

**INITIAL STATEMENT OF REASONS**  
**ADDENDUM**  
**[OAL File No. Z-2017-1114-01]**

The following addendum clarifies how the definitions in the proposed regulation were composed and adds documents relied upon that were inadvertently omitted from the Initial Statement of Reasons.

PURPOSE AND NECESSITY

The proposed regulation provides that the definitions of terms in section 5471 of the California Code of Regulations title 11, division 5, shall apply to the identification of assault weapons pursuant to Penal Code section 30515, for all purposes under the assault weapons law. Section 5471 provides the following definitions:

- (a) “Ability to accept a detachable magazine” means with respect to a semiautomatic shotgun, it does not have a fixed magazine.

To compose this term, the Department used the following sources: California Penal Code sections 30515(a) and 30900(b)(1).

- (b) “Action” means the working mechanism of a semiautomatic firearm, which is the combination of the receiver or frame and breech bolt together with the other parts of the mechanism by which a firearm is loaded, fired, and unloaded.

To compose this term, the Department used the following sources: Todd W. Woodard, “Shooter’s Bible Guide to Cartridges,” (2011), page 8, “Action.”

- (c) “Barrel” means the tube, usually metal and cylindrical, through which a projectile or shot charge is fired. Barrels may have a rifled or smooth bore.

To compose this term, the Department used the following sources: U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Rul. 2005-4.” Carl J. Truscott, Director, October 12, 2005, page 1, paragraph 3.

California Penal Code sections 17090 and 17190.

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification,” pages 19, 20, 21, 22, and 25.

U.S. Marine Corps, “US Marine Corps Technical Manual for Rifle, 5.56 mm, m16A2,” ArmaLite, Inc.” (1984), page 1-2, section “1-8. (E) Upper Receiver and Barrel Assembly,” and page 1-4, section “1-11. (E) Upper Receiver and Barrel Assembly.”

- (d) “Barrel length” means the length of the barrel measured as follows: Without consideration of any extensions or protrusions rearward of the closed bolt or breech-face the approved procedure for measuring barrel length is to measure from the closed bolt (or breech-face) to the furthest end of the barrel or permanently attached muzzle device. Permanent methods of attachment include full-fusion gas or electric steel-seam welding, high-temperature (1100°F) silver soldering, or blind pinning with the pin head welded over. Barrels are measured by inserting a dowel rod into the barrel until the rod stops against the closed bolt or breech-face. The rod is then marked at the furthest end of the barrel or permanently attached muzzle device, withdrawn from the barrel, and measured.

To compose this term the Department used the following sources: 27 C.F.R. section 479.11 Meaning of Terms, “Firearm.”

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification,” pages 21, 22, and 25.

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, pages 5 and 6.

- (e) “Bullet” means the projectile expelled from a gun. It is not synonymous with a cartridge. Bullets can be of many materials, shapes, weights, and constructions such as solid lead, lead with a jacket of harder metal, round-nosed, flat-nosed, hollow-pointed, et cetera.

To compose this term the Department used the following sources: National Rifle Association, “NRA Institute for Legislative Action Glossary,” December 6, 2016, page 2, definition of “Bullet.”

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification,” pages 15 and 17.

- (f) “Bullet-button” means a product requiring a tool to remove an ammunition feeding device or magazine by depressing a recessed button or lever shielded by a magazine lock. A bullet-button equipped fully functional semiautomatic firearm does not meet the fixed magazine definition under Penal Code section 30515(b).

To compose this term the Department used the following sources: California Penal Code sections 30515(b) and 30900(b)(1).

The knowledge and experience of the Department’s Bureau of Firearms staff.

- (g) “Bore” means the interior of a firearm’s barrel excluding the chamber.

To compose this term the Department used the following sources: National Rifle Association, “NRA Institute for Legislative Action Glossary,” December 6, 2016, page 2, definition of “Bore.”

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification,” pages 17, 19, 25, and 27.

- (h) “Caliber” means the nominal diameter of a projectile of a rifled firearm or the diameter between lands in a rifled barrel. In the United States, caliber is usually expressed in hundreds of an inch; in Great Britain in thousandths of an inch; in Europe and elsewhere in millimeters.

To compose this term the Department used the following sources: National Rifle Association, “NRA Institute for Legislative Action Glossary,” December 6, 2016, page 2, definition of “Caliber.”

Todd W. Woodard, “Shooter’s Bible Guide to Cartridges,” (2011), page 11, “Caliber.”

