposed definitions. Two of the definitions are incorporated as they currently exist, and the new versions of the other three definitions (for "Detachable magazine," "Flash suppressor," and "Pistol grip that protrudes conspicuously beneath the action of the weapon") consist of the existing definitions plus examples of items that would fall within those definitions. (Proposed Cal. Code Regs., tit. 11, § 5471, subds. (m), (r), (z).)

The registration process is thus vital to the enforcement of the AWCA and must be administered consistently with the rest of the statutory scheme. Registration serves important public safety and law enforcement purposes, because it allows law enforcement officials to distinguish between lawful and prohibited assault weapons. Registration allows owners of grandfathered-in assault weapons to lawfully possess and sell those weapons, notwithstanding the general restrictions on such activities. (See §§ 30675, subd. (b)(1) [sections 30600 and 30605 do not apply to "[a] person acting in accordance with" previous registration requirements], 30680 [section 30605 does not apply to a person with a properly registered bullet-button assault weapon].) Registered assault weapons may be sold outside the state or to a person in-state who is exempt from restrictions on purchasing assault weapons, such as a peace officer. (See § 30630.) The Department relies on registration information in carrying out its statutory duty to disarm persons who become prohibited or are otherwise disqualified from possessing firearms, subsequent to registration. (See § 30000 et seq [armed prohibited persons].) And, if a registered assault weapon is stolen, registration information may help with the return of the weapon to the registered owner.

Application of the registration definitions across the AWCA is therefore reasonably necessary to effectuate the purpose of the registration scheme, because uniform definitions across the statutory scheme would eliminate any gap between the weapons that are registered and the weapons that are exempt from the prohibition on possession. If the registration definitions were limited to the registration process, this would produce a different set of definitions for other purposes under the AWCA. Definitions promulgated through a separate rulemaking process would inevitably result in a divergence between the two sets of definitions, one for the bullet-button registration requirement on the one hand, and one for determining whether a firearm is an assault weapon that cannot be bought, sold, transferred, or possessed, on the other hand. This would present serious challenges for courts, prosecuting authorities, and law enforcement officials, as well as impact the rights of and cause confusion among firearms owners. It would not be possible to rely on the fact that a weapon is registered in determining whether it constitutes a prohibited assault weapon. Divergent definitions could result in weapons being considered prohibited assault weapons, even though those same weapons fell within the definition of weapons that could be registered. Alternatively, different sets of definitions might result in the registration of weapons that are not considered to be assault weapons.

The AWCA has provided for three previous registration periods, but the proposed definitions will not impact those previous registrations. The Department does not anticipate or intend that the proposed definitions will bring any new weapons within the statutory definition of "assault weapon," other than the bullet-button weapons the Legislature intended to be covered. The proposed definitions are either modeled on definitions provided by federal authorities, widely used by gun enthusiasts, and/or contain the same information that is regularly conveyed by the Department in response to specific inquiries, or as set forth in sworn testimony by the Department's employees as witnesses in criminal proceedings.

Given the importance of the registration process to the overall design and purpose of the AWCA, as well as the difficulties that would arise from different sets of definitions, the

proposed regulations seek to prevent any future confusion or inconsistency in the administration of the AWCA. The definitions are necessary for the registration process, and the registration process must be consistent with the rest of the statute. Thus, these definitions are within the scope of the Department's APA exemption for "adopt[ing] regulations for the purpose of implementing" the registration requirement. (§ 30900, subd. (b)(5).) Our approach comports with past judicial decisions. Courts "do not construe statutes in isolation, but rather read every statute 'with reference to the entire scheme of law of which it is part so that the whole may be harmonized and retain effectiveness.'" (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1099-1100 [citations omitted].) The rulemaking exemption should not be considered "in isolation," rather, it should be interpreted in light of "the entire substance of the statute to determine the scope and purpose of the provision." (*People v. Taylor* (2007) 157 Cal.App.4th 433, 437.) The Department's approach here best serves the purpose of the statute, and is consistent with the basic principle of statutory interpretation that "the various parts of a statutory enactment must be harmonized by considering the particular clause or section in the context of the statutory framework as a whole." (*People v. Whaley* (2008) 160 Cal.App.4th 779, 793 [citations omitted].) "Where uncertainty exists consideration should be given to the consequences that will flow from a particular interpretation." (*People v. Zambia* (2011) 51 Cal.4th 965, 977 [citations omitted].) The consequence of limiting the registration definitions to the registration process would be the application of different definitions to different portions of the AWCA. The serious difficulties posed by this inconsistency, and the essential role that registration plays in the overall administration of the AWCA, support the Department's approach here.

