

PART D

WRITTEN COMMENTS SUBMITTED
DURING 45-DAY COMMENT PERIOD

#1
Conie
Robertson

Statement on October 23, 2000

SB-15 and Related Laboratory Certification and Handgun Testing Program

After attending a seminar at Redding Calif on Oct 11, 2000 , put on by a Dept of Justice employee and a member of the Attorney Generals staff, regarding the new firearms laws, I have become more concerned at the contents of Senate Bill 15, and the testing of handguns as it could have a serious financial impact on small business owners who are in the firearms business. When I read information on this bill and the required testing, I was amazed to see the statement that (the DOJ finds that the proposed regulation would not have any adverse impact on small businesses, thus no alternatives were identified).

What reasonable person would consider that any business that has items in their inventory, that they have in stock to sell to consumers, that are perfectly legal to sell one day, would be illegal to sell the next day, and would in fact cause the business owner to be classified as a criminal if those items were sold.

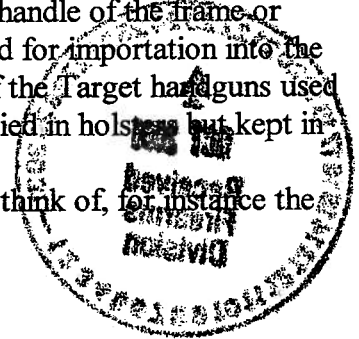
On questioning the DOJ on how many handguns had been tested I was unable to get a reasonable answer.

On the following day, Oct 12, 2000 I went to Senator Johannessen's office, and they went to their computer and there were only 15 handguns listed as being certified (see attached photo copy), Note: on Oct 18, 2000 I received a list from DOJ listing 45 handguns as certified.

Since there are many different handgun manufactures with different models and caliber's, it isn't unreasonable to assume that most handguns may not be tested by the January 1, 2001 cut off date. In addition to currently manufactured handguns, there are numerous makes and models of handguns that are no longer in production, and since the manufactures are required to pay a fee to have their guns tested, what incentive could a manufacturer have to pay to have such tests performed on their older models! In addition there are many specialized handguns for various types of competition, some of which are almost hand made and not in large quantities, consequently they are quite expensive and it is my understanding that these low volume custom manufactures do not even plan to submit their firearms for testing. What is the handgun competitor suppose to do, to continue staying competitive in his sport if he can't buy competitive handguns?

If a handgun dealer has any of these untested handgun in stock after January 1, 2001 it could cause a serious finacial hardship as legally he cannot sell them. This serious problem could be greatly reduced if Sec 12133 of SB-15 were amended to include not only Single Action Revolvers, but instead state Handguns that, (C) Has an overall length measured parallel to the barrel of at least 7 1/2 inches when the handle of the frame or receiver, and barrel are assembled and that is currently approved for importation into the United States or manufactured in the United States. As most of the Target handguns used in competition have 7 1/2 inch or longer barrels and are not carried in holsters but kept in wooden trays during use in competition events.

There are many more questions regarding this Bill that I can think of, for instance the



fact that SB-15 should be amended to allow Dealers a one year period of time to sell any handguns in their inventory that they had prior to the Jan 1. 2001 cutoff point, that do not meet the requirements of SB-15 to lessen the potentially devastating financial impact of SB-15 on small businessmen and women.

When SB-15 was passed, was any thought given to the entire new government bureaucracy that was created, and its additional expenses to the firearms manufactures and taxpayers, under the guise of preventing accidental deaths due to unsafe handguns!

I have enclosed some "Statistics on Firearm Deaths" taken from the, World Almanac for 2000, which is available at any public library. I have highlighted in yellow some of the latest accidental death statistics for firearms, and the latest numbers of accidental deaths in other major areas for comparison.

Since these figures are nation wide statistics, it would be interesting to require the State of California to produce statistics to show how many of the firearms deaths were in this state and of these, how many deaths the passage of SB-15 could have possibly prevented.

The point is the number of accidental handgun deaths that the implementing of SB-15 and the related testing will be so minuscule in relation to other accidental deaths, that any reasonable person has to question its legitimacy as valid safety legislation.

