



Washington

Summary of State Firearms Law

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Overview

In its publication [*Gun Laws Matter: A Comparison of State Firearms Laws and Statistics*](#), LCAV ranked each state based on a review of state laws in 25 different firearms-related policy areas. Washington ranked 14th out of 50 – having enacted a modest amount of gun violence prevention laws. Among other things, Washington:

- Requires firearm dealers to obtain a [state license](#), and imposes a background check on all dealer employees;
- Prohibits certain [domestic violence](#) misdemeanants and persons subject to a domestic violence order of protection from purchasing or possessing any firearms; and
- Requires that all firearms dealers have a state license in order to transfer [ammunition](#).

However, Washington does **not**:

- Require a background check prior to [the transfer of a firearm between private parties](#);
- Prohibit the transfer or possession of [assault weapons](#), [50 caliber rifles](#) or [large capacity ammunition magazines](#);
- [License](#) firearm owners;
- Require the [registration of firearms](#);
- Limit the [number of firearms](#) that may be purchased at one time;
- Impose a [waiting period](#) on firearm purchases;
- Regulate [unsafe handguns](#); or
- Significantly regulate [ammunition sales](#).

Local governments in Washington [have limited authority](#) to regulate firearms or ammunition, and the state requires local law enforcement to issue a [concealed handgun license](#) to any applicant who meets certain basic qualifications.

Washington Statistics

Gun Deaths

Washington had the 15th lowest number of gun deaths per capita in 2008.¹ In 2009, 623 people died from firearm-related injuries in Washington.²

Crime Guns

Mayors Against Illegal Guns recently developed web pages detailing [data about each state's crime gun imports and exports](#). Guns originally purchased in [Washington](#) are recovered after being used in crimes in other states at the 17th lowest rate per capita among the states. Washington exports more crime guns than it imports.³

Number of Federally Licensed Firearms Dealers

There are 1,009 federally licensed firearms dealers and pawnbrokers in Washington.⁴

¹ National Center for Injury Prevention and Control, U.S. Centers for Disease Control and Prevention, *WISQARS Fatal Injury Reports, 1999-2009, for National, Regional, and States (RESTRICTED)*, at http://webappa.cdc.gov/sasweb/ncipc/dataRestriction_inj.html. (Jan. 2012).

² *Id.*

³ Mayors Against Illegal Guns, *Trace the Guns: The Link Between Gun Laws and Interstate Gun Trafficking* (Sept. 2010), at <http://www.tracetheguns.org/report.pdf>.

⁴ U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, *List of Federal Firearms Licensees* (Dec. 2011), at <http://www.atf.gov/about/foia/ffl-list.html>.

Washington “Right to Bear Arms”

Article I, Section 24 of the Washington State Constitution states: “[t]he right of the individual citizen to bear arms in defense of himself, or the state, shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain or employ an armed body of men.” The state right to bear arms is not absolute and is subject to reasonable regulation by the state under its police power. See [LCAV’s State Right to Bear Arms Provisions](#) for more detailed information.

Local Authority to Regulate Firearms in Washington

The Washington Legislature has severely limited the authority of local governments to regulate firearms. See [LCAV's State Preemption/Local Authority to Regulate Firearms summary](#) for further information.

State Firearms Policies in Washington

Please note that many firearm-related laws have exceptions for military and law enforcement personnel.

Washington statutes often use the term “pistol” when referring generally to all handguns. For clarity, we use the term handgun throughout this summary.⁵

Persons Prohibited from Firearm Possession

Washington Prohibited Purchasers Generally

See [Regulating Guns in America: Prohibited Purchasers](#) for a comprehensive discussion of this issue.

[Federal law prohibits certain persons from purchasing or possessing firearms](#), such as felons, certain domestic abusers, and certain people with a history of mental illness.

Washington provides that no person may own, possess, or have in his or her control any firearm, if that person:⁶

- Has been convicted or found not guilty by reason of insanity of a “serious offense” which includes any crime of violence, certain felony drug crimes, certain sex crimes, and vehicular assault or homicide⁷ (violators of this prohibition are criminally liable for unlawful possession of a firearm in the first degree while those violators listed below are guilty of unlawful possession of a firearm in the second degree) and has not had his or her right to possess a firearm restored;⁸
- Has been convicted or found not guilty by reason of insanity of any felony other than a “serious offense” or certain crimes committed against a member of his or her family or household (see the [Washington Domestic Violence & Firearms](#) section);
- Has been involuntarily committed for mental health treatment under [Washington Rev. Code Ann. §§ 71.05.240](#) (involuntary or alternative treatment for 14 days), [71.05.320](#) (treatment for an adult for 90 or 180 days), [71.34.740](#) (involuntary commitment hearing for a minor), [71.34.750](#) (treatment a minor for 180 days) or [chapter 10.77](#) (treatment when found not guilty by reason of insanity or incompetent to stand trial), and has not had his or her right to possess a firearm restored;⁹

⁵ “Pistol” is defined by [Wash. Rev. Code Ann. § 9.41.010\(2\)](#) to include all handguns.

⁶ [Wash. Rev. Code Ann. § 9.41.040](#). Washington enables a person previously ineligible to possess a firearm by virtue of a conviction or a finding of not guilty of a non-felony offense after three years in the community to petition a court of record to have his or her right to possess a firearm restored, if the person has not been convicted of any further crimes. See [Wash. Rev. Code Ann. § 9.41.040\(4\)](#).

⁷ For a complete definition of “serious offense”, see [Wash. Rev. Code Ann. § 9.41.010\(12\)](#).

⁸ See [Wash. Rev. Code Ann. § 9.41.047](#).

⁹ See [Wash. Rev. Code Ann. § 9.41.047](#); Wash Admin. Code 388-865-0585, 388-875-0080.

- Is under 18 years of age (see the [Washington Minimum Age to Purchase/Possess](#) section for exceptions); or
- Is free on bond or personal recognizance pending trial, appeal, or sentencing for a “serious offense.”

Washington also prohibits any person who is not a U.S. citizen from possessing a firearm without first obtaining an “alien firearm license”¹⁰ or meeting other state-defined requirements.¹¹

Moreover, the state prohibits any person serving a sentence in a state correctional institution and any person confined in a county or local correctional institution from knowingly possessing or controlling a firearm while in the institution or being conveyed to or from the institution or while under the custody or supervision of institution officials, officers, or employees, or while on any premises subject to the control of the institution.¹²

For further information on the background check process used to enforce these provisions, see the [Washington Background Checks](#) section.

Firearms transfers by private sellers (non-firearms dealers) are not subject to background checks under Washington law, although federal and state purchaser prohibitions still apply. See the [Washington Private Sales](#) section.

¹⁰ [Wash. Rev. Code Ann. § 9.41.171](#). See [Wash. Rev. Code Ann. § 9.41.173](#) for alien firearm license requirements.

¹¹ See [Wash. Rev. Code Ann. § 9.41.175](#).

¹² [Wash. Rev. Code Ann. § 9.94.040\(1\), \(2\)](#).