II. BULLET-BUTTON SHOTGUNS ARE WEAPONS REQUIRED TO BE REGISTERED

Proposed section 5470, subdivision (d), provides, "A semiautomatic shotgun with an ammunition feeding device that can be readily removed from the firearm with the use of a tool, commonly referred to as a bullet-button weapon, is included in the category of firearms that must be registered." (Proposed Cal. Code Regs., tit. 11, § 5470, subd. (d).) Proposed section 5471, subdivision (pp) provides, "'Those weapons with an ammunition feeding device that can be readily removed from the firearm with the use of a tool' includes functional semiautomatic rifles, pistols, and shotguns with bullet-button style magazine releases." These proposed regulations require registration of bullet-button shotguns, consistent with the plain language of the registration requirement.

Section 30900, subdivision (b)(1), describes the registration requirement as follows:

> Any person who, from January 1, 2001, to December 31, 2016, inclusive, lawfully possessed an assault weapon that does not have a fixed magazine, as defined in Section 30515, including those weapons with an ammunition feeding device that can be readily removed from the firearm with the use of a tool, shall register the firearm before January 1, 2018 . . . .

The phrase "assault weapon that does not have a fixed magazine, as defined in Section 30515" means any assault weapon that does not have "an ammunition feeding device contained in, or

permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action." (§ 30515, subd. (b).) The registration requirement specifies that this category includes "weapons with an ammunition feeding device that can be readily removed from the firearm with the use of a tool," that is, "weapons" with a bullet-button.

As commonly understood and as used in the AWCA, the term "weapons" encompasses shotguns. Section 30510 provides that "'assault weapon' means the following designated semiautomatic firearms," and lists various rifles, pistols, and shotguns. (§ 30510, subds. (a)-(c).) Section 30515 also describes "assault weapons" as comprising of certain rifles, pistols, and shotguns. (§ 30515, subds. (a)(1)-(8).) Various other references in the Penal Code indicate that a shotgun is a type of weapon. (See, e.g., § 17190 ["'shotgun' means a weapon . . . intended to be fired from the shoulder"]; § 16590, subd. (t) ["generally prohibited weapon" includes "short-barreled shotgun"].)

The registration requirement must be interpreted to "giv[e] significance to every word, phrase, sentence, and part of an act in pursuance of the legislative purpose." (*Sierra Club v. Superior Court* (2013) 57 Cal.4th 157, 165-166.) Penal Code section 30900, subdivision (b)(1), is not limited to bullet-button rifles and pistols; rather, it uses a term ("weapons") that includes rifles, pistols, and shotguns. Bullet-button shotguns are thus required to be registered by section 30900, subdivision (b)(1), because they fall within the category of "weapons with an ammunition feeding device that can be readily removed from the firearm with the use of a tool."

III. REGULATIONS RELATING TO THE UNIQUE IDENTIFICATION OF REGISTERED FIREARMS

The registration application for a bullet-button assault weapon must include "a description of the firearm that identifies it uniquely." (§ 30900, subd. (b)(3).) Regulations supporting this requirement are essential to the success of the registration process. Law enforcement and the courts rely on registration information in enforcing the AWCA. Providing sufficient information to uniquely identify a firearm helps ensure that the registration is for a specific weapon; provides accurate information about registered weapons to law enforcement and the courts; and helps the Department and law enforcement officials enforce and implement the AWCA's various restrictions and exemptions. The following proposed regulations are directly related to this registration requirement.

A. Prohibition on Removal of Release Mechanism

Proposed section 5477, subdivision (a) prohibits the removal of a bullet-button after a bullet-button assault weapon has been registered. Specifically, it provides:

> The release mechanism for an ammunition feeding device on an assault weapon registered pursuant to Penal Code section 30900, subdivision (b)(1), shall not be changed after the assault weapon is registered. A weapon's eligibility for registration pursuant to Penal Code section 30900, subdivision (b)(1) depends, in

part, on its release mechanism. Any alteration to the release mechanism converts the assault weapon into a different weapon from the one that was registered.

This regulation directly supports the statutory directive to obtain sufficient information about registered assault weapons in order to uniquely identify them. (§ 30900, subd. (b)(3).) Registration of an assault weapon allows the owner to continue to possess that weapon, notwithstanding the fact that the weapon is now classified as an assault weapon. It would undermine the registration requirement if a firearm owner were allowed to substantially alter a weapon or transform it into another type of weapon after it has been registered. Registration records are used by law enforcement and the courts to confirm that a particular weapon is registered and that its possession is lawful. Removal of the bullet-button undermines law enforcement officials' ability to identify the weapon.