Mr. Polanco and the other legislators who voted for SB-15, ought to be ashamed at wasting important legislative time and taxpayers money on a bill that does so little for public safety as this bill does, there are many other causes of accidental death with a much greater toll of death that should, and could be addressed by the politicians to benefit public safety if that was their real intent. This bill is just another example of Pro -Crime legislation that penalizes law abiding citizens and businessmen under the guise of public safety and does nothing to prevent crime or criminals and little or nothing for public safety.

As a retired state employee and Peace Officer, I would like to state that I had to sign an Oath to protect the Constitution as a condition of my employment. I can only assume that all members of the state senate and assembly also are required to sign such an oath when they are sworn into office.

If so I would like to ask Mr. Polanco and all state Legislators who voted to enact SB-15

WHAT PART OF SHALL NOT INFRINGE, DO YOU NOT UNDERSTAND!

cc; Oct 12 - tested guns
cc; accidental death statistics from
World almanac 2000



Conie R. Robertson
P.O. Box 400
Junction City, Calif 96048

There are 15 matching records for ALL. This list is valid for Thursday October 12, 2000

Make	Model	Gun Type	Barrel Length	Caliber
STURM, RUGER & CO	MARK II	SEMI-AUTOMATIC	4.75	.22 Short/Long/Long Rifle rimfire cartridge family; also .22 Hornet,
STURM, RUGER & CO	MARK II COM	SEMI-AUTOMATIC	6.875	.22 Short/Long/Long Rifle rimfire cartridge family; also .22 Hornet,
STURM, RUGER & CO	MARK II TAR	SEMI-AUTOMATIC	5.5	.22 Short/Long/Long Rifle rimfire cartridge family; also .22 Hornet,
STURM, RUGER & CO	22/45 TARGET	SEMI-AUTOMATIC	4	.22 Short/Long/Long Rifle rimfire cartridge family; also .22 Hornet,
STURM, RUGER & CO	MARK II TAR	SEMI-AUTOMATIC	6.875	.22 Short/Long/Long Rifle rimfire cartridge family; also .22 Hornet,
STURM, RUGER & CO	MARK II GOV	SEMI-AUTOMATIC	6.875	.22 Short/Long/Long Rifle rimfire cartridge family; also .22 Hornet,
STURM, RUGER & CO	KSP321X	REVOLVER	2.25	.357 Remington Magnum, .357 Maximum, .357 AutoMag
STURM, RUGER & CO	KSRH7	REVOLVER	7	.44-40 Winchester, .44 Russian, .44 Special, .44 Remington Magnum, .
STURM, RUGER & CO	KSP331X	REVOLVER	3	.357 Remington Magnum, .357 Maximum, .357 AutoMag
STURM, RUGER & CO	KRH445	REVOLVER	5	.44-40 Winchester, .44 Russian, .44 Special, .44 Remington Magnum, .
STURM, RUGER & CO	GP141	REVOLVER	4	.357 Remington Magnum, .357 Maximum, .357 AutoMag
STURM, RUGER & CO	KSRH9	REVOLVER	9	.44-40 Winchester, .44 Russian, .44 Special, .44 Remington Magnum, .
STURM, RUGER & CO	KGP161	REVOLVER	6	.357 Remington Magnum, .357 Maximum, .357 AutoMag
STURM, RUGER & CO	GP161	REVOLVER	6	.357 Remington Magnum, .357 Maximum, .357 AutoMag
STURM, RUGER & CO	KGP141	REVOLVER	4	.357 Remington Magnum, .357 Maximum, .357 AutoMag

[Return to the DOJ Firearms Division web page](#)

#1 NEW YORK TIMES BESTSELLER

THE WORLD ALMANAC[®] AND BOOK OF FACTS

2000

MILLENNIUM COLLECTOR'S EDITION

SPECIAL SECTIONS: THE 20TH CENTURY IN PICTURES



Principal Types of Accidental Deaths in the U.S., 1970-98

895

Source: National Safety Council

Year	Motor vehicle	Falls	Poison (solid, liquid)	Drowning	Fires, burns	Ingestion of food, object	Firearms	Poison (gases)
1970	54,633	16,926	3,679	7,860	6,718	2,753	2,406	1,620
1980	53,172	13,294	3,089	7,257	5,822	3,249	1,955	1,242
1990	45,901	12,001	4,091	5,316	4,938	3,551	1,649	1,079
1991	46,814	12,313	5,055	4,685	4,175	3,303	1,416	748
1992	43,536	12,662	5,698	4,818	4,120	3,240	1,441	736
1993	40,982	12,646	6,449	3,542	3,958	3,182	1,409	633
1994	41,893	13,141	7,877	3,807	3,900	3,160	1,521	660
1995	42,524	13,450	8,309	3,942	3,986	3,065	1,356	685
1996 ¹	43,363	13,986	8,461	4,350	3,761	3,185	1,225	611
1997 ¹	43,649	14,986	8,872	3,959	3,206	3,206	1,134	638
1998 ²	42,400	15,300	8,400	3,800	4,000	3,100	1,100	600
1998 ²	41,200	16,600	8,400	4,100	3,700	3,200	900	600