Washington Minimum Age to Purchase or Possess Firearms

In Washington, a person under age 18 may not own or possess a firearm, unless he or she is:

- In attendance at a hunter's safety course or a firearms safety course;
- Engaging in practice in the use of a firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located or any other area where the discharge of a firearm is not prohibited;
- Engaging in an organized competition involving the use of a firearm;
- Participating in or practicing for a performance by an organized group that uses firearms as a part of the performance;
- Hunting or trapping under a valid license;
- In an area where the discharge of a firearm is permitted, when the individual is not trespassing and is either:
 - At least 14 years of age, having been issued a hunter safety certificate, and using a lawful firearm other than a handgun; or
 - Under the supervision of a parent, guardian, or other adult approved for the purpose by the parent or guardian;
- Traveling with an unloaded firearm to or from any activity described above;
- On real property under the control of his or her parent, other relative, or legal guardian and has permission of the parent or legal guardian to possess a firearm;
- At his or her residence and, with the permission of his or her parent or legal guardian, in possession of a firearm for the purpose of lawful self-defense, defense of others, or defense of property; or
- A member of the armed forces of the United States, National Guard, or organized reserves, when on duty.¹³

Washington law provides that, unless one of the above exceptions applies,¹⁴ persons who are at least 18 years of age, but under age 21 may possess a handgun only:¹⁵

- In the person's "place of abode;"
- At the person's fixed place of business; or

¹³ [Wash. Rev. Code Ann. §§ 9.41.040\(2\)\(a\)\(iii\), 9.41.042.](#)

¹⁴ See [Wash. Rev. Code Ann. §§ 9.41.050](#) or [9.41.060](#) for additional exceptions.

¹⁵ [Wash. Rev. Code Ann. § 9.41.240.](#)

- On real property under his or her control.

In addition, an applicant for a concealed pistol license must be 21 years of age or older.¹⁶

[Federal age restrictions](#) impose stricter limits.

See [Regulating Guns in America: Minimum Age to Purchase / Possess Firearms](#) for a comprehensive discussion of this issue.

¹⁶ [Wash. Rev. Code Ann. § 9.41.070\(1\)\(c\)](#).

Domestic Violence and Firearms in Washington

Firearm Prohibitions for Domestic Violence Misdemeanants

Washington prohibits possession of a firearm by anyone who has been convicted or found not guilty by reason of insanity of any of the following crimes when committed by one family or household member against another on or after July 1, 1993:

- Assault in the fourth degree;
- Coercion;
- Stalking;
- Reckless endangerment;
- Criminal trespass in the first degree; or
- Violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence.¹⁷

Washington defines “family or household members” as:

- Spouses, former spouses;
- Persons who have a child in common regardless of whether they have been married or have lived together at any time;
- Adult persons related by blood or marriage;
- Adult persons who are presently residing together or who have resided together in the past;
- Persons age 16 or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship;
- Persons age 16 or older with whom a person age 16 or older has or has had a dating relationship; and
- Persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.¹⁸

¹⁷ [Wash. Rev. Code Ann. § 9.41.040\(2\)\(a\)\(i\).](#)

¹⁸ See [Wash. Rev. Code Ann. §§ 9.41.010\(17\)](#) and [10.99.020\(3\)](#).

Firearm Prohibitions for Persons Subject to Domestic Violence Restraining/Protective Orders and Surrender of Firearms When Domestic Violence Restraining/Protective Orders Are Issued

If a protective or restraining order states that the possession of a firearm or other dangerous weapon by any party presents a serious and imminent threat to public health or safety or the health or safety of any individual, the court may:

- Require the party to surrender any firearm or other dangerous weapon;
- Require the party to surrender any concealed pistol license issued by the State of Washington;
- Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;
- Prohibit the party from obtaining or possessing a concealed pistol license.¹⁹

The court may also make such an order if it finds by a preponderance of the evidence that the party used, displayed, or threatened to use a firearm or other dangerous weapon in a felony or committed any offense that renders him or her ineligible to possess a firearm.²⁰ If the court makes this finding upon a showing by clear and convincing evidence, then it is required to make such an order.²¹

The court may order the temporary surrender of a firearm or other dangerous weapon without notice to the other party if it finds that irreparable injury could result if an order is not issued until the time for a response has elapsed.²² These requirements may be for a period of time less than the duration of the order.²³ The court may require the party to surrender any firearm or dangerous weapon in his or her immediate possession or control or subject to his or her immediate possession or control to local law enforcement, his or her counsel, or to any person designated by the court.²⁴ These provisions apply to:²⁵

- No-contact orders issued after a conviction for harassment under [Washington Rev. Code Ann. § 9A.46.080](#);
- Anti-harassment protective order, including ex parte orders, under [Washington Rev. Code Ann. § 10.14.080](#);²⁶

¹⁹ [Wash. Rev. Code Ann. § 9.41.800\(1\), \(4\)](#).

²⁰ [Wash. Rev. Code Ann. § 9.41.800\(2\)](#).

²¹ [Wash. Rev. Code Ann. § 9.41.800\(1\)](#).

²² [Wash. Rev. Code Ann. § 9.41.800\(3\)](#).

²³ [Wash. Rev. Code Ann. § 9.41.800\(5\)](#).

²⁴ [Wash. Rev. Code Ann. § 9.41.800\(6\)](#).

²⁵ [Wash. Rev. Code Ann. § 9.41.800\(1\)](#).

²⁶ No relationship is necessary to obtain an anti-harassment protective order.

- No-contact orders issued when a domestic violence defendant is released on bail or personal recognizance, under [Washington Rev. Code Ann. § 10.99.040](#);
- No-contact orders issued after a charge of domestic violence has been made under [Washington Rev. Code Ann. § 10.99.045](#);
- Restraining orders issued upon filing of a complaint for dissolution of marriage, including ex parte orders, under [Washington Rev. Code Ann. §§ 26.09.050](#) and [26.09.060](#);
- Restraining orders issued in cases where parental rights and child support issues are adjudicated, including ex parte orders, under [Washington Rev. Code Ann. § 26.10.040](#), [26.10.115](#), [26.26.130](#), and [26.26.590](#);
- Domestic violence protective order under [Washington Rev. Code Ann. § 26.50.060](#); and
- Ex parte domestic violence protective orders under [Washington Rev. Code Ann. § 26.50.070](#).

Domestic violence protective orders are available to family and household members as defined above, plus domestic partners and former domestic partners.²⁷

Washington does not authorize or require the removal of firearms or ammunition at the scene of a domestic violence incident.

For general information on the background check process and categories of prohibited purchasers/possessors, see the [Washington Background Checks](#) and [Washington Prohibited Purchasers Generally](#) sections.

See [Regulating Guns in America: Domestic Violence and Firearms](#) for a comprehensive discussion of this issue.

²⁷ [Wash. Rev. Code Ann. §§ 26.50.010\(1\), \(2\), 26.50.060](#).

Disarming Prohibited Persons in Washington

In Washington, state superior courts and courts of limited jurisdiction may order forfeiture of a firearm proven to be:

- Found concealed on a person not authorized to carry a concealed pistol;
- Commercially sold to any person without an application as required by state law;
- In the possession of a person prohibited from possessing the firearm under state law;
- In the possession or under the control of a person at the time he or she committed or was arrested for committing a felony or committing a nonfelony crime in which a firearm was used or displayed;
- In the possession of a person who is in any place in which a concealed pistol license is required, and who is under the influence of any drug or intoxicating liquor;
- In the possession of a person free on bail or personal recognizance pending trial, appeal, or sentencing for a felony or for a nonfelony crime in which a firearm was used or displayed;
- In the possession of a person found to have been mentally incompetent while possessing the gun when apprehended or who is thereafter committed under state law;
- Used or displayed by a person in the violation of a proper written order of a court of general jurisdiction; or
- Used in the commission of a felony or of a nonfelony crime in which a firearm was used or displayed.²⁸

Law enforcement officers of the state or of any county or municipality may confiscate a firearm found to be in the possession of a person under any of the circumstances specified above.²⁹

Any confiscated firearm may be surrendered only: 1) to the prosecuting attorney for use in subsequent legal proceedings; 2) for disposition according to an order of a court having jurisdiction; or 3) to the owner if the proceedings are dismissed or the court otherwise directs.

