

**DEPARTMENT OF CONSUMER AFFAIRS
BUREAU OF SECURITY & INVESTIGATIVE SERVICES**

PROPOSED LANGUAGE

Amend Sections 631, 631.1, 633, and 635 and Adopt Section 635.1 of Division 7 of Title 16 of the California Code of Regulations as follows:

§ 631. Requirements for Carrying or Use of Firearms or Simulated Firearms Definitions.

~~(a) A registered employee shall not carry, use or possess a loaded or unloaded firearm in the performance of his or her duty, whether or not it is serviceable or operative, unless he or she has in his or her possession a firearms qualification card issued to him or her by the chief. Such card must be shown to any peace officer or bureau representative upon demand.~~

~~(b) A registered employee may not carry any replica or other simulated firearm.~~

For the purposes of this article, the following definitions shall apply:

(a) "Firearm Simulator" is defined as any equipment and/or technology used by a Bureau-certified Firearm Training Facility that meets all the following:

(1) Provides a realistic imitation of the operation of an actual firearm including the weight, recoil, action, flash and sound of a firearm at discharge and is utilized to meet the range qualification requirements specified in Section 633;

(2) Has the ability to match the caliber of the actual firearm the individual is qualifying to carry; and

(3) Has the ability to simulate the actual loading and reloading of an actual firearm.

(b) "Traditional Classroom Instruction" is defined as instruction where the instructor is physically present with students in a classroom, or on a firing range, and is available to answer student's questions while providing the required training. The instructor provides demonstrations and hands-on instruction in order to establish the student's proficiency of the course content.

(c) "Non-Traditional Instruction" is defined as instruction that includes, but is not limited to:

(1) The use of internet courses, distance learning, e- learning, or virtual classrooms; and

(2) The use of videos or media based training modules without in-person instructors.

(d) "Firing Range" or "Firearm Range" is defined as an indoor or outdoor facility that permits the lawful discharge of live ammunition from a firearm for the purposes of practice and qualification shooting.

(e) "Live Ammunition" is defined as a cartridge containing both a primer and bullet capable of being fired by a firearm.

(f) "Range Qualification" is defined as the completion of the course of fire with a passing score as prescribed in Sections 633 and 635.

(g) "Initial Range Qualification" is defined as the first range qualification completed during the firearms training course for the purposes of obtaining a Firearms Permit for the first time by any applicant.

Note: Authority cited: Sections 7515, 7581 and 7591.26, Business and Professions Code. Reference: Sections 7542, 7583.5, 7583.12, 7583.22, 7583.23, 7583.32, 7585, 7585.6, 7596, 7596.3 and 7596.7~~7599.40~~, Business and Professions Code; and Section 26030, Penal Code.

§ 631.1. ~~Allowing the Possession of Carrying or Use of a Firearms Permit.~~

~~(a) A private patrol or alarm company operator shall not allow an employee to carry or use a loaded or unloaded firearm, whether or not it is serviceable or operative, unless such employee possesses a firearms qualification card.~~

~~(b) A private patrol or alarm company operator may not allow an employee to carry any replica or other simulated firearm.~~

A firearms permit holder must carry his or her valid Bureau-issued Firearms Permit on his or her person at all times while carrying a firearm in the course of his or her duties. The permit must be shown to any peace officer or Bureau representative upon demand.

Note: Authority cited: Sections 7515, 7581 and 7591.26, Business and Professions Code. Reference: Sections 7542, 7583.312, 7596.3 and 7597.1 and 7599.40, Business and Professions Code; and Section 26030 Penal Code.

§ 633. ~~Bi-Annual~~Biennial Renewal of Firearms Permit ~~Qualification Card~~.

- ~~(a) A firearms qualification card expires two years from the date of issuance, if not renewed. A person may renew a firearms qualification card by filing an application within 60 days prior to the card's expiration.~~
- ~~(b) An applicant shall complete and pass the range qualification course of fire requirements by firing 50 rounds for score on two separate occasions, but no sooner than four months apart, within each year prior to the card's expiration.~~
- ~~(ba) An applicant shall complete and pass a the review training course as set out below on the laws and standards regarding use of deadly force, and on the avoidance of deadly force, and de-escalation of force, as provided in this section. Two hours of the review course All required classroom Training shall be completed prior to ~~completing~~ attempting each a range qualification course of fire. ~~The t~~Training regarding use of deadly force and the avoidance of deadly force may shall be administered by a ~~Private Patrol Operator or a person designated by the licensee to administer the Powers to Arrest training. The training can also be conducted by a licensed Bureau-approved~~ Bureau-approved Firearms Training Facility and shall be administered through traditional classroom instruction utilizing a Bureau-approved Firearms Training Instructor.~~

Review Training Outline

Subject and Objective

Length of Time

A. Laws and standards regarding use of deadly force.

1 hour

Objective: to familiarize and instruct individual on the meaning of deadly force, the standards for using deadly force, the applicable laws relating to the use of deadly force and the consequences of not properly using deadly force or violating the standards and requirements for use of a weapon.