Death rates per 100,000 population

Year	Motor vehicle	Falls	Poison	Drowning	Fires, burns	Ingestion of food, object	Firearms	Poison (gases)
1970	26.8	8.3	1.8	3.9	3.3	1.4	1.2	0.8
1980	23.4	5.9	1.4	3.2	2.6	1.4	0.9	0.5
1985	19.3	5.0	1.7	2.2	2.1	1.5	0.7	0.5
1990	18.8	4.9	2.0	1.9	1.7	1.3	0.6	0.3
1991	17.3	5.0	2.3	1.8	1.6	1.3	0.6	0.3
1992	16.1	5.0	2.5	1.4	1.6	1.2	0.6	0.2
1993	16.3	5.1	3.1	1.5	1.5	1.2	0.6	0.3
1994	16.3	5.2	3.2	1.5	1.5	1.2	0.5	0.3
1995	16.5	5.3	3.2	1.7	1.4	1.2	0.5	0.2
1996 ¹	16.5	5.6	3.3	1.5	1.4	1.2	0.4	0.2
1997 ¹	15.8	5.7	3.1	1.4	1.5	1.2	0.4	0.2
1998 ²	15.2	6.1	3.1	1.5	1.4	1.2	0.3	0.2

Note: There were 13,500 other accidental deaths in 1998; the most frequently occurring types involved medical and surgical complications, machinery, air transport, water transport (except drownings), mechanical suffocation, and excessive cold. (1) Revised figures. (2) Preliminary figures.

U.S. Motor Vehicle Accidents

Source: National Safety Council

Motor vehicle deaths in the U.S. decreased 3% in 1998 compared to 1997. Of the 185,500,000 licensed drivers in 1998, about 93.7 mil (50.5%) were men and 91.8 mil (49.5%) were women.

Male drivers were involved in more fatal accidents than female drivers in 1998. About 40,800 men and 15,300 women drivers were involved in fatal accidents.

About 12.7 mil male drivers and 8.6 mil female drivers were involved in all types of accidents in 1998. However, since males account for about 63% of the miles driven each year, according to the latest estimates, and females for 37%, women have higher accident involvement rates. At least part of the difference in accident involvement rates between men

and women may be due to differences in the time, place, and circumstance of driving experienced by both groups of drivers. Accident rates were 77 per 10 million miles driven for men and 90 per 10 million miles driven for women.

About 39% of all traffic fatalities in 1997 involved an intoxicated or alcohol-impaired driver or nonoccupant. Of these 16,189 alcohol-related traffic fatalities, an estimated 12,704 occurred in accidents in which a driver or nonoccupant was intoxicated, and the remainder involved a driver or nonmotorist who had been drinking but was not legally intoxicated. Alcohol was also a factor in about 7% of all traffic accidents, both fatal and nonfatal, in 1997. In 1987 alcohol-related fatalities accounted for 51% of all traffic deaths.

	Death total 1998	Percentage change from 1996	Death rate 1998 ¹	Death total 1998	Percentage change from 1996	Death rate 1998 ¹
All motor vehicle accidents	41,200	-3	15.2	4,100	-2	1.5
Collision between motor vehicles	19,500	-6	7.2	700	-13	0.3
Collision with fixed object	10,500	+2	3.9	400	0	0.1
Pedestrian accidents	5,900	0	2.2	100	0	(2)
Noncollision accidents						
Collision with pedalcycle						
Collision with railroad train						
Other collision (animal, animal-drawn vehicles)						

(1) Deaths per 100,000 population. (2) Death rate was less than 0.05.