For laws governing the procedure for surrender of firearms by a person subject to a protective order, see the section entitled Domestic Violence and Firearms in Washington. See also the Mental Health Reporting in Washington section for additional court notices restricting the possession of a firearm.

²⁸ Wash. Rev. Code Ann. § 9.41.098(1).

²⁹ Wash. Rev. Code Ann. § 9.41.098(4).

Sales & Transfers

Background Checks in Washington

See [Regulating Guns in America: Background Checks](#) for a comprehensive discussion of this issue.

[Federal law requires federally licensed firearms dealers \(but not private sellers\) to initiate a background check on the purchaser prior to sale of a firearm.](#) Federal law provides states with the option of serving as a state “point of contact” and conducting their own background checks using state, as well as federal, records and databases, or having the checks performed by the FBI using only the federal [National Instant Criminal Background Check System \(“NICS”\) database](#). (Note that state files are not always included in the federal database.)

Washington is a partial point of contact state for the NICS.³⁰ In Washington, local law enforcement departments serve as state points of contact for implementation of the Brady Act for all dealer deliveries of handguns. Transfers of rifles and shotguns by licensed dealers are processed through the FBI.³¹

Licensed dealers must conduct background checks on prospective purchasers each time a dealer transfers a firearm.³² Washington requires firearms dealers to use NICS, the Washington State Patrol electronic database, the Department of Social and Health Services’ electronic database, and other agencies or resources as appropriate when processing firearm transactions.³³

Washington does not require private sellers (sellers who are not licensed dealers) to initiate a background check when transferring a firearm. See the [Washington Private Sales](#) section and [Regulating Guns in America: Private Sales](#).

See also the [Retention of Sales / Background Check Records in Washington](#) section.

Brady Exemption

Concealed pistol license holders whose licenses were issued on or after July 22, 2011, qualify as exempt from future background checks when purchasing a firearm, according to the [Bureau of Alcohol, Tobacco, Firearms and Explosives \(ATF\) chart](#) that outlines those permits that qualify as alternatives to the federal [Brady Act](#). Please note that ATF's exempt status determination for a given state is subject to change without notice.

Under federal law, persons who have been issued state permits to purchase or possess firearms are exempt from background checks if those permits were issued: 1) within the previous five years in the state in which the transfer is to take place; and 2) after an authorized government

³⁰ Federal Bureau of Investigation, *National Instant Criminal Background Check System Participation Map*, at <http://www.fbi.gov/about-us/cjis/nics/general-information/participation-map> (last visited Jan. 17, 2012).

³¹ *Id.*

³² [Wash. Rev. Code Ann. § 9.41.090\(2\)\(b\)](#).

³³ [Wash. Rev. Code Ann. § 9.41.090\(2\)\(b\)](#).

official has conducted a background investigation, including a search of the NICS database, to verify that possession of a firearm would not be unlawful.³⁴

³⁴ [18 U.S.C. § 922\(t\)\(3\), 27 C.F.R. § 478.102\(d\)](#).

Mental Health Reporting in Washington

See [Regulating Guns in America: Mental Health Reporting](#) for a comprehensive discussion of this issue.

Federal law prohibits possession of a firearm or ammunition by any person who has been “adjudicated as a mental defective” or involuntarily “committed to any mental institution.”³⁵ No federal law, however, requires states to report the identities of these individuals to the [National Instant Criminal Background Check System \(“NICS”\) database](#), which the FBI uses to perform background checks prior to firearm transfers.

Washington requires that, at the time any person convicted or found not guilty by reason of insanity for a crime that results in the prohibition of possession of a firearm,³⁶ the convicting or committing court must:

- Notify the person, orally and in writing, that he or she must immediately surrender any concealed pistol license and may not possess a firearm unless his or her right to do so is restored by a court of record;
- Within three days after conviction or entry of commitment order, forward a copy of the person’s driver’s license or identification card and the date of conviction or commitment to the state Department of Licensing; and
- If the person is committed by court order under [Washington Rev. Code Ann. §§ 71.05.240](#) (involuntary or alternative treatment for 14 days), [71.05.320](#) (treatment for an adult for 90 or 180 days), [71.34.740](#) (involuntary commitment hearing for a minor), [71.34.750](#) (treatment a minor for 180 days) or [Chapter 10.77](#) (treatment when found not guilty by reason of insanity or incompetent to stand trial), the committing court shall forward a copy of the person’s driver’s license, or comparable information, along with date of commitment, to the NICS database.³⁷

The Washington Department of Social and Health Services (DSHS) must, upon request of a court or law enforcement agency, supply such relevant information as is necessary to determine the person’s eligibility to possess or purchase a handgun or be issued a concealed pistol license.³⁸

Information and records regarding involuntary commitments of the mentally ill may only be disclosed for specified purposes, including to law enforcement officers as necessary to enforce state law regarding the unlawful possession of firearms by specified persons.³⁹ Only the fact, place and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a

³⁵ [18 U.S.C. § 922\(d\)\(4\)](#).

³⁶ See [Wash. Rev. Code Ann. § 9.41.040](#) and the [Washington Prohibited Purchasers Generally](#) section for these prohibited categories.

³⁷ [Wash. Rev. Code Ann. § 9.41.047\(1\)](#).

³⁸ [Wash. Rev. Code Ann. § 9.41.097\(1\)](#). For information on concealed pistol licenses, see [Wash. Rev. Code Ann. § 9.41.070](#) and the [Washington Concealed Weapons Permitting](#) section.

³⁹ [Wash. Rev. Code Ann. § 71.05.390\(17\)](#). See also [Wash. Rev. Code Ann. § 9.41.040](#).

firearm shall be disclosed upon request.⁴⁰ Identical provisions govern disclosure of involuntary commitments of minors.⁴¹

An application to purchase a handgun constitutes a waiver of confidentiality and a written request that the DSHS, mental health institutions, and other health care facilities release information relevant to the applicant's eligibility to purchase a handgun to an inquiring court or law enforcement agency.⁴² Similarly, a signed application for a concealed pistol license constitutes a waiver of confidentiality and a written request that the DSHS, mental health institutions, and other health care facilities release information relevant to the applicant's eligibility for a concealed pistol license to an inquiring court or law enforcement agency.⁴³

Mental health information received by the following entities may not be disclosed except in limited instances:⁴⁴

- The Department of Licensing directly from the committing court or a court finding a person not guilty by reason of insanity pursuant to [Washington Rev. Code Ann. § 9.41.047](#);
- The Department of Licensing pursuant to its authority to issue alien firearms licenses under [Washington Rev. Code Ann. § 9.41.173](#);
- An authority charged with issuing concealed pistol licenses pursuant to [Washington Rev. Code Ann. § 9.41.070](#);
- An authority that previously issued a concealed pistol license and receives information from the Department of Licensing that the person is no longer eligible pursuant to [Washington Rev. Code Ann. § 9.41.047](#);
- A chief of police or sheriff performing a background check prior to transfer of a handgun;
- A chief of police or sheriff performing a background check prior to issuance of an alien firearms license pursuant to [Washington Rev. Code Ann. § 9.41.173](#); or
- A court or law enforcement agency to determine the person's eligibility to possess a handgun or be issued a concealed pistol license or to purchase a handgun under state law.⁴⁵

⁴⁰ *Id.*

⁴¹ [Wash. Rev. Code Ann. § 71.34.340\(16\)](#).