1. Penal Code sections
2. Government Code sections
3. Bureau statutes and regulations
4. Instructor examples

B. Avoidance of deadly force-The de-escalation of force.

1 hour

Objective: to familiarize and instruct individual on the role of the armed security guard, the role that deadly force may play and when and how to de-escalate the use of deadly force.

- (b) The permit holder shall complete the range qualification by firing fifty (50) rounds for score;
- (1) On two (2) separate occasions, at least four months apart, within each twelve-month period before the permit expires;
 - (2) At least one (1) range qualification must be completed with live ammunition within each twelve-month period;
 - (3) Permit holders must complete each required range qualification for each caliber of firearm listed on the permit;
 - (4) Scoring: Silhouette targets as described in section 635.1 shall be used. A 5 point score shall be granted for each round discharged inside of the seven (7) ring (center mass). Each individual shall qualify with an 80% score (200 out of 250 points) on the scoring segment. Each individual shall be informed whether his or her score passes or fails.

<u>Course of Fire</u>		
<u>Stage 1</u>	<u>15 yards</u>	<u>6 rounds in 30 seconds</u> <u>*6 standing position</u>
<u>Stage 2</u>	<u>7 yards</u>	<u>14 rounds in 45 seconds (includes 2 reloads)</u> <u>(load 6, 6 and 2)</u>
<u>Stage 3</u>	<u>7 yards</u>	<u>6 rounds in 10 seconds (any position)</u>
<u>Stage 4</u>	<u>7 yards</u>	<u>12 rounds in 25 seconds (includes reload)</u> <u>(load 6 and 6)</u> <u>*6 strong hand unsupported</u> <u>(reload and switch hands)</u>
<u>Stage 5</u>	<u>5 yards</u>	<u>6 rounds</u> <u>*3 rounds in 4 seconds (2 stages)</u>
<u>Stage 6</u>	<u>3 yards</u>	<u>6 rounds</u> <u>*2 rounds in 3 seconds (3 stages)</u>

(c) ~~An~~ The application for the renewal of a firearms permit-qualification card shall include the following proof and information:

- (1) Certification or documentation from each Bureau-approved Firearms Training Facility and by each Bureau-approved Firearms Training Instructor that the applicant has completed and passed the each range qualification course of fire requirements on two separate occasions within each year prior to the card's expiration. Each Bureau-approved Firearms Training Instructor administering the range qualification must certify under penalty of perjury the method (live ammunition or firearm simulator) in which each range

qualification was completed and provide a signed copy of the requalification documentation to the applicant.

- (2) Certification or documentation from each Bureau-approved Firearms Training Facility and by each Bureau-approved Firearms Training Instructor that the applicant has completed the review course prior to each range qualification, as outlined below:

(ed) A Reserve Peace Officer is exempt from the firearms requalification requirements providing he/she submits documentation of firearms proficiency provided by the Law Enforcement entity with which he/she is associated, with their proof of renewal. This documentation must be submitted with the request for renewal of the ~~exposed~~ firearms permit.

Note: Authority cited: SB 1713, Hart (Chapter 1091, Statutes of 1994), chapter 1091; and Sections 7515, 7581 and 7591.26, Business and Professions Code. Reference: Sections 7542, 7583.32, 7596.7 and 7599.40, Business and Professions Code.

§ 635. Course of Firearms Training Course.

(a). Applicants for an initial firearms permit shall complete classroom training, as outlined below, related to the use of firearms and successfully complete an examination. Classroom training shall be conducted through traditional classroom instruction and administered by a Bureau-approved Firearms Training Instructor at a Bureau-approved Firearms Training Facility. The course of training in the carrying and usage of firearms required of applicants to obtain a firearm qualification card shall follow the standards prescribed by the Department of Consumer Affairs. Pursuant to Section 7585 of the Business and Professions Code ~~†~~ The following outline includes the minimum subjects which shall be taught and the minimum length of time which shall be devoted to each subject. Firearms training shall be completed before range training and before any attempt at range qualification.

