



## DEPARTMENT OF REVENUE

### COLORADO FIREARMS DEALER RULES

#### 1 CCR 214-1

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#### **Rule 1-110.5. Applicability**

**Basis and Purpose.** The statutory authority for this rule includes, but is not limited to, sections 18-12-401.5(2)(b)(I), and 18-12-406(5), C.R.S. The purpose of this rule is to clarify who must apply for and obtain a State Permit.

- A. Federal Firearms Licenses Requiring a State Permit. These rules shall apply to:
1. A Federally Licensed Firearm Dealer as defined in 18-12-101(1), C.R.S., which includes the following types of Federal Firearms Licenses as they are commonly known: Type 01 (Dealers in Firearms other than destructive devices (including Gunsmiths)), Type 02 (Pawnbroker in Firearms other than destructive devices); and
  2. Any other federal firearms licensee who, within the scope of the licensee's license, sells Firearms at retail to the public, including but not limited to the following types of Federal Firearms Licenses as they are commonly known: Type 07 (Manufacturers of Firearms other than destructive devices ("Manufacturer")), and Type 08 (Importers of Firearms other than destructive devices) ("Importer").

#### **Rule 1-115. Definitions**

**Basis and Purpose.** The statutory authority for this rule includes, but is not limited to, sections 18-12-401, 18-12-401.5, 18-12-406, and 18-12-407, C.R.S. The purpose of this rule is to ensure consistent application and interpretation of common terms used throughout these rules.

- A. "Business Premises" means the location identified in the Dealer's application for a State Permit where the Dealer **stores, displays**, sells, leases, loans, or otherwise transfers Firearms.
- B. "Dealer" has the same meaning as set forth in 18-12-401(1), C.R.S.
- C. "Department" has the same meaning as set forth in 18-12-401(2), C.R.S.
- D. "Division" means the Firearms Dealer Division of the Department.
- E. "Employee" means a natural person who, in the course of the person's duties, handles Firearms, processes the sale, loan, or transfer of Firearms, or otherwise has access to Firearms.

- F. "Executive Director" means the executive director of the Department of Revenue or its designee.
- G. "Federal Firearms License" has the same meaning as set forth in subsection 18-12-401(5), C.R.S.
- H. "Firearm" has the same meaning as set forth in subsection 18-12-101(1)(b.7), C.R.S.
- ~~I. "FIREARMS TRANSFER" means the process of changing the ownership of a firearm from one person to another person at retail. The term "transfer" can include selling, assigning, leasing, loaning, giving away, or otherwise disposing of a firearm.~~
- ~~J.~~ "Gunsmith" has the same meaning as set forth in subsection 18 U.S.C. section 921(a)(11)(B).
- ~~JK.~~ "Knowingly" or "Willfully" is when a person, with respect to a result of his, her, or their conduct, is aware that his, her, or their conduct is practically certain to cause the result.
- ~~KL.~~ "Locking Device" has the same meaning as set forth in subsection 18-12-101(f.5), C.R.S.
- ~~LM.~~ "Responsible Person" means any individual possessing, directly or indirectly, the power to direct or cause the direction of the management, policies, and practices of the business, Corporation, Partnership, or Association insofar as they pertain to Firearms.
- ~~MN.~~ "State Permit" has the same meaning as set forth in 18-12-401(6), C.R.S.

## Rule 2-400 Training Requirements

**Basis and Purpose.** The statutory basis for this rule includes, but is not limited to, sections 24-4-103, 18-12-401.5(2)(b)(I), 18-12-406, and 18-12-401, C.R.S. The purpose of this rule is to clarify the training requirements for Dealers, Responsible Persons, and ~~Dealers'~~ Employees.

~~A. Definitions. As used in this Rule, the following terms shall have the indicated meanings:~~

- ~~1. "In the course of the Employee's duties" means an action or activity takes place while the Employee is performing the job tasks assigned to the Employee by a Dealer, within the timeframe and location considered to be the Employee's work hours and workplace, as well as action or activity that is reasonably necessary to complete the Employee's job tasks.~~

**AB. Online Training Required.** Each Responsible Person and each Employee of a Dealer shall complete the online training or training course described in section 18-12-406(1)(a), C.R.S., and in accordance with this rule.

1. A Responsible Person of the Dealer shall complete the required training within thirty (30) days after the date a State Permit is issued to the Dealer and annually thereafter.
2. An Employee of a Dealer:
  - a. Shall complete the required training within thirty (30) days after the Employee's first day of work for the Dealer and annually thereafter.

b. Shall, if employed by a Dealer on July 1, 2025, complete the required training no later than thirty (30) days after July 1, 2025, and annually thereafter.

(1) This subparagraph (AB)(2)(b) shall be repealed as of December 31, 2025.

3. A Dealer shall maintain for no less than three (3) years each certificate of completion issued to the Responsible Person(s) and Employee(s) of the Dealer pursuant to subsection (CD) of this Rule and shall make all such records available to the Executive Director or the Executive Director's designee during an on-site inspection of the Dealer's place of business. Each such certificate may be stored in either physical or electronic form.

