

CALIFORNIA DEPARTMENT OF JUSTICE
TITLE 11. LAW
DIVISION 5. FIREARMS REGULATIONS
CHAPTER 14. CARRY CONCEALED WEAPONS LICENSES
TEXT OF PROPOSED REGULATIONS

Chapter 14. Carry Concealed Weapons Licenses

Article 1. General.

§ 4400. Definitions.

The following definitions shall apply wherever the terms are used throughout this Chapter.

(a) “CCW DOJ Certified Instructor” means an instructor certified by the Department to provide the course of training described in Penal Code section 26165.

(b) “CCW license” means a license issued pursuant to Penal Code sections 26150, 26155, or 26170.

(c) “Department” means the California Department of Justice.

(d) “Licensing authority” means a sheriff of a county, or the chief or other head of a municipal police department of any city or city and county.

(e) “Prohibited Armed Persons File” has the same meaning as that in Penal Code sections 30000 and 30005.

NOTE: Authority cited: Section 26225, Penal Code. Reference: Sections 26150, 26155, 26165 and 26170, Penal Code.

Article 2. CCW DOJ Certified Instructors.

§ 4410. CCW DOJ Certified Instructor Qualifications and Applications.

(a) CCW DOJ Certified Instructor applicants must have a valid Certificate of Eligibility (COE) issued pursuant to Penal Code section 26710 and California Code of Regulations, title 11, section 4030 et seq.

(b) Applicants must be at least 21 years old. Applicants shall provide a copy of a valid California driver license or California identification card issued by the Department of Motor Vehicles, demonstrating the applicant is 21 years of age or older. Applicants with a federal non-compliant California driver license or identification card shall also comply with section 4045.1.

(c) Initial and renewal applications must be completed and submitted on the Concealed Carry Weapon Program DOJ Certified Instructor Application, Form BOF 1034 (Orig. 01/2024), hereby incorporated by reference. Initial applicants must submit a copy of their training certification from one of the following:

(1) Bureau of Security and Investigative Services, Department of Consumer Affairs, State of California-Firearm Training Instructor;

(2) Commission on Peace Officer Standards and Training (POST), State of California-Firearms Instructor or Rangemaster; or

(3) Authorization from a State of California accredited school to teach a firearm training course.

(d) Within six months before submitting their application, initial and renewal applicants must pass a live-fire shooting qualification course on a firing range. During the qualification course:

(1) The applicant must display safe weapon practices at all times.

(2) The applicant must use a serviceable holster and magazine pouch with at least one reload.

(3) The following shooting exercises shall be performed using a standard B-27 target:

<u>Distance</u>	<u>Weapon Location</u>	<u>Rounds</u>	<u>Special Instructions</u>	<u>Time Limit</u>	<u>Number of Times</u>
<u>3 yards</u>	<u>combat ready</u>	<u>2</u>	<u>none</u>	<u>3.0 seconds</u>	<u>2 times</u>
<u>3 yards</u>	<u>holstered</u>	<u>2</u>	<u>hands up</u>	<u>5.0 seconds</u>	<u>2 times</u>
<u>5 yards</u>	<u>combat ready</u>	<u>3</u>	<u>failure drill</u>	<u>4.5 seconds</u>	<u>2 times</u>
<u>5 yards</u>	<u>holstered</u>	<u>2</u>	<u>object in hands</u>	<u>5.0 seconds</u>	<u>2 times</u>
<u>7 yards</u>	<u>holstered</u>	<u>6</u>	<u>none</u>	<u>10 seconds</u>	<u>1 time</u>

“Hands up:” This sequence of fire will be performed with the applicant’s hands elevated around chest level.

“Failure drill:” Two shots to the body, and one to the head.

“Object in hands:” The applicant simulates holding an object.

(4) The total rounds fired during the qualification is 24. One point is awarded each time a round hits the intended target. The minimum passing score is 19 points.

(e) A CCW DOJ Certified Instructor’s certification is valid for four years provided that the CCW DOJ Certified Instructor maintains a valid COE. To remain valid, a COE must be renewed annually.

(f) A CCW DOJ Certified Instructor who has had their certification revoked may not reapply for certification earlier than one year from the effective date of the revocation.

NOTE: Authority cited: Sections 26165 and 26225, Penal Code. Reference: Section 26165, Penal Code.

§ 4411. Revoking CCW DOJ Certified Instructor’s Certification.

(a) A CCW DOJ Certified Instructor’s certification shall be revoked for the following reasons:

(1) instructor made false statements on the application;

(2) instructor’s training course fails to meet the minimum hourly length prescribed by Penal Code section 26165, subdivisions (a)(1) or (d);

(3) instructor’s training course fails to include instruction on the topics listed in Penal Code section 26165, subdivision (a)(2);

(4) instructor fails to require students to pass a written examination to demonstrate their understanding of the topics listed in Penal Code section 26165, subdivision (a)(2) and (3);

(5) instructor’s training course fails to include the live-fire shooting exercises, safe handling demonstration, or demonstration of shooting proficiency prescribed by Penal Code section 26165, subdivision (a)(6); or

(6) public safety may be endangered if the instructor were to retain the certification.