FIREARMS TRAINING OUTLINE

Recommended Instruction Sequence

Subject and Objective	Length of Time
I. Registration (Classroom)	
A. Administration.	½ hour
Objective: to enroll individual in course.	

1. Check individual identification
2. Check ~~guard~~ Bureau registration status
- ~~3. Have state forms filled out~~
- ~~4. Have training school forms filled out~~
- ~~5~~3. Course admission and discussion

B. Laws and regulations for issuing a firearms permit-qualification card ½ hour

Objective: to familiarize and instruct the individual on the laws, regulations, other requirements, and the administrative process for issuing a firearms permit qualification card and annual renewals.

II. Moral and Legal Aspects (Classroom)

A. Laws regarding possession and carrying of firearms. ½ hour

Objective: to familiarize and instruct the individual on the applicable ~~California~~ laws relating to the possession and carrying of firearms while working as an armed security guard.

1. Penal Code sections
2. Government Code sections
3. Bureau statutes and regulations
4. Instructor examples

B. Laws and standards regarding use of deadly force. 2 hours

Objective: to familiarize and instruct the individual on the meaning of deadly force, the standards for using deadly force, the applicable laws relating to the use of deadly force and the consequences of not properly using deadly force or violating the standards and requirements for use of a weapon.

1. Penal Code sections
2. Government Code sections
3. Bureau statutes and regulations
4. Instructor examples

C. Avoidance of deadly force - The de-escalation of force. 2 hours

Objective: to familiarize and instruct individual on the role of the firearms permit holder ~~armed security guard~~, the role that deadly force may play and when and how to de-escalate the use of deadly force.

D. Shooting incidents. 1 hour

Objective: to familiarize and instruct individual on what is likely to happen in a shooting incident and how an firearms permit holder ~~armed security guard~~ should act to minimize the use of deadly force.

E. Effects of firearms use. ½ hour

Objective: to familiarize and instruct individual on how and why bullets travel and what implications this has on the use of deadly force.

III. Firearms Nomenclature, Maintenance (Classroom)

A. The revolver and semi-automatic, ammunition, parts and nomenclature. 1 hour

Objective: to familiarize and instruct individual on the principles and operation of weapons, the differences between weapons and how to care for a weapon.

1. Picture of revolver and semi-automatic with parts identified.
2. Revolver and semi-automatic, parts and description.
3. Picture of ammunition with parts identified.
4. Ammunition parts and description.

B. Firearms safety, general. 1 hour

Objective: to familiarize and instruct individual on how to safely fire, wear and store the weapon while on the firing range, or on duty or off duty.

1. General safety rules.
2. Specific safety rules.
3. Safety at home and off duty.
4. Transporting the weapon to the range.
5. Carrying the weapon on duty.
6. Suggested eye and ear protective equipment.
7. Inspection, cleaning, and maintenance
 - a. General information
 - b. Inspection
 - c. Cleaning
 - d. Cleaning kit
 - e. To clean the weapon
 - f. Checklist

IV. Weapon Handling and Shooting Fundamentals 1 hour

Objective: to familiarize and instruct individual on the fundamentals of marksmanship and the handling of weapons.

A. Weapon fundamentals, general differences between handguns

B. Loading/Unloading

1. Proper loading procedures
2. Proper loading procedures (right handed)
3. Proper unloading procedures (right handed)
4. Proper loading procedures (left handed)
5. Proper unloading procedures (left handed)
6. Loading devices

C. Proper positions

1. Point shoulder position
2. Standing, barricade or supported position
3. Kneeling position
4. Sitting position
5. Prone position
6. Cover and concealment
7. Bouncing bullets

D. Grip

1. Two-handed grip

E. The Draw

1. General information
2. The holster and the draw

F. Shooting Fundamentals

1. Sight alignment
2. Trigger squeeze (control)
 - a. Single action
 - b. Double action
 - c. Count your shots
 - d. Anticipation

- e. Dry firing
- 3. Establishing the Dominant Eye

V. Examination

1 hour

(b) In addition to completing and successfully passing an examination related to the use of firearms, applicants for an initial firearms permit shall complete range training as outlined below. Range training shall be conducted at a Bureau-approved Firearms Training Facility by a Bureau-approved Firearms Training Instructor.