⁴² [Wash. Rev. Code Ann. § 9.41.094](#).

⁴³ [Wash. Rev. Code Ann. § 9.41.070\(4\)](#). An application for an alien firearm license also acts as a waiver of confidentiality and written request of this kind, with respect to the person's eligibility for an alien firearm license. [Wash. Rev. Code Ann. § 9.41.173\(4\)](#).

⁴⁴ See [Wash. Rev. Code Ann. § 42.56.240\(4\)](#), which prohibits public disclosure except for concealed pistol license applications and related information only to law enforcement.

⁴⁵ [Wash. Rev. Code Ann. § 9.41.097\(2\)](#).

Dispositions are reported to the identification section of the Washington State Patrol.⁴⁶ Dispositions include findings of not guilty by reason of insanity, and dismissals by reason of incompetency.⁴⁷

For general information on the background check process and categories of prohibited purchasers or possessors, see the [Washington Background Checks](#) section and the section entitled [Prohibited Purchasers Generally](#).

⁴⁶ [Wash. Rev. Code Ann. § 10.97.045](#) See also [Wash. Rev. Code Ann. § 43.43.745\(3\)](#).

⁴⁷ [Wash. Rev. Code Ann. § 10.97.030\(4\)](#).

Multiple Purchases / Sales of Firearms in Washington

Washington has no law restricting sales or purchases of multiple firearms.

See [Regulating Guns in America: Restrictions on Multiple Purchases or Sales of Firearms](#) for a comprehensive discussion of this issue.

Retention of Sales / Background Check Records in Washington

In Washington, licensed firearm dealers must keep a record of every handgun sold, in a book kept for that purpose.⁴⁸ A form containing the date of sale, the caliber, make, model and manufacturer's number of the firearm, the name, address, occupation, and place of birth of the purchaser, and a statement of the purchaser stating that he or she is not ineligible under state law to possess a firearm must be signed by both the purchaser and the person effecting the sale, each in the presence of the other.⁴⁹ One copy of the form must be sent within six hours by certified mail to the chief of police or sheriff of the jurisdiction in which the purchaser resides.⁵⁰ An additional copy must be sent within seven days to the state director of licensing, while another copy must be retained by the dealer for six years.⁵¹

The Washington Department of Licensing is authorized by law to keep copies or records of applications for concealed pistol licenses, copies or records of applications for alien firearm licenses, copies or records of applications to purchase handguns, and copies or records of handgun transfers.⁵²

Washington requires that every pawnbroker and second-hand dealer doing business in the state maintain a record of the following, at the time of each transaction:

- The signature of the person with whom the transaction is made;
- The date of the transaction;
- The name of the person or employee or the identification number of the person or employee conducting the transaction, as required by the applicable chief of police or the county's chief law enforcement officer;
- The name, date of birth, gender, height, weight, race, address and telephone number of the person with whom the transaction is made;
- In the case of firearms, a complete description including the brand name, serial number, model number or name, the caliber, barrel length, type of action, and whether it is a handgun, rifle, or shotgun;
- The price paid or the amount loaned;
- The type and identifying number of identification used by the person with whom the transaction was made, which must be either a valid driver's license or identification card

⁴⁸ [Wash. Rev. Code Ann. § 9.41.110\(9\)\(a\)](#).

⁴⁹ *Id.*

⁵⁰ [Wash. Rev. Code Ann. § 9.41.110\(9\)\(b\)](#).

⁵¹ *Id.*

⁵² [Wash. Rev. Code Ann. § 9.41.129](#). These records shall not be disclosed except as provided in [Wash. Rev. Code Ann. § 42.56.240\(4\)](#) (prohibiting public disclosure except for concealed pistol license applications and related information only to law enforcement).

issued by any state or two pieces of identification issued by a governmental agency, one of which must be descriptive of the person identified; and

- The nature of the transaction, a number identifying the transaction, the store identification as designated by the applicable law enforcement agency, or the name and address of the business, the name of the person conducting the transaction, and the location of the property.⁵³

This record must be open to the inspection of any commissioned law enforcement officer of the state or any of its political subdivisions at all times during ordinary hours of business, or at reasonable times if ordinary business hours are not kept.⁵⁴ The record must be maintained wherever that business is conducted for three years following the date of the transaction. *Id.*

A second-hand dealer under Washington law is any person engaged “in the business of purchasing, selling, trading, consignment selling, or otherwise transferring for value, second-hand property including metal junk, melted metals, precious metals, whether or not the person maintains a fixed place of business within the state.”⁵⁵ A second-hand dealer includes a person or entity that conducts business at flea markets or swap meets more than three times per year.⁵⁶

See [*Regulating Guns in America: Retention of Firearm Sales and Background Check Records*](#) for a comprehensive discussion of this issue.

⁵³ [Wash. Rev. Code Ann. § 19.60.020\(1\)](#).

⁵⁴ [Wash. Rev. Code Ann. § 19.60.020\(2\)](#).

⁵⁵ [Wash. Rev. Code Ann. § 19.60.010\(7\)](#).

⁵⁶ *Id.*

Washington Waiting Periods

Washington imposes no mandatory waiting period between the time of purchase and the actual physical transfer of a firearm for every firearm transfer.⁵⁷

If, however, an applicant has an outstanding warrant for his or her arrest, the dealer must hold the delivery of the handgun until the warrant is served and satisfied by appropriate court appearance.⁵⁸ Where local law enforcement discovers open criminal charges, pending criminal or commitment proceedings, or an arrest or outstanding warrant for an offense making a person ineligible to possess a handgun, if the records of disposition have not yet been reported or entered sufficiently to determine eligibility to purchase a handgun, the local jurisdiction may hold the sale and delivery of a handgun up to 30 days in order to confirm existing records in Washington or elsewhere.⁵⁹ After 30 days, the sale or delivery may proceed unless an extension is approved by a local district court or municipal court after a showing of good cause.⁶⁰

See [Regulating Guns in America: Waiting Periods](#) for a comprehensive discussion of this issue.

⁵⁷ While not a mandatory waiting period, Washington allows five days to complete a background check on a prospective handgun purchaser prior to delivery of the handgun. See [Wash. Rev. Code Ann. § 9.41.090\(1\)\(c\)](#).

⁵⁸ [Wash. Rev. Code Ann. § 9.41.090\(3\)](#).

⁵⁹ [Wash. Rev. Code Ann. § 9.41.090\(4\)](#).

⁶⁰ *Id.*

Gun Dealers & Other Sellers

Washington Dealer Regulations

[Federal law requires firearms dealers to obtain a license](#) from the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF), although resource limitations prevent the ATF from properly overseeing all its licensees.

No firearms dealer may transfer, expose for transfer, or have in his or her possession with intent to transfer, any firearm or ammunition without being licensed by the State of Washington.⁶¹ Licenses are granted by the appropriate local or state licensing authority, and no person may qualify for a license without first receiving a federal firearms license and undergoing fingerprinting and a background check.⁶² In addition, if a person is ineligible to possess a firearm or obtain a concealed pistol license, he or she cannot qualify for a dealer's license.⁶³ (See the [Washington Prohibited Purchasers Generally](#) and [Washington Concealed Weapons Permitting](#) sections for further information on those topics.) For laws requiring firearm dealers to conduct background checks on prospective purchasers, see the section entitled [Background Checks in Washington](#).

