

**CALIFORNIA DEPARTMENT OF JUSTICE**  
**TITLE 11. LAW**  
**DIVISION 5. FIREARMS REGULATIONS**  
**CHAPTER 39. ASSAULT WEAPONS AND LARGE-CAPACITY MAGAZINES**  
**TEXT OF PROPOSED REGULATIONS**

**Article 5. Other Category Assault Weapons**

**§ 5485. Registration of Other Category Assault Weapons Pursuant to Penal Code Section 30900(c)(1); Who Must Register.**

(a) An “other category assault weapon” is a semiautomatic centerfire firearm that is not a rifle, pistol, or shotgun, and meets the criteria in paragraphs (9), (10), or (11) of subdivision (a) of Penal Code section 30515.

(b) Any person who, prior to September 1, 2020, lawfully possessed an other category assault weapon shall submit an application to register the firearm with the Department before January 1, 2022.

Note: Authority cited: Section 30900 and 30685, Penal Code. Reference: Sections 30515 and 30900, Penal Code.

**§ 5486. Registration of Other Category Assault Weapons Pursuant to Penal Code Section 30900(c)(1); Which Weapons Must be Registered; Explanation of Terms Related to Assault Weapon Designation.**

(a) Except as provided in section 5487, an other category assault weapon must be registered with the Department before January 1, 2022.

(b) A semiautomatic, centerfire firearm that is not a rifle, pistol, or shotgun, that does not have a fixed magazine, but has any of the following features, is included in the category of firearms that must be registered:

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

(2) A thumbhole stock.

(3) A folding or telescoping stock.

(4) A grenade launcher or flare launcher.

(5) A flash suppressor.

(6) A forward pistol grip.

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

(8) A second handgrip.

(9) 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.

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

(c) A semiautomatic, centerfire firearm that is not a rifle, pistol, or shotgun, that has a fixed magazine with the capacity to accept more than 10 rounds, is included in the category of firearms that must be registered.

(d) A semiautomatic, centerfire firearm that is not a rifle, pistol, or shotgun, that has an overall length of less than 30 inches, is included in the category of firearms that must be registered.

(e) The definitions in section 5471 apply for purposes of Penal Code section 30900, subdivision (c), and Article 5 of this Chapter.

Note: Authority cited: Section 30900, Penal Code. Reference: Sections 30515 and 30900, Penal Code.

**§ 5487. Registration of Other Category Assault Weapons Pursuant to Penal Code Section 30900(c)(1); Weapons That Will Not Be Registered as Other Category Assault Weapons.**

(a) The Department will not register a firearm as an other category assault weapon, unless it was lawfully possessed on or before September 1, 2020.

(b) The Department will not register a firearm as an other category assault weapon, if the firearm was required to have been registered under any other prior assault weapon registration period.

(c) The Department will not register a firearm as an other category assault weapon, if the firearm has a rifle buffer tube.

(d) The Department will not register a firearm as an other category assault weapon, unless the

firearm is fully assembled and fully functional.

(e) The Department will not register rifles, pistols, shotguns, or rifle/shotgun combinations as other category assault weapons.

(f) The Department will not register a firearm as an other category assault weapon, if the firearm was manufactured by a federally-licensed manufacturer and does not have a serial number applied pursuant to federal law.

(g) The Department will not register a firearm as an other category assault weapon, if the firearm is a FMBUS and does not have a serial number that was assigned by the Department prior to September 1, 2020 and applied by the owner or agent pursuant to section 5518.

Note: Authority cited: Section 30900, Penal Code. Reference: Sections 30515 and 30900, Penal Code.

**§ 5488. Registration of Other Category Assault Weapons Pursuant to Penal Code Section 30900(c)(1): Applicant and Firearms Information.**

Applications for other category assault weapon registration must be filed either electronically using the following website: <https://oawr.doj.ca.gov>, or by mailing a completed Other Assault Weapon Registration Form, form BOF 1039 (Orig. 07/2021), hereby incorporated by reference.

Applicants shall provide the following information, including but not limited to:

(a) The registrant's full name, alias name (if applicable), address, mailing address (if different), telephone number(s), email address, date of birth, gender, height, weight, eye color, hair color, military identification number (if applicable), California Driver License number or California Identification Card number, proof of lawful presence in the United States (if required pursuant to section 4045.1), U.S. citizenship status, place of birth, country of citizenship, and alien registration number or I-94 (if applicable).

(b) A description of the firearm that identifies it uniquely, including but not limited to: if the firearm is self-built, firearm type, make, category, model, caliber, firearm color, barrel length and unit of measurement, if the magazine is fixed or non-fixed, cartridge type that the firearm will fire, serial number, all identification marks, firearm country of origin/manufacturer, the date the firearm was acquired, the name and address of the individual from whom, or business from which, the firearm was acquired, and if the

firearm is less than 30 inches as indicated in section 5486 subdivision (c).

(c) Clear digital photos of each individual firearm listed on the application.

