

California Department of Justice
DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES
Nick L. Dedier, Director

INFORMATION BULLETIN

Subject: Curio and Relic Long Guns and 30-day Firearms
Delivery Requirements

No.: 98-24-BCIA

Date: 11/16/98

For further information contact:

Firearms Program
(916) 227-3703

ALL CALIFORNIA FIREARMS DEALERS

Effective November 30, 1998, as part of the permanent provisions of the federal Brady Act and state Assembly Bill 2011 (Chapter 911, Statutes of 1998), curio and relic long gun transactions will now be subject to the California Dealer's Record of Sale (DROS) process. Additionally, firearms dealers will be required to complete the delivery of all firearms sales or transfers within thirty days of initiating the DROS background check process.

Curio and Relic Long Gun DROS Requirement

Beginning November 30, 1998, firearms dealers must comply with the California DROS process when transacting the sale, transfer, or the pawn or consignment return of a curio and relic long gun. The associated \$14 DROS fee and 10-day waiting period will also apply to these curio and relic long gun transactions. The only exception to this new DROS requirement involves the private party transfer of a curio and relic long gun that is 50 years or older.

Required Delivery of Firearms Within Thirty Days of DROS

The permanent provisions of the federal Brady Act and state Senate Bill 63 (Chapter 908, Statutes of 1998) have also placed a thirty day deadline on the delivery of all firearms. Accordingly, beginning November 30, 1998, purchasers are required to take delivery of firearm(s) within thirty days of initiating the DROS. **Purchasers or transferees who fail to take delivery of their firearm(s) within thirty days from the date the DROS is initiated will be required to undergo a separate new background check.** This will require the completion of a new DROS and another \$14 fee and 10-day waiting period. Whenever this occurs, dealers are required to immediately submit a DROS cancellation form (for handgun transactions only) to notify the Department of Justice (DOJ) that the transaction has been invalidated as a result of not meeting the thirty day delivery deadline. Since DOJ is prohibited by state law from maintaining information on long gun transactions, dealers are not required to submit a DROS cancellation form to cancel a long gun DROS transaction. Failure to submit the DROS cancellation form on handgun transactions could result in dealer removal from the DOJ Centralized List. In accordance with this change in state law, dealers are also required to post the following sign in block letters not less than one inch in height:

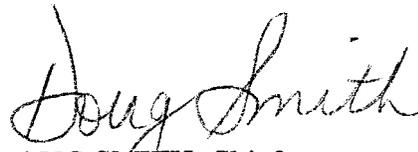
“FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

As you know, the DOJ may occasionally delay a firearm sale/transfer while additional information needed to make the eligibility determination is obtained from the courts, district attorneys offices or law enforcement agencies. In such cases, the thirty day delivery deadline previously discussed would not begin until DOJ authorizes the dealer to release the firearm. For the purpose of responding to routine DOJ and/or federal Bureau of Alcohol, Tobacco, and Firearms (BATF) inspections, firearms dealers are advised to maintain copies of the DOJ firearm release letter (authorizing release of the firearm to the purchaser/transferee) as part of the permanent firearm transaction record whenever the delivery of a firearm is delayed by DOJ.

Once again, all the new requirements discussed in this Information Bulletin take effect **November 30, 1998**. Should you have any questions regarding this information, please contact the Firearms Program at (9 16) 227-3703.

Sincerely,

DANIEL E. LUNGREN
Attorney General

A handwritten signature in cursive script that reads "Doug Smith".

DOUG SMITH, Chief
Bureau of Criminal Information
and Analysis