Improper Driving Reported in Accidents, 1997-98

Source: National Safety Council

Type	Percentage of fatal accidents		Percentage of injury accidents		Percentage of all accidents	
	1997	1998	1997	1998	1997	1998
Improper driving	64.6	60.0	73.8	62.3	66.1	61.5
Drove too fast or unsafe	16.8	16.8	13.2	12.8	11.0	13.3
Drove off road or wrong way	15.0	16.0	22.2	21.9	16.8	18.4
Failed to yield	10.1	11.1	15.9	15.9	12.7	13.8
Passed stop sign	3.1	2.6	2.3	4.2	1.5	3.1
Disregarded signal	1.8	2.3	4.0	1.8	2.6	1.5
Drove left of center	7.5	7.3	2.1	1.7	1.5	1.6
Improper overtaking	1.1	1.2	0.8	0.6	1.1	1.0
Made improper turn	3.7	4.1	3.6	4.0	4.0	5.0
Followed too closely	1.2	0.5	11.3	4.3	10.5	5.4

Deaths in the U.S. Involving Firearms, by Age, 1996

Source: National Safety Council

	All ages	Under 5	5-14	15-24	25-44	45-64	65-74	75 & over
Total firearms deaths¹ . . .	33,750	88	604	8,697	13,292	6,341	2,345	2,38
Male	28,904	49	462	7,795	11,119	5,270	2,056	2,15
Female	4,846	39	142	902	2,173	1,071	289	23
Accidents	1,134	17	121	401	332	165	60	3
Male	1,004	11	108	370	288	141	53	3
Female	130	6	13	31	44	24	7	
Suicides	18,166	0	162	2,724	6,537	4,549	2,034	2,16
Male	15,808	0	129	2,424	5,549	3,857	1,831	2,01
Female	2,358	0	33	300	988	692	203	14
Homicides	14,037	68	311	5,428	6,270	1,562	235	16
Male	11,735	37	215	4,867	5,155	1,220	159	8
Female	2,302	31	96	561	1,115	342	76	8
Undetermined²	413	3	10	144	153	65	16	2
Male	357	1	10	134	127	52	13	2
Female	56	2	0	10	26	13	3	

(1) Figures exclude firearms deaths by legal intervention. These deaths totaled 290 in 1996. (2) "Undetermined" means that intention involved (whether accident, suicide, or homicide) could not be determined.

Home Accident Deaths in the U.S., 1950-98

Source: National Safety Council

Year	Total	Falls	Poison (solid, liquid)	Fires, burns ¹	Suffoc., ingesting object	Firearms	Suffoc., mechanical	Poison (gases)	All other
1950	29,000	14,800	1,300	5,000	(2)	950	1,600	1,250	4,100
1960	28,000	12,300	1,350	6,350	1,850	1,200	1,500	900	2,550
1970	27,000	9,700	3,000	5,600	1,800 ³	1,400 ³	1,100 ³	1,100	3,300
1980	22,800	7,100	2,500	4,800	2,000	1,100	500	700	4,100
1990	21,500	6,700	4,000	3,400	2,300	800	600	500	3,200
1991	22,100	6,900	4,500	3,400	2,200	800	700	500	3,100
1992	24,000	7,700	4,800	3,700	1,500	1,000	700	400	4,200
1993	26,100	7,900	6,000	3,700	1,700	1,100	700	500	4,500
1994	26,300	8,100	6,300	3,700	1,600	900	800	500	4,400
1995 ⁵	27,200	8,400	6,600	3,500	1,500	900	800	400	5,100
1996 ⁵	27,500	9,000	6,800	3,500	1,500	800	800	500	4,500
1997 ⁵	27,500	9,800	6,300	3,700	1,400	800	1,000	500	4,000
1998 ⁶	28,200	10,700	6,300	3,300	1,500	700	800	500	4,400

(1) Includes deaths resulting from conflagration, regardless of nature of injury. (2) Included under "All other" category. (3) Data this year and later not comparable with earlier data because of classification changes. (4) Includes about 1,000 deaths attributed to summer heat wave. (5) Revised figures. The National Safety Council adopted the count from the Bureau of Labor Statistics Census of Fatal Occupational Injuries for all work-related unintentional injuries, retroactive to 1992 data. (6) Data for 1998 are preliminary.