(1) One photo shall show the firearm from the end of the barrel and/or permanently attached component to the end of the point furthest from the end of the barrel and/or permanently attached component. The photo shall include an extended tape measure with the measurement of the entire firearm in inches clearly legible.

(2) One photo shall show the barrel. The photo shall include an extended tape measure with the measurement of the barrel in inches clearly legible.

(3) If the firearm has a fixed magazine, one photo shall show the magazine release device that is used. If the firearm has a non-fixed magazine, one photo shall show the push button release mechanism.

(4) One photo shall show the left side of the receiver/frame.

(5) One photo shall show the right side of the receiver/frame.

(d) Applicants shall provide additional photos to the Department as requested in order to identify the weapon.

Note: Authority cited: Section 30900, Penal Code. Reference: Sections 30515 and 30900, Penal Code.

**§ 5489. Registration of Assault Weapons Pursuant to Penal Code Section 30900(c)(1); Fees.**

(a) The fee to register an other category assault weapon is \$31.19, plus the \$1.00 Firearm Safety Fee, plus the \$5.00 Firearm Safety and Enforcement Fee, for a total fee of \$37.19 per person, per transaction for the first firearm. There is an additional \$5.00 fee for each subsequent firearm if multiple other category assault weapons are registered in a single transaction. There is no limit to the number of other category assault weapons a person can register in a single transaction.

(b) If the registration is submitted electronically, the fee must be paid by debit or credit card at the time the registration is submitted to the Department for processing. If the registration is submitted via a completed form BOF 1039 (Orig. 07/2021), then the fee must be paid by check or money order made payable to the Department of Justice. The check or money order must be received at the same time as the completed form BOF 1039 (Orig. 07/2021). If the fee is not

paid, the registration will not be processed.

(c) A \$5.00 fee is required to obtain a replacement copy of the original registration disposition letter. The fee must be paid by check or money order payable to the Department of Justice. Requests for a replacement copy of the original registration disposition letter shall be made in writing using a completed Other Assault Weapon Registration (AWR) Disposition Letter Request, form BOF 1040 (Orig. 07/2021), hereby incorporated by reference.

Note: Authority cited: Section 30900, Penal Code. Reference: Sections 28225, 28230, 28233, 30515 and 30900, Penal Code.

**§5490. Registration of Other Category Assault Weapons Pursuant to Penal Code Section 30900(c)(1); Processing of Applications.**

(a) Applications for other category assault weapon registration will be accepted beginning on October 1, 2021, and must be received by December 31, 2021. Applications will be processed in the order in which they are received.

(b) Once the application has been submitted and fees have been paid, the Department will inform the applicant, via U.S. mail, that the application: has been received and accepted for processing; is being returned as incomplete with the required information specified; or has been rejected.

(c) If the Department deems an application incomplete and notifies the applicant via U.S. mail of the incomplete determination, the applicant shall provide the requested information or documentation within 30 days. If the Department does not receive the additional information or documentation within 30 days from the date of its original request for additional information, the application will be rejected and the application fee will not be refunded. The applicant may complete a new application by December 31, 2021, subject to a new application fee.

(d) Once the Department determines that all necessary information has been received and the firearm qualifies for registration, the firearms eligibility check shall commence. The Department will inform the applicant of the results of the check.

(e) If the firearms eligibility check is successful, the registrant shall receive an other category assault weapon registration disposition letter via U.S. mail.

Note: Authority cited: Section 30900, Penal Code. Reference: Sections 30515, 30900 and 30950, Penal Code.

**§5491. Registration of Other Category Assault Weapons Pursuant to Penal Code Section 30900(c)(1); Post-Registration Modification of Registered Other Category Assault Weapons; Prohibition.**

(a) The release mechanism for an ammunition feeding device on an other category assault weapon registered pursuant to Penal Code section 30900, subdivision (c)(1) shall not be changed after the other category assault weapon is registered. A weapon's eligibility for registration pursuant to Penal Code section 30900, subdivision (c)(1) depends, in part, on its release mechanism. Any alteration to the release mechanism converts the other category assault weapon into a different weapon from the one that was registered.

(b) The prohibition in subdivision (a) does not extend to the repair or like-kind replacement of the release mechanism for an ammunition feeding device.

(c) The prohibition in subdivision (a) does not extend to an other category assault weapon that is undergoing the deregistration process pursuant to section 5492.

Note: Authority cited: Section 30900, Penal Code. Reference: Sections 30515 and 30900, Penal Code.

**§5492. Registration of Other Category Assault Weapons Pursuant to Penal Code Section 30900(b)(1); Voluntary Deregistration of Other Category Assault Weapons.**

In accordance with section 5478, the Department will accept voluntary deregistration requests for other category assault weapons that are no longer possessed by the registrant, in the form of a completed form BOF 4546 (Rev. 12/2019). Deregistration requests will also be accepted for other category assault weapons that have been modified or reconfigured to no longer meet that definition. Deregistration requests must be in writing, signed, dated, and otherwise meet the requirements listed in section 5478.

Note: Authority cited: Section 30900, Penal Code. Reference: Sections 30515 and 30900, Penal Code.