(b) Any person may notify the Department if they believe a CCW DOJ Certified Instructor’s certification should be revoked. Such notifications should state the facts that support this belief and include any documents or other evidence supporting this conclusion.

(c) Any revocation action will be conducted in accordance with the Administrative Procedure Act, Government Code section 11500 et seq.

NOTE: Authority cited: Sections 26165 and 26225, Penal Code. Reference: Section 26165, Penal Code.

§ 4412. POST-Certified Firearms Instructors May Serve as CCW Instructors.

Any active or honorably retired peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who is certified as a Firearms Instructor by the California Commission on Peace Officer Standards and Training (POST) may provide the course of training described in Penal Code section 26165. Such officers are exempt from the application procedure described in section 4410.

NOTE: Authority cited: Sections 26165 and 26225, Penal Code. Reference: Section 26165, Penal Code.

Article 3. Background Checks

§ 4420. Submission of Fingerprints

(a) When fingerprints are required, fingerprints shall be captured and transmitted electronically by an authorized Live Scan operator.

(b) The CCW license applicant shall complete a Request For Live Scan Service form which will require the following applicant information: full name, any alias name, date of birth, sex, driver license number, height, weight, eye color, hair color, place of birth, and home address. The applicant shall take the completed form to a Live Scan operator who shall confirm the applicant's identification, input the applicant's personal descriptor information, capture the applicant's fingerprints electronically, and transmit the data to the Department.

(1) In lieu of a home address, an applicant who participates in the program described in Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code may provide the address designated to the applicant by the Secretary of State.

(2) In lieu of a home address, an applicant who falls within the categories described in Penal Code section 26220, subdivision (c), may provide a business address or an alternative mailing address, such as a post office box.

(3) In lieu of a home address, an applicant for a license issued pursuant to Penal Code section 26170 may provide their post office box or the address of the issuing license authority.

NOTE: Authority cited: Section 26225, Penal Code. Reference: Sections 26185 and 26206, Penal Code.

§ 4421. Initial and Renewal Applicant Background Checks to Determine if Applicant Is Prohibited.

(a) For initial applicants, the Department shall examine its records and the National Instant Criminal Background Check System (NICS) to determine the CCW license applicant's eligibility under state and federal law to possess, receive, own, or purchase a firearm.

(b) For renewal applications, the Department shall review the Prohibited Armed Persons File and the National Instant Criminal Background Check System (NICS) to determine the CCW license applicant's eligibility under state and federal law to possess, receive, own, or purchase a firearm. If the applicant does not match an entry in the Prohibited Armed Persons File, the Department shall examine its records to determine the CCW license applicant's eligibility under state and federal law to possess, receive, own, or purchase a firearm.

NOTE: Authority cited: Sections 26185 and 26225, Penal Code. Reference: Sections 26165 and 26185, Penal Code.

§ 4422. Background Checks Following Denials or Revocations Reversed by Court Order.

(a) Section 4421, subdivision (a), applies to background checks for initial applicants whose CCW license denials are reversed by court order pursuant to Penal Code section 26206, subdivision (f)(1). Section 4421, subdivision (b), applies to background checks for renewal applicants whose CCW license denials are reversed by court order pursuant to Penal Code

section 26206, subdivision (f)(1). The Department shall notify the licensing authority of the results of the background check no later than 60 days from receipt of the applicant's fingerprints or the renewal notification.

(b) When fingerprints are submitted to the Department following CCW license denials reversed by court order pursuant to Penal Code section 26206, subdivision (f)(1):

(1) The Department shall provide a state or federal response to the licensing authority, pursuant to Penal Code section 11105, subdivision (l).

(2) If the Department is unable to ascertain the final disposition of an arrest or criminal charge, the outcome of the mental health treatment or evaluation, or the applicant's eligibility to possess, receive, own, or purchase a firearm, the Department shall notify the licensing authority.

(3) The Department shall furnish the licensing authority a criminal history report pertaining to the applicant. No new or renewal license shall be issued by any licensing authority unless the report confirms the applicant's eligibility to possess, receive, own, or purchase a firearm.

(c) For CCW license revocations reversed by court order pursuant to Penal Code section 26206, subdivision (f)(2), the Department shall review the Prohibited Armed Persons File and the National Instant Criminal Background Check System (NICS) to determine the CCW license holder's eligibility under state and federal law to possess, receive, own, or purchase a firearm. If the person does not match an entry in the Prohibited Armed Persons File, the Department shall examine its records to determine the CCW license applicant's eligibility under state and federal law to possess, receive, own, or purchase a firearm. The Department shall notify the licensing authority of the results of the background check no later than 30 days from receipt of the court's order. No license shall be reinstated unless the Department confirms the applicant's eligibility to possess, receive, own or purchase a firearm.

(d) Court orders issued pursuant to Penal Code section 26206, subdivision (f), shall be mailed to the Department: Department of Justice, Bureau of Firearms – CCW Program, P.O. Box 160367, Sacramento, CA 95816-0367.

NOTE: Authority cited: Sections 26206 and 26225, Penal Code. Reference: 26165, 26185 and 26206, Penal Code.