No dealer may deliver a handgun to a prospective purchaser until:

- The purchaser produces a valid concealed pistol license, and the dealer has recorded the purchaser's name, license number, and issuing agency;
- The dealer is notified in writing by the chief of police or sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a handgun, and that the application is approved by the chief of police or sheriff; or
- Five business days have elapsed since the application for purchase was received by local law enforcement and the handgun is securely wrapped and unloaded when delivered to the purchaser.⁶⁴

Where local law enforcement discovers open criminal charges, pending criminal or commitment proceedings, or an arrest or other outstanding warrant for an offense making a person ineligible to possess a handgun, sale and delivery of a handgun may be delayed for up to 30 days in order to confirm existing records in Washington or elsewhere.⁶⁵

⁶¹ [Wash. Rev. Code Ann. § 9.41.110\(1\)-\(3\)](#).

⁶² [Wash. Rev. Code Ann. § 9.41.110\(4\), \(5\)\(a\)](#).

⁶³ [Wash. Rev. Code Ann. § 9.41.110\(5\)\(a\)](#).

⁶⁴ [Wash. Rev. Code Ann. § 9.41.090\(1\)](#).

⁶⁵ [Wash. Rev. Code Ann. § 9.41.090\(4\)](#). After 30 days, the sale or delivery may proceed unless an extension is approved by a local district court or municipal court after a showing of good cause. *Id.*

No handgun may be sold under any circumstances unless the purchaser is personally known to the dealer or presents clear evidence of his or her identity.⁶⁶ In addition, no person may deliver a firearm to anyone whom he or she has reasonable cause to believe is ineligible to possess a firearm.⁶⁷

A dealer must require that every employee who may sell a firearm in the course of his or her employment undergo fingerprinting and a background check.⁶⁸ An employee also must be eligible to possess a firearm, and must not have been convicted of a crime that would make him or her ineligible for a concealed pistol license before being permitted to sell a firearm. All employees must comply with state requirements concerning purchase applications and restrictions on the delivery of handguns that are applicable to dealers.⁶⁹

Licensed dealers must also keep a record of every handgun sold in a book kept for that purpose.⁷⁰ Dealers are also required to keep detailed forms in triplicate of each handgun sold.⁷¹ See the [Washington Retention of Sales / Background Check Records](#) for more detail.

A dealer may conduct business only in the building designated in his or her license, although the dealer may temporarily conduct business at a gun show sponsored by a national, state or local organization or an affiliate thereof, devoted to the collection, competitive use, or other sporting use of firearms in the community.⁷²

The fee for a license to sell handguns, long guns, or ammunition is \$125.⁷³ Dealer licenses are valid for one year.⁷⁴

For laws applicable to both licensed and private firearm sellers, including special provisions for pawnbrokers and second-hand dealers, please see the [Washington Private Sales](#) section.

See [Regulating Guns in America: Dealer Regulations](#) for a comprehensive discussion of this issue.

⁶⁶ [Wash. Rev. Code Ann. § 9.41.110\(8\)\(a\)\(ii\)](#).

⁶⁷ [Wash. Rev. Code Ann. § 9.41.080](#). A violation of this prohibition is a class C felony, and any firearms dealer violating this prohibition is subject to mandatory permanent revocation of and permanent ineligibility for his or her dealer's license. [Wash. Rev. Code Ann. §§ 9.41.080, 9.41.110\(8\)\(b\)](#).

⁶⁸ [Wash. Rev. Code Ann. § 9.41.110\(5\)\(b\)](#).

⁶⁹ *Id.*

⁷⁰ [Wash. Rev. Code Ann. § 9.41.110\(9\)\(a\)](#).

⁷¹ [Wash. Rev. Code Ann. § 9.41.110\(9\)\(a\), \(b\)](#).

⁷² [Wash. Rev. Code Ann. § 9.41.110\(6\)](#).

⁷³ [Wash. Rev. Code Ann. § 9.41.110\(8\)\(c\)](#).

⁷⁴ [Wash. Rev. Code Ann. § 9.41.110\(4\)](#).

Private Sales in Washington

See [Regulating Guns in America: Private Sales](#) for a comprehensive discussion of this issue.

Washington law has no law requiring a background check on the purchaser of a firearm when the seller is not a licensed dealer.

Private firearms transfers (i.e., transfers by non-firearms dealers) are not subject to a background check requirement in Washington, although federal and state purchaser prohibitions still apply (see the [Washington Background Checks](#) section). State law also provides that no person may deliver a firearm to any person whom he or she has reasonable cause to believe is ineligible to possess a firearm.⁷⁵

Washington prohibits any person from knowingly providing a firearm to a person confined in a detention facility.⁷⁶

See the [Washington Firearms Trafficking](#) section for additional laws that may limit private sales of firearms.

⁷⁵ [Wash. Rev. Code Ann. § 9.41.080.](#)

⁷⁶ [Wash. Rev. Code Ann. § 9A.76.140.](#)

Washington Gun Shows

Washington has no law regulating gun shows.

See the [Washington Private Sales](#) section for additional state laws that may apply at gun shows.

See [Regulating Guns in America: Gun Shows](#) for a comprehensive discussion of this issue.

Washington Immunity Statutes

Washington provides that a product manufacturer is subject to liability if a claimant's harm was proximately caused by the negligence of the manufacturer in that the product was not reasonably safe as designed or not reasonably safe because adequate warnings or instructions were not provided.⁷⁷ Washington law further provides that:

A product is not reasonably safe as designed, if, at the time of manufacture, the likelihood that the product would cause the claimant's harm or similar harms, and the seriousness of those harms, outweighed the burden on the manufacturer to design a product that would have prevented those harms and the adverse effect that an alternative design that was practical and feasible would have on the usefulness of the product: *PROVIDED, That a firearm or ammunition shall not be deemed defective in design on the basis that the benefits of the product do not outweigh the risk of injury posed by its potential to cause serious injury, damage, or death when discharged.* [emphasis added.]⁷⁸

In addition, state and local governmental entities, public and private agencies, and the employees of any state or local governmental entity or public or private agency, acting in good faith, are immune from liability for:

- Failure to prevent the sale or transfer of a firearm to a person whose receipt or possession of the firearm is unlawful;
- Preventing the sale or transfer of a firearm to a person who may lawfully receive or possess a firearm;
- Issuing a concealed pistol license or alien firearm license to a person ineligible for such a license;
- Failing to issue a concealed pistol license or alien firearm license to a person eligible for such a license;
- Revoking or failing to revoke an issued concealed pistol license or alien firearm license;
- Errors in preparing or transmitting information as part of determining a person's eligibility to receive or possess a firearm, or eligibility for a concealed pistol license or alien firearm license;
- Issuing a dealer's license to a person ineligible for such a license; or
- Failing to issue a dealer's license to a person eligible for such a license.⁷⁹

An application may be made to a court of competent jurisdiction for a writ of mandamus that directs an issuing agency to issue a concealed pistol license or alien firearm license that was

⁷⁷ [Wash. Rev. Code Ann. § 7.72.030\(1\).](#)

⁷⁸ [Wash. Rev. Code Ann. § 7.72.030\(1\)\(a\).](#)

⁷⁹ [Wash. Rev. Code Ann. § 9.41.0975\(1\).](#)

wrongfully refused, directing that erroneous information resulting either in the refusal to issue a concealed pistol license or alien firearm license or the denial of a purchase application be corrected, or directing a law enforcement agency to approve an application to purchase a firearm or approve a dealer's license that was wrongfully denied.⁸⁰ A court must provide an expedited hearing for an application brought on one of these grounds, and a person granted a writ of mandamus shall be awarded reasonable attorneys' fees and costs.⁸¹

For detailed information about government and private party lawsuits against the gun industry, the status of litigation involving gun industry immunity statutes in various states, or pending gun industry immunity legislation, visit the [Brady Center's Legal Action Project](#) and the [Coalition to Stop Gun Violence's Gun Industry Immunity page](#).