Worldwide Airline Fatalities, 1980-98

Source: National Safety Council

Year	Aircraft accidents ¹	Passenger deaths	Death rate ²	Year	Aircraft accidents ¹	Passenger deaths	Death rate
1980	22	814	0.14	1990	22	440	0.0
1981	21	362	0.06	1991	25	510	0.0
1982	26	764	0.13	1992	25	990	0.0
1983	20	809	0.13	1993	31	801	0.0
1984	16	223	0.03	1994	24	732	0.0
1985	22	1,066	0.15	1995	22	557	0.0
1986	17	331	0.04	1996	22	1,132	0.0
1987	24	890	0.10	1997 ³	27	930	0.0
1988	25	699	0.08	1998 ⁴	22	909	0.0
1989	27	817	0.08				

(1) Involving 1 or more fatalities only. (2) Passenger deaths per 100 mil passenger mi. (3) Revised. (4) Preliminary.

Cost of Unintentional Injuries in the U.S., 1998

Source: National Safety Council, estimates

The cost of . . .	is equivalent to . . .
. . . all injuries ¹ (\$480.5 bil)	58 cents of every dollar paid in 1998 federal personal income taxes or 59 cents of every dollar spent on food in the U.S. in 1998.
. . . motor vehicle accidents (\$191.6 bil)	purchasing 840 gallons of gasoline per registered vehicle in the U.S. or more than 19 times greater than the combined profits reported by Exxon, Mobil, and Chevron in 1998.
. . . work injuries (\$125.1 bil)	45 cents of every dollar of 1998 corporate dividends to stockholders or 17 cents of every dollar of 1998 pre-tax corporate profits.
. . . home injuries (\$113.5 bil)	an \$89,300 rebate on each new single-family home built in 1998 or 52 cents of every dollar of property taxes paid in 1998.
. . . public libraries?	a \$6.9 million grant to each public library in the U.S.

California Sporting Goods Association

5800 Bluff St.
Norco, Ca. 91760



Date: October 17, 2000

To: Mr. George Scarborough, Manager
Department of Justice, Firearms Division
P.O. Box 160487
Sacramento, CA 95816-0487

Subject: Adoption of Permanent Regulations pursuant to
Penal Code Sections 12125-12133

Gentlemen/Ladies,

At our recent membership conference the primary topic of mutual concern for a large number of our members was the overall effect that SB15 (P.C. Section 12125-12133) and its regulatory impact will have on wholesalers and retailers involved in the shooting sports in the state of California. While the language of the bill in certain areas leaves little room for interpretation, in others it seems to us quite nebulous. For this reason we provide the following questions for your consideration and timely response:

- 1). In recent public information sessions provided by the Department of Justice we were told that dealers could do consignment sales of handguns not carried on the posted D.O.J. list. Given the Language of the Bill how would this work? How would the dealer promote this product? Does this mean that third party transfers of unposted guns would be acceptable?
- 2). Can California Firearms Dealers and Wholesalers continue to buy and resell handguns not posted on the D.O.J. list as long as their sales are outside the state of California advertised on the internet and through trade publications? If not, how does the state intend to reimburse the wholesalers and dealers within the state who find themselves invested in thousands of dollars worth of illegal handguns? We have been told that pawnbrokers can market outside the state.
- 3). How will Law Enforcement and security agencies dispose of their old firearms inventories since this is usually accomplished through the stocking gun dealers and wholesaler? (Examples: STW Mod 4506, and Colt Series 70 Gov't Model).
- 4). Since Curios and relics are exempt what will be the D.O.J. decision on prohibited handgun models that straddle the 50 year mark? Will the department publish the serial number ranges of the individual models that have now become curios and relics because they are 50 years old?
- 5). We have been told that firearms dealers who are collectors will not be able to sell any of their handgun collection that doesn't appear on the D.O.J. list. How does he realize a return on his investment? Does the state of California intend to purchase this collection or reimburse this dealer for his loss of value?

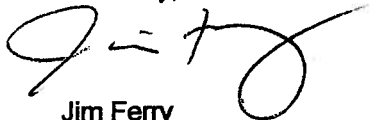
- 6). We need clarification on the section that deals with "what constitutes a model change." Many of our members are gunsmiths or offer gunsmithing services and are greatly concerned over this section. Does the installation of Trijicon sights constitute a model change? Does the fitting and installation of a compensated barrel to a competition handgun constitute a model change? Does the installation of a laser sight to a handgun constitute a model change? Please explain the meaning of the word "oiling" as it is related to the finish of a gun under the heading of "what constitutes a model change".
- 7). Since obsolete models of Smith & Wesson and Colt handguns are in law enforcement service all over the state of California, and since these models will not be submitted for testing, how does a factory warranty and service center provide repairs and service on these models?
- 8). Since our membership sees the future need for on going clarification of technical points on this bill who in your organization is qualified to provide that service? On reviewing the first list of accepted handguns on the D.O.J. website many glaring errors were noted, (e.g., Ruger Mark II pistol in caliber 22 hornet; Ruger GP100 in caliber 357 maximum; Ruger Super Redhawk in caliber 44/40). You can understand our concerns.