- (i) “Cartridge” means a complete round of ammunition that consists of a primer, a case, propellant powder, and one or more projectiles.

To compose this term the Department used the following sources: National Rifle Association, “NRA Institute for Legislative Action Glossary,” December 6, 2016, page 3, definition of “Cartridge.”

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification,” page 15.

Todd W. Woodard, “Shooter’s Bible Guide to Cartridges,” (2011), page 11, “Cartridge.”

- (j) “Centerfire” means a cartridge with its primer located in the center of the base of the case.

To compose this term the Department used the following sources: Frank C. Barnes, “Cartridges of the World,” 12th Edition, (2009), pages 7 and 8.

National Rifle Association, “NRA Institute for Legislative Action Glossary,” December 6, 2016, page 3, definition of “Centerfire.”

- (k) “Contained in” means that the magazine cannot be released from the firearm while the action is assembled. For AR-15 style firearms this means the magazine cannot be released from the firearm while the upper receiver and lower receiver are joined together.

To compose this term the Department used the following sources: the knowledge and experience of the Department's Bureau of Firearms staff, and California Penal Code section 30515(b).

(l) "Department" means the California Department of Justice. This is a standard definition throughout the California Code of Regulations, title 11, division 5.

(m) "Detachable magazine" means any ammunition feeding device that can be removed readily from the firearm without disassembly of the firearm action or use of a tool. A bullet or ammunition cartridge is considered a tool. An ammunition feeding device includes any belted or linked ammunition, but does not include clips, en bloc clips, or stripper clips that load cartridges into the magazine.

An AR-15 style firearm that has a bullet-button style magazine release with a magnet left on the bullet-button constitutes a detachable magazine. An AR-15 style firearm lacking a magazine catch assembly (magazine catch, magazine catch spring and magazine release button) constitutes a detachable magazine. An AK-47 style firearm lacking a magazine catch assembly (magazine catch, spring, and rivet/pin) constitutes a detachable magazine.

This term previously existed in the California Code of Regulations, title 11, division 5, section 5469, but the Department has expanded on it due to advancements of firearms technology available to the public.

To expand this term the Department used the following sources: California Penal Code section 30515.

(n) "Disassembly of the firearm action" means the fire control assembly is detached from the action in such a way that the action has been interrupted and will not function. For example, disassembling the action on a two part receiver, like that on an AR-15 style firearm, would require the rear take down pin to be removed, the upper receiver lifted upwards and away from the lower receiver using the front pivot pin as the fulcrum, before the magazine may be removed.

To compose this term the Department used the following sources: the knowledge and experience of the Department's Bureau of Firearms staff.

Colt's Manufacturing Company, Inc., "Operator's Manual for: M16A2 Carbine, Commando 9mm SMG & M4 Carbine," 1993, pages 10 and 11, "Field Stripping."

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, "Section 2.1 Types of NFA firearms," page 19, section "2.1.9 Unserviceable firearm," page 67, section "10.1.5 DEWATS," page 160, section "2. The Gun Control Act."

(o) "Featureless" means a semiautomatic firearm (rifle, pistol, or shotgun) lacking the characteristics associated with that weapon, as listed in Penal Code section 30515.

To compose this term the Department used the following sources: California Penal Code section 30515.

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

- (p) "Fixed magazine" means an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action.

To compose this term the Department used the following sources: California Penal Code section 30515(b).

- (q) "Flare launcher" means a device used to launch signal flares.

To compose this term the Department used the following sources: 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, pages 149-150, "ATF Rul. 95-3."

- (r) "Flash suppressor" means any device attached to the end of the barrel, that is designed, intended, or functions to perceptibly reduce or redirect muzzle flash from the shooter's field of vision. A hybrid device that has either advertised flash suppressing properties or functionally has flash suppressing properties would be deemed a flash suppressor. A device labeled or identified by its manufacturer as a flash hider would be deemed a flash suppressor.

This term previously existed in the California Code of Regulations, title 11, division 5, section 5469, but the Department has expanded on it.

To expand this term the Department used the following sources: National Rifle Association, "NRA Institute for Legislative Action Glossary," December 6, 2016, page 5, definition of "Flash Hider/Flash Suppressor."

- (s) "FMBUS" means a Firearm Manufactured By Unlicensed Subject.

This term was created entirely by the Department's Bureau of Firearms staff.

- (t) "Forward pistol grip" means a grip that allows for a pistol style grasp forward of the trigger.

This term previously existed in the California Code of Regulations, title 11, division 5, section 5469, and has not changed.