This requirement will also help prevent the new registration process from being used to circumvent longstanding restrictions on the sale and possession of weapons that have previously been classified as assault weapons. Only bullet-button assault weapons are included in this new round of registration. But removal of the bullet-button from a bullet-button assault weapon would convert the weapon into an assault weapon that, according to its features, should have been registered by January 1, 2001.[5] (§ 30900, subd. (a)(2).) Allowing for removal of bullet-buttons would thus result in the expansion of a category of assault weapons previously closed to registration. The prohibition is thus directly related to the goals of the registration process, and helps to prevent abuse of the new registration process to register weapons that can be subsequently modified into weapons that were required to be registered more than a decade ago, and that should have been impossible to legally acquire in California since January 1, 2000.

B. Requirement for Serial Numbers and Other Information

The proposed regulations contain several requirements regarding serial numbers. Proposed section 5472, subdivision (f), states that "[t]he Department will not register as an assault weapon a firearm manufactured by a federally-licensed manufacturer if the firearm does not have a serial number applied pursuant to federal law." With respect to homemade firearms, proposed section 5472, subdivision (g), requires persons registering homemade bullet-button assault weapons to first obtain a serial number from the Department and then apply the serial number to the weapon,

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[5] Removal of the bullet-button would transform the weapon into a true quick-release weapon, with "the capacity to accept a detachable magazine," as defined under the previous version of the AWCA. If the weapon still has one of the additional qualifying features listed in section 30515, it would fall into the category of assault weapons originally subject to restrictions on sale and possession as of January 1, 2000. These weapons were required to have been registered by January 1, 2001. (See Senate Bill 23 (Reg. Sess. 1999-2000), §§ 7, 9, enacting former Penal Code §§ 12276.1 [feature-based definitions of assault weapon, effective January 1, 2000], 12285, subd. (a) [requiring registration of assault weapons as defined under former section 12276.1 within one year].)

in accordance with proposed section 5474.2. The Department will decline to register a weapon under these provisions if the weapon lacks a serial number. These serial number requirements are directly relevant to the registration process and the statutory directive that registered weapons be identified uniquely. (§ 30900, subd. (b)(3).) Serial numbers allow the Department to confirm the unique identity of the registered weapon.

In addition to the serial number, proposed section 5474.2, subdivision (a)(3)(B), requires the following identifying information to be placed on a homemade firearm: model, caliber/gauge, manufacturer's name, and the city and state where the manufacturer made the firearm.[6] The Department requires this additional information to be engraved on a registered homemade bullet-button assault weapon because unlike weapons produced by federally-licensed manufacturers, homemade firearms might not otherwise have basic information about the manufacturer engraved on them. Having this information engraved on a registered weapon allows law enforcement to confirm the make and model of the weapon when checking its registration status.

A separate statute enacted last year requires Department-issued serial numbers for (1) the manufacture of homemade firearms as of July 1, 2018, and (2) pre-existing homemade firearms by January 1, 2019. (§ 29180). The Department may nonetheless institute these proposed regulations regarding serial numbers for homemade bullet-button assault weapons as part of the bullet-button assault weapon registration process. The Department has the authority to promulgate regulations that are reasonably necessary to implement the registration requirement, including those necessary to register homemade firearms, even if another statute also sets requirements with respect to those firearms. These regulations are reasonably necessary to register homemade bullet-button assault weapons, because each registered weapon must be uniquely identified (§ 30900, subd. (b)(3)), and the only way the Department can verify that homemade bullet-button assault weapons are uniquely identified is to require application of a Department-issued serial number.

C. Requirement for Clear Digital Photos

Proposed section 5474, subdivision (c), requires "clear digital photos" of the firearm and provides specific instructions on what those photos shall depict. This is a reasonably necessary part of the registration process, because such photos help to identify a registered firearm uniquely. (See § 30900, subd. (b)(3).) They will also help the Department confirm that the

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[6] Proposed section 5474.2, subdivision (a)(2), provides that an applicant "may" contact a federally-licensed firearms manufacturer ("type 07") to apply the serial number. An applicant is not required to make such an arrangement. In addition, a weapon with the upper and lower receivers completely detached from one another is not considered a semiautomatic firearm, and does not constitute an assault weapon under section 30515, subdivisions (a)(1) through (a)(7). (Proposed Cal. Code Regs., tit. 11, § 5471, subd. (hh)(3).) A weapon in this condition may be left with someone for application of the serial number and other required information, even if that person does not have a permit as described in section 4128 of title 11 of the California Code of Regulations.

description of the weapon submitted by the registrant is accurate. Although applicants will need computer access in order to process the digital photos needed to register their assault weapons, the statute already requires applicants to obtain computer access, because it provides that new assault weapons registrations "shall be submitted electronically via the Internet." (§ 30900, subd. (b)(2).)