These are but a few of our members questions. We foresee many more as January 1st approaches.

Our organization supports any legislation that reasonably guides any industry into building safe products. However, bills such as SB15 which are basically retroactive in nature would be like the department of motor vehicles outlawing automobiles from the 1980's because they did not meet current criteria for safety by having front and side mounted airbags. Our current estimates are that 50 percent or more of the marketable handguns will become prohibited. Many of our members see this as a "restriction of trade" issue as well as a "personal property" issue since the demographics demonstrating a need for this legislation simply do not exist. One needs only to look at the current national safety council findings. Firearms accidents related to safety issues are statistically insignificant.

In closing we ask you to register our opposition to this legislation and to provide, at your earliest convenience, answers to our queries. Please consider consulting with us on any future legislation of this nature.

Sincerely,



Jim Ferry
President



41

Senate Bill 15 Flaws

First Problem. It requires that all handguns, regardless of when manufactured, to pass the safety test. It does not state that handguns manufactured after the enforcement date of January, 2001 must comply. But, that all must comply. This would effectively ban any handgun that is not still in production by a major gun manufacturer. Meaning the used gun market would cease to exist. Since part of the safety testing requires 3 samples of the firearm to be certified, it is not likely that anyone can or will submit 3 exact firearms of a handgun that is out of production.

First Problem Solution. I would propose that only handguns manufactured after January 1, 2001 be subjected to the new testing requirements. This also eliminates the problems with the state violating Ex Post Facto laws (US Constitution Article I Section 10, "no state shall pass any ex post facto law").

Second Problem. The requirement that 3 samples of a firearm be submitted to the laboratories for testing is an excessive cost. Assuring that private parties interested in certifying firearms will most likely not do so. Also, the \$200.00 continued annual fee is excessive. Once a gun is approved and on the list, there is should be no cost in keeping it on the list.

Second Problem Solution. Only one gun should have to be provided for testing. Provisions for individuals to get guns certified should be taken into consideration on both cost and requirement. The continued yearly fee of \$200.00 for leaving a firearm on the list is not justified and should be eliminated

Third Problem. The testing procedures are crude and elementary. Dropping a firearm on the cement is certainly not an efficient means of testing for accidental discharge. This also assures the eventual destruction of the firearm. The person who wrote this elementary procedure obviously has no engineering or mechanical skill background.

Third Problem Solution. As a result of lawsuits or potential lawsuits, all firearms manufacturers test and improve their firearms constantly to guard against accidental discharge. Virtually all handguns have firing pin blocks, preventing any discharge except deliberate. The manufacturers research, which far exceed dropping upon cement slabs, should be accepted in lieu of drop testing.

Fourth Problem. The requirement that semi-autos "have a positive manually operated safety device" is not a good requirement. This would require gun manufacturers to turn back the clock on firearm design. The need for a manually operated external safety is not necessary.

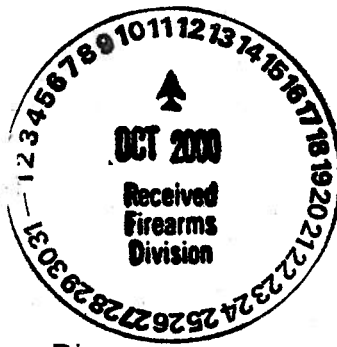
Fourth Problem Solution. All semi-auto gun manufacturers have taken great strides in making a semi-auto work the same as a revolver. Changing external safeties to internal safeties. Most of the changes have been at the requests of law enforcement. Wanting to transition from revolvers to semi-autos and needing the firearms to work in a similar fashion. External manual safeties on semi-autos are not an indication of whether a firearm is safe.