- (u) "Frame" means the receiver of a pistol.

To compose this term the Department used the following sources: Code of Federal Regulations, section 479.11.

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification”, page 17, “Pistol.”

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 160, section “2. The Gun Control Act,” page 166, “ATF Rul. 2004-5.”

(v) “Grenade launcher” means a device capable of launching a grenade.

To compose this term the Department used the following sources: Oxford University Press, “The Oxford Essential Dictionary of the U.S. Military,” July 2001, page 173.

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification”, page 27, “Destructive Device.”

(w) “Permanently attached to” means the magazine is welded, epoxied, or riveted into the magazine well. A firearm with a magazine housed in a sealed magazine well and then welded, epoxied, or riveted into the sealed magazine well meets the definition of “permanently attached to.”

To compose this term the Department used the following sources: “ATF Rul. 2005-4.” Carl J. Truscott, Director, October 12, 2005.

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, “2.1.3 Rifle,” page 21, “Section 2.5 Removal of firearms from the scope of the NFA by modification/elimination of components.”

(x) “Overall length of less than 30 inches” with respect to a centerfire rifle means the rifle has been measured in the shortest possible configuration that the weapon will function/fire and the measurement is less than 30 inches. Folding and telescoping stocks shall be collapsed prior to measurement. The approved method for measuring the length of the rifle is to measure the firearm from the end of the barrel, or permanently attached muzzle device, if so equipped, to that part of the stock that is furthest from the end of the barrel, or permanently attached muzzle device. (Prior to taking a measurement the owner must also check any muzzle devices for how they are attached to the barrel.)

To compose this term the Department used the following sources: The PEOPLE, Plaintiff and Respondent, v. Daniel Patrick ROONEY, Defendant and Appellant. 17 Cal.App4th 1207, Court of Appeal, First District, Division 2, California.

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification”, page 21, sections 5845(a)(1) 5845(a)(2); page 22, section 5845(a)(3) and 5845(a)(4); page 25; pages 29-30, sections 1 and 2; page 31, section 5; page 32, section 6.

- (y) “Pistol” means any device designed to be used as a weapon, from which a projectile is expelled by the force of any explosion, or other form of combustion, and that has a barrel less than 16 inches in length. This definition includes AR-15 style pistols with pistol buffer tubes attached. Pistol buffer tubes typically have smooth metal with no guide on the bottom for rifle stocks to be attached, and they sometimes have a foam pad on the end of the tube farthest from the receiver.

To compose this term the Department used the following sources: California Penal Code section 16530.

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

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification,” pages 17, page 18, and 25.

U.S. 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, entire letter.

- (z) “Pistol grip that protrudes conspicuously beneath the action of the weapon” means a grip that allows for a pistol style grasp in which the web of the trigger hand (between the thumb and index finger) can be placed beneath or below the top of the exposed portion of the trigger while firing. This definition includes pistol grips on bullpup firearm designs.

This term previously existed in the California Code of Regulations, title 11, division 5, section 5469, but we have expanded on it.

To expand this term the Department used the following sources: Graham Smith, Ian V. Hogg, “Military Small Arms 300 Years of Soldiers’ Firearms,” (1996), pages 166 and 227.

National Rifle Association, “NRA Institute for Legislative Action Glossary,” December 6, 2016, page 7, definition of “Pistol Grip.”

- (aa) “Receiver” means the basic unit of a firearm which houses the firing and breech mechanisms and to which the barrel and stock are assembled.

To compose this term the Department used the following sources: National Rifle Association, “NRA Institute for Legislative Action Glossary,” December 6, 2016, page 8, definition of “Receiver.”

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification,” pages 11 and 12, “Receiver.”

U.S. Marine Corps, “US Marine Corps Technical Manual for Rifle, 5.56 mm, m16A2,” ArmaLite, Inc.” (1984), page 1-2, sections “1-8. (E) Upper Receiver and Barrel Assembly,” and “(F) Lower Receiver and Buttstock Assembly. Page 1-4, sections “1-8. (E) Upper Receiver and Barrel Assembly,” and “(F) Lower Receiver and Buttstock Assembly.” Page 2-6, section “Organizational Preventive Maintenance Checks and Services Quarterly Schedule (Cont),” number 5.

(bb) “Receiver, lower” means the lower part of a two part receiver.