Article 4. Licensing Authority Duties.

§ 4430. Revocations When Licensee Is Disqualified Person.

(a) When a CCW license is revoked based on a determination that the licensee is a disqualified person, as set forth in Penal Code section 26202, the licensing authority shall not request that the Department terminate state or federal subsequent notification, as set forth in Penal Code section 11105.2, subdivision (d), prior to the deadline for the licensee to request a hearing pursuant to Penal Code section 26206, subdivision (c).

(b) If a hearing is requested timely, the licensing authority shall not request that the Department terminate state or federal subsequent notification, as set forth in Penal Code section 11105.2, subdivision (d), prior to the court's decision in the case. The licensing authority shall not request that the Department terminate state or federal subsequent notification if the court orders reinstatement of the person's license pursuant to Penal Code section 26206, subdivision (f)(2).

NOTE: Authority cited: Sections 26206 and 26225, Penal Code. Reference: Section 26206, Penal Code.

§ 4431. Reviewing the Automated Firearms System.

(a) For purposes of Penal Code section 26162, the licensing authority shall review the Automated Firearms System (AFS) to determine if the CCW license applicant is the recorded owner of the particular pistol, revolver, or other firearm capable of being concealed upon the person reported in the application for a CCW license or the application for the amendment to a CCW license.

(b) The serial number of the firearm and the CCW license applicant's name, date of birth, and identification number (from California driver license, California identification card issued by the Department of Motor Vehicles, social security card, or military identification) must match an entry in one of the following AFS records:

(1) Assault Weapon Registration;

- (2) C&R Collector's Report;
- (3) C&R Collector In State Long Gun;
- (4) Dealer's Record of Sale;
- (5) Firearm Ownership;
- (6) Intra-Familial Firearms Transaction;
- (7) New Resident Report;
- (8) Operation of Law;
- (9) Pawn Redemption;
- (10) Prohibited Temporary Storage Return;
- (11) Serial Number Assigned;
- (12) Serial Number Restored;
- (13) Unique Serial Number Ownership; or
- (14) Voluntary Registration.

NOTE: Authority cited: Section 26225, Penal Code. Reference: Section 26162, Penal Code.

§ 4432. Notifications, Records, and Annual Survey.

- (a) For purposes of Penal Code section 26225, subdivision (b), "immediately" means no less than 15 days after the denial, denial of an amendment, issuance, amendment, or revocation of a CCW license.
- (b) The licensing authority shall report the denial or revocation of a CCW license on the License to Carry Concealed Pistol, Revolver, or Other Firearm Notification of Denial or Revocation, Form BOF 1032 (Rev. 01/2024), hereby incorporated by reference.
- (c) The licensing authority shall report the denial of an amendment to a CCW license on the License to Carry Concealed Pistol, Revolver, or Other Firearm Amendment, Form BOF 4502.
- (d)(1) The licensing authority shall mail copies of all new and amended CCW licenses to: Department of Justice, Bureau of Firearms – CCW Program, P.O. Box 160367, Sacramento, CA 95816-0367; (2) The licensing authority shall mail copies of all renewal CCW licenses to: Department of Justice, Prescan Unit, K-111, P.O. Box 903417, Sacramento, CA 94203-4170.

(e) The licensing authority shall report the amendment of a CCW license on the License to Carry Concealed Pistol, Revolver, or Other Firearm Amendment, Form BOF 4502, and provide a copy of the amended license.

(f) The licensing authority shall submit the annual report described in Penal Code section 26225, subdivision (c), on the Reserve/Auxiliary Peace Officer and Judicial Carry Concealed Weapon (CCW) License Annual Survey, Form BOF 1027 (Rev. 01/2024), hereby incorporated by reference.

NOTE: Authority cited: Section 26225, Penal Code. Reference: Section 26225, Penal Code.

Article 5. Signs Allowing Firearms on the Property.

§ 4440. Signs Allowing Firearms on Private Property.

(a) Except as provided in subdivision (b), the signs required by Penal Code section 26230, subdivision (a)(22) and (26), shall contain the following language:

(1) NOTICE Lawful Concealed Carry Allowed on Property. (Pen. Code § 26230.); or

(2) NOTICE No Lawful Concealed Carry Allowed on Property without Written

Permission of Owner. (Pen. Code § 26230.)

(b) When a licensing authority issues a license to carry loaded and exposed pursuant to Penal Code section 26150, subdivision (b)(2), or 26155, subdivision (b)(2), the signs required by Penal Code section 26230, subdivision (a)(22) and (26), shall contain the following language:

(1) NOTICE Lawful Open Carry Allowed on Property. (Pen. Code § 26230.); or

(2) NOTICE No Lawful Open Carry Allowed on Property without Written Permission of

Owner. (Pen. Code § 26230.)

(c)(1) The word “notice” shall be centered at the top of the sign in capital letters. All text shall be in block letters not less than one inch in height.

(2) The word “notice” shall be set in white on a contrasting red background. The remaining text shall be set in black on a white background.

NOTE: Authority cited: Sections 26225 and 26230, Penal Code. Reference: Section 26230, Penal Code.