

CALIFORNIA DEPARTMENT OF JUSTICE

October 19, 2018

**NOTICE OF AVAILABILITY OF ADDITIONAL DOCUMENTS
[OAL File No. Z-2017-1114-01]**

Pursuant to the requirements of Government Code sections 11346.8 (c) and 11347.1, and section 44 of Title 1 of the California Code of Regulations, the California Department of Justice is providing notice of additional documents added to the rulemaking file for proposed regulation section 5460 regarding Assault Weapons Definitions. This proposed regulation was published and noticed for public comment on November 24, 2017.

The Department is adding an addendum to the Initial Statement of Reasons (ISOR), and related documents that were relied upon in proposing the regulation. The ISOR addendum clarifies how the definitions in the proposed regulation were composed, and adds references to the documents relied upon, which were inadvertently omitted from the Initial Statement of Reasons. A full list of materials added to the rulemaking file is attached.

The ISOR addendum and the documents relied upon are available for public inspection at the Department of Justice at 4949 Broadway, Sacramento, CA 95820, from October 19, 2018 through November 6, 2018, between the hours of 8:00 a.m. and 5:00 p.m. Because this is a secured building, we ask that you make an appointment to view the materials. To set up an appointment, please use the contact information below or call (916) 227-7615. In addition, the ISOR addendum, along with the original public notice, the text of the proposed regulation, and related documents are available at <https://oag.ca.gov/firearms/regs>.

If you have any comments regarding the additional materials, the Department of Justice will accept written comments between October 19, 2018 and November 6, 2018. All written comments must be submitted to the Department no later than 5:00 p.m. on November 6, 2018, and addressed to:

Kelan Lowney
Department of Justice
P.O. Box 160487
Sacramento, CA 95816-0487
Email: regulations@doj.ca.gov

All written comments received by 5:00 p.m. on November 6, 2018 that pertain to the documents that are being added to the rulemaking file will be reviewed and responded to by the Department's staff as part of the compilation of the rulemaking file. Please limit your comments to those items.

Assault Weapon Definitions
Materials Added to the Rulemaking File as of October 19, 2018
(OAL File No. Z-2017-1114-01)

The Department of Justice has added the following rulemaking document to the rulemaking file:

- Addendum to the Initial Statement of Reasons (October 19, 2018)

In addition, the following documents have been added to the rulemaking file pursuant to Government Code section 11347.1:

Century International Arms, Inc., “Owner’s Manual Yugo Model 59/66 Rifle, Cal. 7.62x39mm,” 2007. Page 5, “Operational Characteristics.”

Code of Federal Regulations, Title 27, section 479.11, Meaning of terms, “Firearms.”

Colt’s Manufacturing Company, Inc., “Operator’s Manual for: M16A2 Carbine, Commando 9mm SMG & M4 Carbine,” 1993. Pages 10 and 11, “Field Stripping”; page 14, “Field Stripping (cont.)” and page 34, “Maintenance (cont.)”

Heckler & Koch, Inc., “Heckler & Koch MP5 Submachine Gun Family Operator’s Manual,” version HKI-TD-4/92 (5/93). Page 15.

Oxford University Press, “The Oxford Essential Dictionary of the U.S. Military,” July 2001. Page 173, “grenade launcher.”

The PEOPLE, Plaintiff and Respondent, v. Daniel Patrick ROONEY, Defendant and Appellant. 17 Cal.App4th 1207, Court of Appeal, First District, Division 2, California.

SRM Arms, Inc., “Model 1216 Semi-auto 12 Gauge Shotgun Operating Instructions,” 2011.

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, All FFLs Jan 2015. Open Letter on the Redesign of “Stabilizing Braces.”

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “Are “80%” or “unfinished” receivers illegal?” <https://www.atf.gov/qa-category/receiver-blanks>, last reviewed April 27, 2018

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “Are some items being marketed as non-firearm unfinished or “80%” receivers actually considered firearms?” <https://www.atf.gov/qa-category/receiver-blanks>, last reviewed May 2, 2016.

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF National Firearms Act Handbook,” ATF E-publication 5320.8, Revised: April 2009. Page 5, “2.1.1 Shotgun”; page 6, Section 2.1 “Types of NFA firearms”; page 6, “2.1.3 Rifle”;

pages 7-9, “2.1.5 any other weapon”; page 19, section 2.1.9 “Unserviceable firearm”; page 67, section “10.1.5 DEWATS”; page 95, section “(c) Rifle”; pages 149-150, “ATF Rul. 95-3”; page 160, “Statutory Background 2. The Gun Control Act”; and page 166, “ATF Rul. 2004-5.”

US Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, Letter to Mr. Michael Faucette of Mark Barnes & Associates regarding “Adjustable Pistol Stabilizing Braces,” December 22, 2015.

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “FFL Newsletter,” August 1997, Volume 1. Page 3, “Assault Weapon Receivers.”

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “What is an “80%” or “unfinished” receiver?” <https://www.atf.gov/qa-category/receiver-blanks>, last reviewed May 14, 2015.

Woodard, W. Todd. “Shooter’s Bible Guide to Cartridges,” (2011). Page 8, “Action”; page 11, “Caliber”; and page 11, “Cartridge.”