See [LCAV's policy page on Immunity Statutes / Manufacturer Litigation](#) for further information.

⁸⁰ [Wash. Rev. Code Ann. § 9.41.0975\(2\)](#).

⁸¹ *Id.*

Gun Owner Responsibilities

Licensing of Gun Owners or Purchasers in Washington

Washington has no law requiring gun owners or purchasers to obtain a license.

In Washington, every city, town, and political subdivision of the state is prohibited from requiring the purchaser of a firearm to secure a permit to purchase, or from requiring a firearms dealer to secure an individual permit for each sale.⁸²

See [*Regulating Guns in America: Licensing of Gun Owners or Purchasers*](#) for a comprehensive discussion of this issue.

⁸² [Wash. Rev. Code Ann. § 9.41.110\(12\)](#).

Washington Registration of Firearms

Washington has no law requiring firearm owners to register their firearms.

Firearms dealers in Washington are required to keep a record of every handgun sold, in a book kept for that purpose, which must be personally signed by the purchaser and the seller, each in the presence of the other.⁸³ The record must contain the date of the sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, and place of birth of the purchaser and a statement signed by the purchaser that he or she is not ineligible to possess a firearm.⁸⁴ One copy of the record must be sent within six hours by certified mail to the chief of police of the municipality or the sheriff of the county in which the purchaser resides.⁸⁵ A second copy must be sent within seven days to the state director of licensing, while a third copy must be retained by the dealer for six years.⁸⁶

In addition, Washington requires every pawnbroker and second-hand dealer in the state to maintain a detailed record of all firearm-related transactions. See the [Washington Private Sales](#) section.

See [Regulating Guns in America: Registration of Firearms](#) for a comprehensive discussion of this issue.

⁸³ [Wash. Rev. Code Ann. § 9.41.110\(9\)\(a\)](#).

⁸⁴ *Id.*

⁸⁵ [Wash. Rev. Code Ann. § 9.41.110\(9\)\(b\)](#).

⁸⁶ *Id.*

Reporting Lost or Stolen Firearms in Washington

Washington does not require firearm owners to report the loss or theft of a firearm.

See [Regulating Guns in America: Reporting Lost or Stolen Firearms](#) for a comprehensive discussion of this issue.

Firearms in Public Places

Concealed Weapons Permitting in Washington

See [Regulating Guns in America: Carrying Concealed Weapons](#) for a comprehensive discussion of this issue.

Washington is a “shall-issue” state, meaning that local law enforcement must issue a concealed weapons license if the applicant meets certain qualifications. Local law enforcement shall issue a “concealed pistol license” to any applicant, unless he or she:⁸⁷

- Is ineligible to possess a firearm under state or federal law (see the [Washington Prohibited Purchasers Generally](#) section);
- Is under 21 years of age;
- Is subject to a court order or injunction regarding firearms pursuant to specific provisions of the Revised Code of Washington;⁸⁸
- Is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony;
- Has an outstanding warrant for his or her arrest for a felony or misdemeanor;
- Has been ordered to forfeit a firearm by a Washington court within the last year; or
- Has had a concealed pistol license revoked.

A person may apply for a concealed pistol license to the municipality or county in which the applicant resides if the applicant resides in a municipality, or to the county in which the applicant resides if the applicant resides in an unincorporated area.⁸⁹ A nonresident may apply anywhere in the state.⁹⁰

The license fee is \$36, plus any additional charges imposed by the FBI for processing.⁹¹ The issuing authority must check with the National Crime Information Center, the Washington state patrol electronic database, the state Department of Social and Health Services electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible to possess a firearm, and thus ineligible for a concealed pistol license.⁹²

The chief of police of the municipality or the sheriff of the county where an applicant resides may issue a temporary emergency license for good cause, pending review of an applicant's

⁸⁷ [Wash. Rev. Code Ann. § 9.41.070\(1\)](#).

⁸⁸ See [Wash. Rev. Code Ann. § 9.41.070\(1\)\(d\)](#).

⁸⁹ [Wash. Rev. Code Ann. § 9.41.070\(13\)](#).

⁹⁰ *Id.*

⁹¹ [Wash. Rev. Code Ann. § 9.41.070\(5\)](#).

⁹² [Wash. Rev. Code Ann. § 9.41.070\(2\)](#).

background for a concealed pistol license.⁹³ A temporary emergency license, however, does not exempt the holder from any records check requirements, and temporary emergency licenses are easily distinguishable from regular licenses.⁹⁴

Washington prohibits the carrying of a concealed handgun without a license except in a person's abode or fixed place of business.⁹⁵ Notwithstanding this general prohibition, state law provides exceptions for:

- Law enforcement officers of Washington or “another state;”
- Military personnel when on duty;
- Employees or officers of the United States authorized to carry a concealed handgun;
- Anyone in the business of manufacturing, repairing or dealing in firearms, or his or her agent, if possessing, using, or carrying a handgun in the usual or ordinary course of business;
- Regularly enrolled members of any organization duly authorized to purchase or receive handguns from the U.S. or the State of Washington;
- Regularly enrolled members of target shooting clubs when those members are going to, or coming from, target practice;
- Regularly enrolled members of clubs organized for the purpose of antique or modern firearm collecting when those members are going to, or coming from, gun shows and exhibits;
- Any person legitimately engaged in a lawful outdoor recreational activity, such as hunting, fishing, or camping;
- Any person carrying an unloaded handgun in a closed opaque case or “secure wrapper;” or
- Retired or disabled law enforcement officers, provided that the disability was not because of mental or stress-related disabilities.⁹⁶

See the [Other Location Restrictions in Washington](#) section for places restricting gun possession by concealed pistol license holders.

⁹³ [Wash. Rev. Code Ann. § 9.41.070\(10\)](#).

⁹⁴ *Id.* Additional application and background check requirements, as well as permit suspension, revocation, or other disqualification information, are detailed under [Wash. Rev. Code Ann. §§ 9.41.070](#) and [9.41.075](#).

⁹⁵ [Wash. Rev. Code Ann. § 9.41.050](#).

⁹⁶ [Wash. Rev. Code Ann. § 9.41.060](#).

Firearm Safety Training

Washington does not require an applicant for a concealed pistol license to undergo firearm safety training or otherwise demonstrate knowledge of firearms safety.

