

CALIFORNIA HANDGUN ROSTER

Under current law, no handguns can be produced, imported into or sold in California without passing required Department of Justice safety and functionality tests and being listed on the roster of handguns certified for sale in California.ⁱ There are exemptions for private party transfers, curio/relic handguns, certain single-action revolvers, and pawn returns.

As of March 1, 2017 there are 744 models on the roster. Of these, 495 are pistols. The certifications are valid for one year, subject to annual renewals. All models are scheduled to expire by Jan. 1, 2018.ⁱⁱ



CURRENT SITUATION

DOJ regulations state that if handguns are “modified in any way from those that are being sold after certification has been granted, that model will be immediately removed” from the roster.ⁱⁱⁱ Minor changes and enhancements are made throughout the manufacturing process for any product. Historically, firearms manufacturers could make minor enhancements to models already listed on the roster, and then submit the model to be re-tested by a DOJ certified laboratory to demonstrate the modified design continues to meet the state requirements. If the model passed the function and safety tests, it would continue to be listed on the roster.

However, now that the state’s microstamping law became effective May 2013, an enhanced model pistol now must be equipped with microstamping technology to remain on the roster and be available for sale in California.^{iv}

PROBLEMS WITH MICROSTAMPING TECHNOLOGY

The microstamping law requires firearms manufacturers to micro laser-engrave a gun’s make, model and serial number (termed the “firearm identification number”) on two distinct parts of each gun, including the firing pin so that, in theory, this information would be imprinted in two locations on the cartridge casing when the pistol is fired.

The regulations now require any manufacturers submitting a handgun for testing to provide a statement that the handgun’s complete firearm identification number can be identified on each cartridge casing. The DOJ-certified laboratory conducting the testing will also have to certify that the pistol’s complete identification number can be identified using a stereo zoom microscope to examine “each cartridge casing from each set of expended cartridge casings.”^v

However, no existing microstamping technology exists that

will reliably, consistently and legibly imprint in two locations the required identifying information by a handgun on the ammunition cartridge casing when the pistol is fired. As a result, each minor change made to an otherwise-compliant model will cause it to drop off of the roster. This serves as a disincentive to manufacturers to improve their products, lest they not be able to sell them in California. Making products better, more reliable, or otherwise improved — a normal part of the manufacturing process — should be encouraged.

ⁱ More specifically, since January 2001, no handgun may be manufactured within California, imported into California for sale, lent, given, kept for sale, or offered/exposed for sale unless that handgun model has passed firing, safety, and drop tests and is certified for sale in California by the Department of Justice.

ⁱⁱ <http://certguns.doj.ca.gov/> As of February 29, 2016.

ⁱⁱⁱ Cal. Admin. Code tit. 11, § 4059 (a)

^{iv} Cal. Pen. Code, § 31910, subd.(b)(7)(A)

^v Cal. Admin Code tit. 11 § 4060 (h)