To compose this term the Department used the following sources: U.S. Marine Corps, “U.S. Marine Corps Technical Manual for Rifle, 5.56 mm, m16A2,” ArmaLite, Inc.” (1984), page 1-2, “1-8. (E) Upper Receiver and Barrel Assembly,” and “(F) Lower Receiver and Buttstock Assembly. Page 1-4, sections “1-8. (E) Upper Receiver and Barrel Assembly,” and “(F) Lower Receiver and Buttstock Assembly.”

(cc) “Receiver, unfinished” means a precursor part to a firearm that is not yet legally a firearm. Unfinished receivers may be found in various levels of completion. As more finishing work is completed the precursor part gradually becomes a firearm. Some just have the shape of an AR-15 lower receiver for example, but are solid metal. Some have been worked on and the magazine well has been machined open. Firearms Manufactured by Unlicensed Subjects (FMBUS) began as unfinished receivers.

To compose this term the Department used the following sources: 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 Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification,” page 4 section (2), page 7 section (e).

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.

(dd) “Receiver, upper” means the top portion of a two part receiver.

To compose this term the Department used the following sources: US Marine Corps, “US Marine Corps Technical Manual for Rifle, 5.56 mm, m16A2,” ArmaLite, Inc.” (1984), page 1-



2, “1-8. (E) Upper Receiver and Barrel Assembly,” and “(F) Lower Receiver and Buttstock Assembly. Page 1-4, sections “1-8. (E) Upper Receiver and Barrel Assembly,” and “(F) Lower Receiver and Buttstock Assembly.”

(ee) “Rifle” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

To compose this term the Department used the following sources: California Penal Code section 17090.

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification,” pages 19, 21, 22 and 25.

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 95, section “(c) Rifle.”

(ff) “Rimfire” means a rimmed or flanged cartridge with the priming mixture located in the rim of the case.

To compose this term the Department used the following sources: Frank C. Barnes, “Cartridges of the World,” 12th Edition, (2009), pages 7 and 8.

National Rifle Association, “NRA Institute for Legislative Action Glossary,” December 6, 2016, page 8, definition of “Rimfire.”

(gg) “Second handgrip” means a grip that allows the shooter to grip the pistol with their non-trigger hand. The second hand grip often has a grip texture to assist the shooter in weapon control.

To compose this term the Department used the following sources: 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 9.

(hh) “Semiautomatic” means a firearm functionally able to fire a single cartridge, eject the empty case, and reload the chamber each time the trigger is pulled and released. Further, certain necessary mechanical parts that will allow a firearm to function in a semiautomatic nature must be present for a weapon to be deemed semiautomatic. A weapon clearly designed to be semiautomatic but lacking a firing pin, bolt carrier, gas tube, or some other crucial part of the firearm is not semiautomatic for purposes of Penal Code sections 30515, 30600, 30605(a), and 30900.

(1) A mechanically whole semiautomatic firearm merely lacking ammunition and a proper magazine is a semiautomatic firearm.

(2) A mechanically whole semiautomatic firearm disabled by a gun lock or other firearm safety device is a semiautomatic firearm. (All necessary parts are present, once the gun lock or firearm safety device is removed, and weapon can be loaded with a magazine and proper ammunition.)

(3) With regards to an AR-15 style firearm, if a complete upper receiver and a complete lower receiver are completely detached from one another, but still in the possession or under the custody or control of the same person, the firearm is not a semiautomatic firearm.

(4) A stripped AR-15 lower receiver, when sold at a California gun store, is not a semiautomatic firearm. (The action type, among other things, is undetermined.)

To compose this term the Department used the following sources: the knowledge and experience of the Department's Bureau of Firearms staff.

California Penal Code sections 30315, 30600, 30605(a), and 30900.

National Rifle Association, "NRA Institute for Legislative Action Glossary," December 6, 2016, page 9, definition of "Semi-Automatic."

(ii) "Shotgun with a revolving cylinder" means a shotgun that holds its ammunition in a cylinder that acts as a chamber much like a revolver. To meet this definition the shotgun's cylinder must mechanically revolve or rotate each time the weapon is fired. A cylinder that must be manually rotated by the shooter does not qualify as a revolving cylinder.

To compose this term the Department used the following sources: Ian V. Hogg, John S. Weeks, "Military Small Arms of the 20th Century," 7th Edition, (2000), page 13 section 6: Revolver Systems."

SRM Arms, Inc., "Model 1216 Semi-auto 12 Gauge Shotgun Operating Instructions," 2011, entire manual.

(jj) "Shroud" means a heat shield that is attached to, or partially or completely encircles the barrel, allowing the shooter to fire the weapon with one hand and grasp the firearm over the barrel with the other hand without burning the shooter's hand. A slide that encloses the barrel is not a shroud.

