



FAIRFAX POLICE DEPARTMENT

Assembly Bill 481

In September 2021, The California State Legislature passed Assembly Bill 481 titled, "Law enforcement and state agencies: military equipment: funding, acquisition, and use." The Bill was approved by Governor Newsom on September 30, 2021, and amended California Government Code §7070 – 7075, effective January 1, 2022. As amended, California Government Code §7071(b) now requires that law enforcement agencies submit a proposed Military and Equipment Use Policy to their own governing body for approval. This law broadly defines military equipment to include some standard policing equipment and requires certain disclosure and approval activities.

The term military equipment, as used in AB 481 does not necessarily indicate equipment that has been used by or obtained from the military. In fact, the Fairfax Police Department does not own any equipment obtained from the military.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB481

What AB 481 Military Equipment Categories applies to the Fairfax Police Department?

Out of the 16 military equipment categories listed below, the Fairfax Police Department possesses items that fall under only 2 categories.

***Highlighted categories #10 and #14 below apply to the Fairfax Police Department.**

California Government Code §7070(c) Military Equipment List

- (1) Unmanned, remotely piloted, powered aerial or ground vehicles.
- (2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
- (3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.
- (4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- (5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.



FAIRFAX POLICE DEPARTMENT

- (6) Weaponized aircraft, vessels, or vehicles of any kind.
- (7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.
- (8) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
- (9) Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.
- (10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.
- (11) Any firearm or firearm accessory that is designed to launch explosive projectiles.
- (12) "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.
- (13) Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).
- (14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.
- (15) Any other equipment as determined by a governing body or a state agency to require additional oversight.
- (16) Notwithstanding paragraphs (1) through (15), "military equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

[Please contact us if you have any questions, complaints or concerns pertaining to the use of these items](#)

AB 481 Coordinator, Fairfax Police Department, 144 Bolinas Rd Fairfax Ca 94930, fairfaxpd@fairfaxpd.org, 415-453-5330