Duration & Renewal

A concealed pistol license is valid for five years from the date of issue.⁹⁷ A licensee may renew a license by application within 90 days before or after the expiration date of the license.⁹⁸ The renewal fee is \$32, subject to an additional ten dollar late renewal penalty if the licensee applies to renew after the expiration date of his or her license.⁹⁹

Disclosure or Use of Information

A copy of each license and application is delivered to the Washington Department of Licensing, which must make this information available to law enforcement and state and local corrections agencies, in an on-line format.¹⁰⁰

The Department of Licensing generally may keep records of applications for concealed pistol licenses.¹⁰¹

Reciprocity

A person licensed to carry a handgun in a state having laws that recognize Washington concealed pistol licenses is authorized to carry a concealed handgun in Washington if: 1) the licensing state does not issue concealed pistol licenses to persons under twenty-one years of age; and 2) the licensing state requires mandatory fingerprint-based background checks of criminal and mental health history for all persons applying for a concealed pistol license.¹⁰² These provisions apply only to license holders who are not Washington residents.¹⁰³

⁹⁷ [Wash. Rev. Code Ann. § 9.41.070\(1\)](#).

⁹⁸ [Wash. Rev. Code Ann. § 9.41.070\(9\)](#).

⁹⁹ [Wash. Rev. Code Ann. § 9.41.070\(6\), \(9\)](#).

¹⁰⁰ [Wash. Rev. Code Ann. § 9.41.070\(4\)](#).

¹⁰¹ [Wash. Rev. Code Ann. § 9.41.129](#). Such records shall not be disclosed except as provided in [Wash. Rev. Code Ann. § 42.56.240\(4\)](#), which provides that concealed pistol license applications are exempt from the public disclosure requirements under Washington law. Copies of concealed pistol license applications or information on the applications may be released to law enforcement or corrections agencies. *Id.*

¹⁰² [Wash. Rev. Code Ann. § 9.41.073](#).

¹⁰³ *Id.*

Open Carrying in Washington

Washington prohibits any person from carrying, exhibiting, displaying or drawing any firearm or other weapon “apparently capable of producing bodily harm, in a manner...that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.”¹⁰⁴ Any person violating this law is criminally liable for a gross misdemeanor and the loss of his or her concealed pistol license, if any. Exceptions include:

- Persons acting by virtue of their office or public employment who are vested by law with a duty to preserve public safety or order;
- Any person making or assisting in making a lawful arrest for the commission of a felony;
- Any person engaged in military activities;
- Persons acting in self-defense or in defense of another; or
- Any act committed by a person while in his or her place of abode or fixed place of business.¹⁰⁵

For a comprehensive discussion of this issue, see [LCAV's policy page on the Open Carrying of Firearms](#).

¹⁰⁴ [Wash. Rev. Code Ann. § 9.41.270.](#)

¹⁰⁵ [Wash. Rev. Code Ann. § 9.41.270\(3\).](#)

Location Restrictions

Guns in Vehicles in Washington

Washington prohibits the carrying of any loaded handgun in a vehicle without a concealed pistol license.¹⁰⁶ In addition to obtaining such a license, a person cannot carry a loaded handgun in any vehicle unless:

- The handgun is on the licensee's person;
- The licensee is within the vehicle at all times the handgun is present; or
- The licensee is away from the vehicle and the handgun is locked within the vehicle and concealed from view.¹⁰⁷

An unloaded handgun kept in a vehicle must be locked within the vehicle and concealed from view.¹⁰⁸

Washington generally prohibits the possession or transportation of a loaded rifle or shotgun in or on a motor vehicle.¹⁰⁹

Washington also prohibits carrying a firearm or ammunition in a transit vehicle or in or at a transit station with knowledge that this conduct is prohibited.¹¹⁰ "Transit station" is defined as all passenger facilities, structures, stops, shelters, bus zones, properties, and rights-of-way of all kinds that are owned, leased, held, or used by a transit authority for the purpose of providing public transportation services.¹¹¹

In addition, Washington prohibits any person from carrying, transporting or conveying any loaded firearm in or upon any "nonhighway vehicle" except by permit from the director of fish and wildlife. Excepted from this prohibition is the possession of a loaded handgun by a concealed pistol licensee.¹¹² The state also prohibits carrying any loaded firearm upon any snowmobile except by permit from the director of fish and wildlife.¹¹³

State administrative regulations may prohibit firearm possession in other locations.

¹⁰⁶ [Wash. Rev. Code Ann. § 9.41.050\(2\)\(a\).](#)

¹⁰⁷ *Id.*

¹⁰⁸ [Wash. Rev. Code Ann. § 9.41.050\(3\)\(a\).](#)

¹⁰⁹ [Wash. Rev. Code Ann. § 77.15.460\(1\).](#)

¹¹⁰ [Wash. Rev. Code Ann. § 9.91.025\(1\).](#)

¹¹¹ [Wash. Rev. Code Ann. § 9.91.025\(2\)\(a\).](#)

¹¹² [Wash. Rev. Code Ann. § 46.09.480\(2\).](#)

¹¹³ [Wash. Rev. Code Ann. § 46.10.495.](#)

Guns in Schools in Washington

Washington prohibits any person from carrying any firearm onto, or possessing a firearm on, public or private elementary or secondary school premises, school-provided transportation, or in areas of other facilities while being used exclusively by public or private schools.¹¹⁴

Exceptions include:

- Involvement in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;
- Engagement in military, law enforcement, or school district security activities;
- Participation in a firearm or air gun competition approved by the school or school district;
- Possession of a handgun pursuant to state licensing requirements (or otherwise exempt) while picking up or dropping off a student;
- Lawful possession of a firearm by any non-student at least age 18 who has secured the firearm within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school; and
- Lawful possession of an unloaded firearm by any non-student at least age 18 who has secured the firearm in a vehicle while conducting legitimate business at the school.¹¹⁵

Elementary or secondary school students violating this gun-free schools law are subject to expulsion from the state's public schools.¹¹⁶

State administrative regulations may prohibit the possession of firearms on particular college or university campuses.

See [LCAV's policy page on Guns in Schools](#) for further information.

¹¹⁴ [Wash. Rev. Code Ann. § 9.41.280\(1\)\(a\)](#). Any person convicted of violating this provision shall have his or her concealed pistol license revoked for a period of three years, and is prohibited from applying for a concealed pistol license for a period of three years. [Wash. Rev. Code Ann. § 9.41.280\(2\)](#).

¹¹⁵ [Wash. Rev. Code Ann. § 9.41.280\(3\)](#).

¹¹⁶ *Id.* See also [Wash. Rev. Code Ann. § 28A.600.420\(1\)](#), which requires expulsion for not less than one year for any elementary or secondary school student who is determined to have carried a firearm onto, or to have possessed a firearm on, public elementary or secondary school premises, public school-provided transportation, or areas of facilities while being used exclusively by public schools. School district superintendents may modify such expulsion on a case-by-case basis. *Id.* Expelled students may receive educational services in an alternative setting by a school district or similar entity. [Wash. Rev. Code Ann. § 28A.600.420\(4\)](#).