Fifth Problem. The DOJ's Laboratory Certification and Handgun Testing Programs Initial Statement of Reason states 28 times that the proposed regulations would have NO adverse impact on small businesses in California, so no alternatives were considered. Currently, there are well over 500 makes and models of handguns that a gun dealer can sell in the state of California. As currently posted on the DOJ website, there are only 15 guns approved so far that can be sold next year. Of course, there will be more approved, but no where near what is currently available.

Fifth Problem Solution. It is painfully obvious, that gunshops will suffer financially by this new law. There should be alternatives to this law. One alternative would be to look at California gunshop's sales figures. If their sales decrease 10% or more during the first 3 months of this new law, then the law should be declared to much of a financial burden upon the industry and be discarded until a better law is crafted. Gunshops should not be allowed to go out of business, since they do form the state's first line of gun law enforcement. Example; gun registration, private party transfer, basic firearms safety certificates, gun safety warnings, gun locks, etc etc. Dealers conduct the only legal gun transactions in the state. You certainly don't want to create a blackmarket by eliminating them.

Gary Boucher, President

Gun Country, Inc.
2053 Yosemite Blvd
Modesto, CA 95354



405 Imperial Av.
Ventura, CA 93004-1150
October 5, 2000

California Dept of Justice, Firearms Div.
P.O. Box 160487
Sacramento, CA 95816-0487

Attn: George Scarborough, Manager

Subj: Proposed regulations to implement penal code sections 12125-12133

Sir:

I will appreciate your consideration of the following described deficiencies of the proposed regulations:

1. The §968.20(p) definition of "revolver" is defective. **Chambers** are not **discharged**.
2. The §968.32(b)(2)(A) and §968.44(d)(1) specifications of drop-test drop height are not in conformance with the law, which says the drop height shall be "1m + 1cm" (39.4 + 0.4 in.). In accordance with the national (and ISO) standard for dimensioning and tolerancing, lack of a specification for a lower limit means that there is **no** lower limit. Therefore the specification in the law means 0 to 1.01m., not 1.00m to 1.01m. If the legislature had meant "1m +1cm - 0cm" it surely would have written the law this way since doing it would have been easy to do and they obviously understood what they were voting for and wouldn't vote for something that did not say what they meant. Nor would the governor have approved something not understood or acceptable to him.
3. The §968.32(b)(2)(B) and §968.44(d)(1) specifications for placement of the concrete slab are not in conformance with the law, which does not specify that the concrete slab "shall rest upon a firm surface." The legislators would not have voted on something they didn't understand, and would have specified "on a firm surface" if that's what they meant. Nor would the governor have approved something not understood or acceptable to him.

4. The §968.44(b)(2) specification about "the safety device" is ambiguous because it refers to "the standards promulgated by the BATF," with no specific identification of such standards. The regulation is also deficient because it doesn't clarify the penal code reference to such standards in relation to the "manually operated safety device." The BATF promulgates many "standards." The regulation should refer to the specific standard(s) applicable, by title, date, and document number. Surely the legislature did not vote for a bill in the absence of specific knowledge about any regulations referenced in the bill. Nor would the governor have approved the law without specific information about the "standards" to be incorporated by reference. Surely, too, the legislature and governor didn't intend that the BATF would be free to make California law without even having to put the provisions in the Code of Federal Regulations.

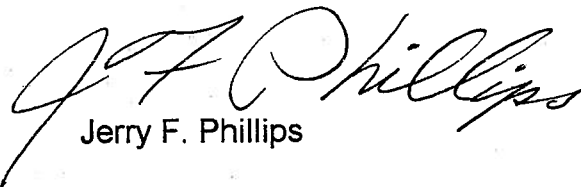
5. The §968.44(d)(1) requirement about the orientation of the concrete slab is not in conformance with the law. The legislators would not have voted on something they didn't understand, and would have specified "the face of the slab shall be perpendicular to the direction of the drop" if that's what they meant. Nor would the governor have approved something not understood or acceptable to him.

6. The §968.44(d)(5) requirement to fire the primer of the test case is not in conformance with the law. The legislators would not have voted on something they didn't understand. If they had intended to require firing of the primers, they would have specified that the primer must be fired and that an unused primed case be used for the next test drop; and they would **not** have specified examination of primers for indentations. Nor would the governor have approved something not understood or acceptable to him. If they had intended that the primers be fired, there would have been no reason for them to require examination of the primers for indentations.

