
SENATE BILL 6179

State of Washington 62nd Legislature 2012 Regular Session

By Senators Kastama, Carrell, Regala, and Kilmer

Read first time 01/13/12. Referred to Committee on Judiciary.

1 AN ACT Relating to the possession and manufacture of equipment for
2 public safety and military personnel; amending RCW 9.41.250; adding a
3 new section to chapter 9.41 RCW; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 9.41.250 and 2011 c 13 s 1 are each amended to read as
6 follows:

7 (1) Every person who:

8 (a) Manufactures, sells, or disposes of or possesses any instrument
9 or weapon of the kind usually known as slung shot, sand club, or metal
10 knuckles, or (~~spring blade~~) switchblade knife(~~(, or any knife the~~
11 ~~blade of which is automatically released by a spring mechanism or other~~
12 ~~mechanical device, or any knife having a blade which opens, or falls,~~
13 ~~or is ejected into position by the force of gravity, or by an outward,~~
14 ~~downward, or centrifugal thrust or movement)) ;~~

15 (b) Furtively carries with intent to conceal any dagger, dirk,
16 pistol, or other dangerous weapon; or

17 (c) Uses any contrivance or device for suppressing the noise of any
18 firearm unless the suppressor is legally registered and possessed in
19 accordance with federal law,

1 is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW.

2 ~~(2) ((Subsection (1)(a) of this section does not apply to:~~

3 ~~(a) The possession of a spring blade knife by a law enforcement~~
4 ~~officer while the officer:~~

5 ~~(i) Is on official duty; or~~

6 ~~(ii) Is transporting the knife to or from the place where the knife~~
7 ~~is stored when the officer is not on official duty; or~~

8 ~~(b) The storage of a spring blade knife by a law enforcement~~
9 ~~officer.)~~ "Switchblade knife" means any knife with a blade that is

10 automatically released by a spring mechanism or other mechanical
11 device, or any knife having a blade which opens, or falls, or is
12 ejected into position by the force of gravity, or by an outward,
13 downward, or centrifugal thrust or movement. A knife that contains a
14 spring, detent, or other mechanism designed to create a bias toward
15 closure of the blade and that requires physical exertion applied to the
16 blade by hand, wrist, or arm to overcome the bias toward closure to
17 assist in opening the knife is not a switchblade knife.

18 NEW SECTION. Sec. 2. A new section is added to chapter 9.41 RCW
19 to read as follows:

20 (1) RCW 9.41.250 does not apply to:

21 (a) The possession of a switchblade knife by a general authority
22 law enforcement officer, firefighter or rescue member, Washington state
23 patrol officer, or active military member, while the officer or member:

24 (i) Is on official duty; or

25 (ii) Is transporting the knife to or from the place where the knife
26 is stored when the officer or member is not on official duty; or

27 (iii) The storage of a switchblade knife by a general authority law
28 enforcement officer, firefighter or rescue member, Washington state
29 patrol officer, or active military member;

30 (b) The manufacture, sale, transportation, distribution, or
31 possession of switchblade knives pursuant to contract with a general
32 authority law enforcement agency, fire or rescue agency, Washington
33 state patrol, or military agency.

34 (2) For the purposes of this section:

35 (a) "Active military member" means an active member of the United
36 States military or naval forces, or a Washington national guard member
37 called to active duty.

1 (b) "General law enforcement agency" means any agency, department,
2 or division of a municipal corporation, political subdivision, or other
3 unit of local government of this state or any other state, and any
4 agency, department, or division of any state government, having as its
5 primary function the detection and apprehension of persons committing
6 infractions or violating the traffic or criminal laws in general.

7 (c) "General law enforcement officer" means any person who is
8 commissioned and employed by an employer on a full-time, fully
9 compensated basis to enforce the criminal laws of the state of
10 Washington generally. No person who is serving in a position that is
11 basically clerical or secretarial in nature, or who is not commissioned
12 shall be considered a law enforcement officer.

13 (d) "Fire or rescue agency" means any agency, department, or
14 division of a municipal corporation, political subdivision, or other
15 unit of local government of this state or any other state, and any
16 agency, department, or division of any state government, having as its
17 primary function the prevention, control, or extinguishment of fire or
18 provision of emergency medical services or rescue actions for persons.

19 (e) "Firefighter or rescue member" means any person who is serving
20 on a full-time, fully compensated basis as a member of a fire or rescue
21 agency to prevent, control, or extinguish fire or provide emergency
22 medical services or rescue actions for persons. No person who is
23 serving in a position that is basically clerical or secretarial in
24 nature shall be considered a firefighter or rescue member.

25 (f) "Military agency" means the United States military or naval
26 forces or the national guard of any state.

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