To compose this term the Department used the following sources: California Penal Code section 30515(a)(4)(C).

(kk) "Spigot" means a muzzle device on some firearms that are intended to fire grenades. The spigot is what the grenade is attached to prior to the launching of a grenade.

To compose this term the Department used the following source: Century International Arms, Inc., “Owner’s Manual Yugo Model 59/66 Rifle, Cal. 7.62x39mm,” 2007, page 5, “Operational Characteristics.”

- (ll) “Stock” means the part of a rifle, carbine, or shotgun to which the receiver is attached and which provides a means for holding the weapon to the shoulder. A stock may be fixed, folding, or telescoping.

To compose this term the Department used the following sources: California Penal Code sections 17090 and 17190.

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

- (mm) “Stock, fixed” means a stock that does not move, fold, or telescope.

To compose this term the Department used the following sources: U.S. Marine Corps, “US Marine Corps Technical Manual for Rifle, 5.56 mm, m16A2,” ArmaLite, Inc.” (1984), pages 2-7, and 2-34.

- (nn) “Stock, folding” means a stock which is hinged in some fashion to the receiver to allow the stock to be folded next to the receiver to reduce the overall length of the firearm. This definition includes under folding and over folding stocks.

To compose this term the Department used the following sources: Graham Smith, Ian V. Hogg, “Military Small Arms 300 Years of Soldiers’ Firearms,” (1996), pages 164 and 165.

- (oo) “Stock, telescoping” means a stock which is shortened or lengthened by allowing one section to telescope into another portion. On AR-15 style firearms, the buffer tube or receiver extension acts as the fixed part of the stock on which the telescoping butt stock slides or telescopes.

To compose this term the Department used the following sources: Colt’s Manufacturing Company, Inc., “Operator’s Manual for: M16A2 Carbine, Commando 9mm SMG & M4 Carbine,” 1993, page 14, “Field Stripping (cont.)” and page 34, “Maintenance (cont.)”

- (pp) “Those weapons with an ammunition feeding device that can be readily removed from the firearm with the use of a tool” includes functional semiautomatic rifles, pistols, and shotguns with bullet-button style magazine releases. These weapons do not have a fixed magazine.

To compose this term the Department used the following sources: California Penal Code section 30900(b)(1).

- (qq) “Thumbhole stock” means a stock with a hole that allows the thumb of the trigger hand to penetrate into or through the stock while firing.

This term previously existed in the California Code of Regulations, title 11, division 5, section 5469, and has not changed.

- (rr) “Threaded barrel, capable of accepting a flash suppressor, forward handgrip, or silencer” means a threaded barrel able to accept a flash suppressor, forward handgrip, or silencer, and includes a threaded barrel with any one of those features already mounted on it. Some firearms have “lugs” in lieu of threads on the end of the barrel. These lugs are used to attach some versions of silencers. For purposes of this definition a lugged barrel is the same as a threaded barrel.

To compose this term the Department used the following sources: Heckler & Koch, Inc., “Heckler & Koch MP5 Submachine Gun Family Operator’s Manual,” version HKI-TD-4/92 (5/93), page 15.

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, “ATF Guidebook – Importation & Verification of Firearms, Ammunition, and Implements of War, Firearms Verification,” pages 11-12, section “D. Any destructive device.”

#### TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

In addition to the documents listed in the Initial Statement of Reasons, DOJ relied on information from the following sources when formulating the definitions in section 5471, which the proposed regulation shall apply to the identification of assault weapons pursuant to PC section 30515:

California Department of Justice, Bureau of Firearms used the collective knowledge and experience of staff in writing these regulations. Some of the staff involved with the creation of these regulations have testified in court as experts on subjects including firearms identification, assault weapons identification, short barrel rifle identification, and assault weapons registration.

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.

“The Oxford Essential Dictionary of the U.S. Military.” Berkley Books: New York, 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, “FFL Newsletter,” August 1997, Volume 1. Page 3, “Assault Weapon Receivers.”

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

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, “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, “What is an “80%” or “unfinished” receiver?” <https://www.atf.gov/qa-category/receiver-blanks>, last reviewed May 14, 2015.

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.”

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

**The following documents relied upon were previously noticed in the Initial Statement of Reasons. The specific portions of these documents relied upon are provided below:**

Barnes, Frank C. "Cartridges of the World," 12<sup>th</sup> Edition. Ed. Layne Simpson. Iola, WI: Gun Digest Books, 2009. Pages 7 and 8.

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