7. §968.91 is not in conformance with the law, which has no requirement for doing anything to keep a handgun on the roster after its being placed there. The establishment of application for renewal as a means of capturing fees for maintaining the roster is not warranted because the renewal application processing is the only thing that would generate costs in relation to maintaining the roster. That is, the scheme is to require renewal application only to generate costs to justify the fees that would be charged for renewal. Once a handgun is listed on the roster, there is no cost involved in leaving the listing alone.

8. §968.95 is not in conformance with the law [pc12131(b)(1)]. The law is quite specific in requiring that the costs for roster production and maintenance be recovered by collecting an annual fee from: every person in the state who is a federally licensed firearm manufacturer (whether or not the person sells any firearm in California), **and** any person in the state who manufactures handguns, imports handguns, sells handguns, or offers handguns for sale. The legislators would not have voted on something they didn't understand. If they had intended to require charging only the manufacturers and importers that apply for inclusion on the roster, they would have specified so--and this would have been much easier for them to do than what they actually approved. Nor would the governor have approved something not understood or acceptable to him.

Thank you,



Jerry F. Phillips



STURM, RUGER & Company, INC.

LACEY PLACE

SOUTHPORT, CONNECTICUT 06490 U.S.A.

TELEPHONE: (203) 259-7843 FAX: (203) 259-6688

October 13, 2000

George Scarborough, Manager
Department of Justice, Firearms Division
P.O. Box 160487
Sacramento, CA 95816-0487

Re: Department of Justice Proposal to Adopt Sections 968.10 Thru 968.95 in Title 11, Division 1, Chapter 12.4 of the California Code of Regulations (Laboratory Certification and Handgun Testing Programs)

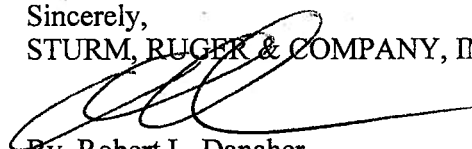
Dear Mr. Scarborough:

I am writing to express this Company's concern that these proposed regulations do not appear to take into consideration the fact that California Penal Code section 12133 specifically exempts certain single-action revolvers from the requirements for testing and certification of handguns.

To avoid any potential confusion, we suggest inserting in proposed Section 968.43, paragraph (a), the phrase "**except for those single-action revolvers exempted by Penal Code Section 12133**" following the phrase "or offered or exposed for sale."

Thank you for your consideration of this suggestion.

Sincerely,
STURM, RUGER & COMPANY, INC.



By, Robert L. Danaher
Assistant General Counsel

RLD/ers

cc: Stephen L. Sanetti, Esq.

October 18, 2000



George Scarborough
California Department of Justice
Fire Arms Division
P. O. Box 160487
Sacramento, CA 95816-0487

RE: Laboratory Certification and Hand Gun Testing

I am very concerned about the obvious attempt to eliminate hand gun ownership in California. These tests lack continuity in determining any measure of safety other than eliminating handgun purchases.

Facts:

- (1) The length of a barrel doesn't require a separate test of the same model, other than as a fund raising tactic by the department to determine its safety.
- (2) Testing a gun made of stainless versus one of alloy steel is ridiculous. You test the lesser only in this. This is another play to make the situation so expensive as to drive out the handgun manufacturers of our state.
- (3) Why is the drop test so much more difficult than any of the other drop tests. Purposely to eliminate all small frame handguns.
- (4) The D.O.J. currently is not responding well to guns already tested, talking to a manufacturers rep. He said they have a number of guns already tested and passed (they have been told) but can't get the necessary paperwork to allow these tot be sold after the regulations goes in effect.
- (5) Current costs are somewhere between 1200 and 2000 per gun, we are told. After the first go round when the usual things come to pass. How high will the cost of the regulation go.

I am sure you must know these costs will be passed on to the consumer making it even more difficult for those who most need home protection (those living in low income areas) being least able to afford it. Since it's a fact that more people are injured on bicycles, swimming pools, in and by cars, bathtubs, step ladders and in hospitals and by doctors, why are guns singled out. I guess we all know the answer.

If you have a shred to honesty you will ;make this regulation one that the gun manufacturers who have made a product to a higher standard not lose the California market and leave our citizens unprotected.

Submitted by,

A handwritten signature in cursive script that reads "Steven J. Baker".

Steven J. Baker
Concerned Citizen