IV. REGULATIONS THAT ARE REASONABLY NECESSARY FOR AN EFFECTIVE REGISTRATION PROCESS

The Department's file and print regulations also include requirements regarding registration procedures and information that are necessary for an effective registration process.

A. Eligibility Check

Proposed section 5476, subdivision (d), provides that applicants registering their assault weapons will undergo a "firearms eligibility check." This eligibility check is required in order to ensure that the Department does not accept registrations from persons who have been disqualified or prohibited from possessing or registering assault weapons. In enacting the AWCA, the Legislature explicitly declared its intent "to place restrictions on the use of assault weapons and to establish a registration and permit procedure for their lawful sale and possession." (§ 30505, subd. (a).) The AWCA also provides, "No person who is under the age of 18 years, and no person who is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm, may register or possess an assault weapon or .50 BMG rifle." (§ 30950; see also § 29800 [persons convicted of a felony prohibited from possessing firearms].) An eligibility check to confirm that the person applying to register a bullet-button assault weapon is not prohibited from possessing a firearm or an assault weapon is entirely consistent with and furthers the purpose of the registration requirement.

Proposed section 5474, subdivision (a), requires applicants to provide "U.S. citizenship status, place of birth, country of citizenship, and alien registration number," in addition to the information required in Penal Code section 30900, subdivision (b)(3). This information is reasonably necessary to complete the eligibility check process. Citizenship information is required to confirm eligibility to possess a firearm under federal law, in accordance with 18 U.S.C. § 922(g)(5).

B. Weapon Measurement

Proposed section 5471, subdivision (d), defines "barrel length." Proposed section 5471, subdivision (x), defines "Overall length of less than 30 inches" with respect to a centerfire rifle.

These regulations are reasonably necessary for an effective registration process. A weapon's barrel length is a basic piece of identifying information collected for every weapon reported to or registered with the Department, much like information about a weapon's manufacturer or model. In addition, Penal Code section 11106, subdivision (b)(2)(D), provides that the Department's registry "shall consist of" specified information, including caliber and barrel length of the firearm.

The term "overall length of less than 30 inches" appears in the definition of assault weapon in subdivision (a)(3) of section 30515: "A semiautomatic, centerfire rifle that has an overall length of less than 30 inches." The registration system will ask applicants about overall length because weapons meeting the definition in subdivision (a)(3) should have been registered in a prior registration period, with or without a bullet-button, and the Department will reject any attempt to register those weapons now.

C. Other Regulations Relevant to Registration

The remaining proposed regulations are all directly related to the registration process; present no conflict with the AWCA; and are well within the Department's authority to "fill up the details" of the statutory scheme. (*PaintCare*, *supra*, 233 Cal.App.4th at p. 1308.) Providing specific details or requirements regarding the family relationships that qualify for joint registration and the acceptable forms of proof of address, for example, are quintessential examples of details that should be spelled out in implementing regulations. (See proposed Cal. Code Regs., tit. 11, § 5474.1, subds. (b), (c).)

* * *

In addition to the proposed regulations, the file and print submission includes the following forms:

- BOF 4542A (Rev. 06/2017), "Firearm Ownership Report." (See proposed Cal. Code Regs., tit. 11, § 5478, subd. (b).)
- BOF 4546 (Rev. 06/2017), "Notice of No Longer in Possession." (See proposed Cal. Code Regs., tit. 11, § 5478, subd. (a).)
- BOF 1008 (Rev. 06/2017), "New Serial Number Application." (See proposed Cal. Code Regs., tit. 11, § 5474.2, subd. (a)(1).)
- Copies of the electronic forms to be used for registration.

The Department respectfully requests that the Office of Administrative Law file and print the regulations on our behalf. If you have any questions or concerns regarding the Department's proposed file and print regulations, please contact Jacqueline Dosch at (916) 227-5419.

Sincerely,

MARTHA SUPERNOR, Acting Director
Bureau of Firearms

For XAVIER BECERRA
Attorney General