



January 14, 2025

Colorado Department of Revenue
Specialized Business Groups—Firearms Dealer Division
Via online submission

Re: Colorado Firearms Permit Rulemaking; Proposed Revisions for Session #5 and Comments to the Proposed Form-Report of Change

Dear Sir or Madam,

EZPAWN submits the foregoing response to the Session #5 proposed rules and the proposed Report of Change Form. EZPAWN appreciates the continued partnership on rulemaking with the Department of Revenue-Firearms Dealer Division (the “Division”) and provides the below explanation to support the proposed revisions submitted.

Proposed Rule 1-115 Definitions

With regard to the discussion during the Session #5 Working Group, EZPAWN respectfully requests clarification if the Division interprets Colorado’s law to restrict employees in firearms locations to only individuals who are 21 years of age or older. Colorado Revised Statute 18-12-112, added in 2023, makes it unlawful for a licensed gun dealer to make or facilitate the sale of a firearm to a person who is less than twenty-one years of age with limited exceptions. The law, however, does not impose a similar age limit on employees of firearm dealers. The Division’s stance on age restrictions for employees involved in firearms transactions will be beneficial prior to submission of permit applications.

EZPAWN appreciates the Division’s incorporation of the definition of Responsible Persons that aligns with the ATF’s definition. EZPAWN expects to designate the same Responsible Persons on its Federal Firearms Licenses and its Colorado firearm permit. If the Division interprets this definition differently in the future, EZPAWN requests notice to permit holders so they may review their practices and revise as appropriate.

Proposed Rule 2-400 Training Requirements

EZPAWN appreciates the Division’s willingness to allow companies to continue to develop and offer training for its employees. In preparation, EZPAWN requests the testing versions and certificate of completion as soon as possible to begin incorporating those tests into its firearms training so it may be submitted in full to the Division for their review and approval. If the Division may not have this information available in the near future, please advise if EZPAWN may submit its training for review with placeholders noting where this information will be incorporated once available. Additionally, EZPAWN welcomes guidance from the Division on whether any updates to firearms training in the future needs to be resubmitted to the Division for review and approval.

With regard to Required Training Subjects, the proposed rules simply restate what is outlined in the law. The Division did not indicate an intent, at this time, to add any additional topics for training. EZPAWN raises concern with number 9 listed, which allows the Division to require additional training subjects, but fails to include any reference on whether additional training subjects will be announced or communicated to permit holders with sufficient time to modify firearms training. EZPAWN proposes adding language to number 9 as

follows:

“The Division will provide permit holders at least ninety (90) days’ notice prior to requiring new training subjects to be incorporated in online training required under this Rule.”

Securing Firearms

EZPAWN requests the Department expand the proper securing measures to include locking up firearms in a gun room, which may be considered different than a vault referenced in the draft rules.

Proposed Request for Change Form

EZPAWN reviewed the proposed form and generally does not propose any changes to the form. EZPAWN, however, respectfully requests clarification on the information sought on the form and the process to ensure its initial applications are completed in line with the Division’s expectations.

As a corporate entity, EZPAWN firearm locations are supported by several corporate level departments for licensing, human resources, training and some firearms administrative activities. EZPAWN, therefore, requests clarification on the following information requested in the form:

- Section III - Primary business contact. EZPAWN prefers to list the corporate level licensing person who supports the store locations as the primary business contact to receive all correspondence and notices. This ensures timely responses to the Division on matters in the future. Is this acceptable to the Division?
- Section IV - Mailing Address. Does the Division request the mailing address of the permit location or is this requesting the mailing address of the Primary Business Contact? Since “Business Premises” is a proposed definition in Rule 1-115, it may be helpful to revise Section IV to reference address updates apply to the “Business Premises” listed in the permit.
- Responsible Person in Sections V, VI & VIII. EZPAWN intends to list the same Responsible Persons it lists on its Federal Firearms Licenses. The Responsible Persons are reviewed annually to determine if any listed person needs to be removed or a new person added as a Responsible Person, based on then current work responsibilities. Does the Division anticipate any different Responsible Persons listed than what is listed on the FFL?
- With regard to business hours, there are times during the holiday season where pawnshops may be permitted to stay open a little longer hour in some jurisdictions. Additionally, there are instances where emergencies or weather cause a temporary closure of a location. For temporary and/or holiday business hours, will EZPAWN be required to submit a change of hours to the Division?
- Per prior discussions, the form will be posted on the FDD’s website. Will the Division anticipate the completed form to be emailed to them or will there be a requirement to send the form into the Division by U.S. Postal Service?
- Once submitted, what confirmation will EZPAWN receive that the form was received and changes were made? This may be important for permit holders to show proof of requested changes during an inspection or otherwise.

EZPAWN appreciates the opportunity to provide comments on the draft rules and proposed form. If you have any questions or need more information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Denise Landin".

Denise Landin
VP/Deputy General Counsel