Range Training Outline

VI. Range Preparation (Classroom)

1 hour

Objective: individual will review range safety and the fundamentals of marksmanship and deployment of weapons. In addition, the individual will review requirements for the use of deadly force.

- A. Range location.
- B. Equipment needed.
- C. Course of fire (explanation).
- D. Targets, scoring explanation (~~NRA B-27A or NRA B-21~~).
- E. Range commands (explanation).
- F. Use of deadly force.

VII. Range Training

As needed

Objective: To instruct individual in the safe and accurate use of a firearm until such time as the individual demonstrates to the instructor that he or she can safely draw and fire the weapon and has a high likelihood of passing the qualification course.

- A. Instructions
- B. Drawing and holstering practice
- C. Dry firing
- D. Loading and reloading procedures

(c) After completing both firearms training and range training, an applicant for an initial firearms permit shall complete range qualification. The applicant's initial range qualification shall only be completed by firing live ammunition and shall not be completed with a firearm simulator. The applicant must complete each range

qualification with the same caliber of weapon that will be listed on the firearms permit and carried by the permit holder while on duty. If the applicant seeks to qualify for more than one caliber of weapon, the applicant must complete a range qualification for each additional caliber to be listed on the firearms permit. Range qualification shall be conducted at a Bureau-approved Firearms Training Facility by a Bureau-approved Firearms Training Instructor.

VIII. Range Qualification

Objective: Each individual shall pass a firearms range qualification based on his or her demonstrated use of a weapon.

A. Course of fire. Each individual shall discharge 50 rounds a minimum of 2 times according to the following schedule: (All stages are unsupported.)

Stage 1	15 yards	6 rounds in 30 seconds *6 standing position
Stage 2	7 yards	14 rounds in 45 seconds (includes 2 reloads) (load 6, 6 and 2) *6 standing position *8 kneeling position
Stage 3	7 yards	6 rounds in 10 seconds (any position)
Stage 4	7 yards	12 rounds in 25 seconds (includes reload) (load 6 and 6) *6 strong hand unsupported (reload and switch hands) *6 weak hand unsupported
Stage 5	5 yards	6 rounds *3 rounds in 4 seconds (2 stages)
Stage 6	3 yards	6 rounds *2 rounds in 3 seconds (3 stages)

B. Scoring. The first course of 50 rounds discharged shall be considered practice. The second course of 50 rounds discharged shall be used for scoring.

1. Silhouette targets shall be used. A 5 point score shall be granted for each round discharged inside of the seven (7) ring (center mass) as specified in Section 635.1. head or body kill area.

2. Each individual shall qualify with an 80% score (200 out of 250 points) on the scoring segment.
3. Each individual shall be informed by the instructor whether his or her score passes or fails.

(d) A Bureau-approved Firearms Training Instructor administering the range qualification must certify under penalty of perjury that an initial firearms permit applicant completed the range qualification required using live ammunition and provide a signed copy of the qualification documentation to the applicant.

Note: Authority cited: SB 1713, Hart (Chapter 1091, Statutes of 1994), chapter 1091; and Sections 7515, 7581, 7585, 7585.6 and 7591.26, Business and Professions Code. Reference: Sections 7542, 7583.22, 7583.23, 7583.377583.32, 7596, 7596.3, 7596.7 and 7599.40, Business and Professions Code.

§ 635.1. Acceptable Targets for use during Range Qualification

The target used for the purposes of completing the required range qualification shall be a human silhouette type target like the target shown in Figure 1. The minimum dimensions of the target shall be no smaller than 14" x 24" and the maximum dimensions shall be no larger than 24" x 45". The target must contain no fewer than five (5) rings for the purposes of scoring. The rings must center on an X in the middle of the target, with each successive ring no more than 4" and not less than 1" from the perimeter of the prior ring. Rings should be number from the center out, the "X" ring and the ring immediately outside the "X" ring may be unnumbered, the next most interior ring numbered with a nine (9), and so on. All five (5) rings used for the purposes of scoring must be positioned within the center mass of the silhouette target. "Center mass" is defined as the region of the human silhouette target below the throat and above the naval, centered between both shoulders. More rings than needed for scoring may be present on the target, however, no ring outside of the ring marked with a seven (7) may be used in calculating a passing score.

Figure 1



Note: Authority cited: Section 7515, 7581 and 7591.6, Business and Professions Code.
Reference: Sections 7585 and 7585.6 of the Business and Professions Code.