**BC.** Required Training Subjects. The training required by this Rule must include instruction regarding the following subjects:

1. Federal and state laws governing the sale and transfer of Firearms and ammunition;
2. Recognizing and identifying straw purchasers and fraudulent activity;
3. Indicators that a person is attempting to purchase a Firearm illegally;
4. Recognizing and identifying indicators that an individual intends to use a Firearm for unlawful purposes;
5. Recognizing and identifying indicators that an individual intends to use a Firearm for self-harm;
6. Preventing theft or burglary of Firearms and ammunition;
7. Responding to any of the circumstances described in subparagraphs (1), (2), (3), (4), (5), and (6) of this subparagraph (B);
8. Effectively teaching consumers rules of Firearm safety, including the safe handling and storage of Firearms; and
9. Any other reasonable business practices that the Department determines will deter Firearm trafficking or the unlawful use of Firearms.

**CD.** Examination Requirement and Certificate of Completion. Upon completing the training required pursuant to this Rule, a Responsible Person or an Employee of a Dealer shall complete the examination as required by section 18-12-406(1)(a), C.R.S. Any examination given in accordance with this subsection may allow for reasonable testing accommodations for individuals with disabilities. A Responsible Person or Employee of a Dealer who correctly answers no fewer than seventy percent (70%) of the questions shall be given a printable certificate of completion.

1. A certificate of completion issued in accordance with subparagraph (CD) of this Rule is valid for one year from the date the Responsible Person or Employee of a Dealer completes the training course and successfully passes the required examination.
2. A Responsible Person or Employee who fails to correctly answer at least seventy percent (70%) of the questions on the examination required pursuant to subparagraph (CD) of this Rule may retake the examination following the initial examination attempt. If the Responsible Person or Employee fails to correctly answer at least seventy percent (70%) of the examination following a third attempt to take the examination, the Responsible

Person or Employee must repeat the training required pursuant to this Rule before any subsequent attempts to pass the examination required pursuant to subparagraph (C) of this Rule.

- a. Any Responsible Person or Employee retaking the examination pursuant to this subparagraph (C)(2) shall be given a different version of the examination upon each retake.

## Rule 2-500 Secure Firearms Storage Requirements

**Basis and Purpose.** The statutory authority for this rule includes, but is not limited to, sections 18-12-406(2), 18-12-406(5), 18-12-401, and 18-12-401.5, C.R.S. The purpose of this rule is to establish the requirements and applicable standards with respect to the secure storage of Firearms at the Dealer's place of business, in the inventory of the Dealer that are stored, displayed, can be sold, assigned, leased, loaned, consigned, or given away; or received as collateral or sold to repay a loan provided by the Dealer (e.g., pawned Firearms).

~~A. **Secure Storage Required.** A Dealer shall not conduct business or store Firearms at the Dealer's place of business unless, at all times, the dealer secures each Firearm at the Dealer's place of business in accordance with subparagraph (B) of this Rule.~~

~~1. A Dealer is not required to secure a Firearm in accordance with this subparagraph (A) when the Firearm is being shown to a customer, repaired, or otherwise worked on, including removal from secure storage for the purpose of maintenance, modification; for the bona fide lease, sale, or transfer of a Firearm; or if the Firearm is the personal property of an individual and the owner of the Firearm carries the firearm on his, hers, or their person, or within such close proximity thereto that the person can readily retrieve and use the firearm as if the person carried the firearm on his, hers, or their person.~~

A. **Secure Storage Defined.** ~~Except as provided in subparagraph (B)(1) of this Rule,~~ a Dealer shall at all times secure each Firearm at the Dealer's place of business in the inventory of the Dealer that is stored, displayed, can be sold, assigned, leased, loaned, consigned, or given away; or received as collateral or sold to repay a loan provided by the Dealer (e.g., pawned Firearms), in a manner that prevents unauthorized use of these Firearm(s) except when these Firearms are being shown to a customer, repaired, or otherwise worked on.

1. A Dealer shall secure each ~~these~~ Firearm described in subparagraph (A) of this rule using at least one of the following methods or a combination thereof:
  - a. Storing the Firearm in a locked, tamper-proof container;
  - b. Storing the Firearm in a locked metal safe or safe room;
  - c. Storing the Firearm in a locked, smash-proof display case, which may include the use of shatter-resistant film;
  - d. Properly installing a Locking Device on the Firearm;
  - e. If the Firearm is a Personalized Firearm, activating the safety characteristics of the Firearm;
  - f. A method as set forth in 18 USC 921(a)(34);

- g. Any other secure storage methods reasonably designed to prevent unauthorized use of a Firearm, approved in advance by the Department in writing.
2. No Firearm shall be considered securely stored if loaded with ammunition.
3. In addition to the requirements of subsection (AB)(1) and (2) of this Rule, a Dealer shall also:
- a. Keep and maintain all locks and other security equipment in good working order;
  - b. Ensure that any keys or other security measures, such as combination numbers, codes, passwords or electronic or biometric security systems, used in the securing of Firearms at the Dealer's place of business are stored in a location that is accessible only to Responsible Persons and Employees as defined in Rule 1-115; and
  - c. Keep the Dealer's place of business securely locked and protected from unauthorized entry at all times outside normal business hours.