Other Location Restrictions in Washington

Subject to exceptions, Washington prohibits all persons, including concealed pistol license holders, from possessing a firearm in:

- Any area of a building used in connection with court proceedings, including courtrooms, jury rooms, judge's chambers, offices and areas used to conduct court business, waiting areas, and corridors adjacent to areas used in connection with court proceedings. The local judicial authority must designate and clearly mark all areas where weapons are prohibited, and shall post notices at each entrance to the building of the prohibition against weapons in the restricted areas;
- Restricted access areas of a public mental health facility certified by the state Department of Social and Health Services for inpatient hospital care and state institutions for the care of the mentally ill, excluding those facilities solely for evaluation and treatment;
- Any portion of an establishment classified by the state liquor control board as off-limits to persons under 21 years of age; or
- Restricted access areas of a commercial service airport designated in the airport security plan approved by the federal Transportation Security Administration, including passenger screening checkpoints at or beyond the point at which a passenger initiates the screening process. Any restricted access area shall be clearly indicated by prominent signs indicating that firearms and other weapons are prohibited in the area.¹¹⁷

Concealed pistol license holders are generally prohibited from possessing a firearm in any restricted access areas of a jail, law enforcement facility, or any place used for the confinement of a person, unless the holder obtains from the facility's administrator written permission to possess the firearm while on the premises, or checks the firearm upon entering the facility.¹¹⁸

Washington prohibits any person from knowingly possessing or having under his or her control a firearm in the buildings or adjacent grounds subject to the care, control, or supervision of a state correctional institution.¹¹⁹ This provision does not apply, however, to a concealed pistol license holder who, upon entering the correctional institution premises, proceeds directly to the administration building, and promptly checks his or her firearms.¹²⁰

State law also prohibits bringing any firearm into any state institution for the care and treatment of mental illness or within the grounds thereof.¹²¹

Washington also prohibits the possession of a firearm on the site of an outdoor music festival.¹²²

¹¹⁷ [Wash. Rev. Code Ann. § 9.41.300\(1\)\(b\)-\(e\).](#)

¹¹⁸ [Wash. Rev. Code Ann. § 9.41.300\(1\)\(a\), \(7\).](#)

¹¹⁹ [Wash. Rev. Code Ann. § 9.94.043.](#)

¹²⁰ *Id.*

¹²¹ [Wash. Rev. Code Ann. § 72.23.300.](#)

State administrative regulations prohibit all persons, including concealed pistol license holders, from possessing a firearm:

- In all facilities owned, leased, or operated by the office of administrative hearings and in rooms where the office of administrative hearings is conducting an administrative hearing;¹²³
- In all facilities of the Washington State School for the Blind and the Washington State School for the Deaf;¹²⁴ or
- On the grounds of any horse racing association.¹²⁵

In addition, administrative regulations prohibit persons other than concealed pistol licensees from carrying firearms on the state capitol grounds.¹²⁶ State regulations may impose other location restrictions.

Washington has no statutes prohibiting firearms in the following places, although administrative regulations may apply:

- Places of worship;
- Sports arenas;
- Gambling facilities other than horse racing associations; or
- Polling places.

¹²² [Wash. Rev. Code Ann. § 70.108.150.](#)

¹²³ Wash. Admin. Code 10-20-010(1), 10-20-030.

¹²⁴ Wash. Admin. Code 72-140-080(4), 148-140-080(4).

¹²⁵ Wash. Admin. Code 260-20-075.

¹²⁶ Wash. Admin. Code 236-12-470(1).

Consumer & Child Safety

Washington Design Safety Standards for Handguns

Washington does not specifically regulate junk guns or unsafe firearms.

See [*Regulating Guns in America: Design Safety Standards for Handguns*](#) for a comprehensive discussion of this issue.

Locking Devices in Washington

Washington does not require a locking device to accompany the sale of a firearm, although [federal law](#) applies, and no state statutes require firearm owners to affirmatively lock their weapons.

State administrative regulations may impose locking device or other safe storage requirements.

See [Regulating Guns in America: Locking Devices](#) for a comprehensive discussion of this issue.

Personalized / Owner-Authorized Firearms in Washington

Washington does not require firearms to be personalized.

See [*Regulating Guns in America: Personalized Firearms*](#) for a comprehensive discussion of this issue.

Washington Child Access Prevention

Washington has no laws regulating child access prevention.

See [*Regulating Guns in America: Child Access Prevention*](#) for a comprehensive discussion of this issue.

Classes of Weapons / Ammunition

Assault Weapons in Washington

Washington has no laws regulating or restricting assault weapons.

See [Regulating Guns in America: Assault Weapons](#) for a comprehensive discussion of this issue.

Large Capacity Ammunition Magazines in Washington

Washington has no laws regulating or restricting large capacity ammunition magazines.

See [*Regulating Guns in America: Large Capacity Ammunition Magazines*](#) for a comprehensive discussion of this issue.

Fifty Caliber Rifles in Washington

Washington has no laws regulating or restricting fifty caliber rifles.

See [*Regulating Guns in America: Fifty Caliber Rifles*](#) for a comprehensive discussion of this issue.

Machine Guns/Automatic Firearms in Washington

Washington prohibits any person from manufacturing, owning, buying, selling, loaning, furnishing, transporting, or having in his or her possession or under his or her control any machine gun, or any part designed and intended solely and exclusively for use in a machine gun, to convert a weapon into a machine gun, or to assemble or repair any machine gun.¹²⁷ However, it is an affirmative defense to a prosecution brought under this section that the machine gun, was acquired prior to July 1, 1994, and is possessed in compliance with federal law.¹²⁸ Federal law generally allows private citizens to possess machine guns manufactured prior to May 19, 1986 so long as they are registered.

In Washington, all machine guns, or any part designed and intended solely and exclusively for use in a machine gun, to convert a weapon into a machine gun are declared to be contraband, and all peace officers and members of the armed forces are required to seize machine guns or machine gun parts.¹²⁹

Finally the state prohibits any person, in the commission or furtherance of a felony, to discharge, menace or threaten another person with a machine gun.¹³⁰

See [LCAV's policy page on Machine Guns](#) for further information.

¹²⁷ [Wash. Rev. Code Ann. § 9.41.190\(1\)](#).

¹²⁸ [Wash. Rev. Code Ann. § 9.41.190\(3\)](#).

¹²⁹ [Wash. Rev. Code Ann. § 9.41.220](#).

¹³⁰ [Wash. Rev. Code Ann. § 9.41.225](#).

Non-Powder Guns in Washington

Washington prohibits any person from willfully discharging any air gun or other weapon in a public place, or in any place where any person might be endangered.¹³¹

Washington also prohibits any person from carrying or possessing any air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas, on public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools.¹³²

Washington does not otherwise regulate non-powder guns.

See [Regulating Guns in America: Non-Powder Guns](#) for a comprehensive discussion of this issue.

¹³¹ [Wash. Rev. Code Ann. § 9.41.230\(1\)\(b\)](#).

¹³² [Wash. Rev. Code Ann. § 9.41.280\(1\)\(e\)](#).

Ammunition Regulation in Washington

See [Regulating Guns in America: Ammunition Regulation](#) for a comprehensive discussion of this issue.

Licensing of Ammunition Sellers

No firearms dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell or otherwise transfer, any ammunition without being licensed by the State of Washington.¹³³ See the [Washington Dealer Regulations](#) section for further information.

Safe Storage of Ammunition

Small arms ammunition must be stored separated from flammable liquids, flammable solids and oxidizing materials by a fire-resistant wall “of one-hour rating” or by a distance of 25 feet.¹³⁴

State administrative regulations govern the storage of ammunition in family home child care facilities.¹³⁵ State administrative regulations may regulate other aspects of ammunition.

Washington does **not**:

- Prohibit individuals ineligible to possess firearms under state law from possessing ammunition;
- Require a license for the possession of ammunition; or
- Require a license to sell ammunition, unless the seller is operating as a dealer.

¹³³ [Wash. Rev. Code Ann. § 9.41.110\(3\)](#).

¹³⁴ [Wash. Rev. Code Ann. § 70.74.330](#); Wash. Admin. Code 296-52-71025. “Small arms ammunition” is defined to include any shotgun, rifle, pistol or revolver cartridge, and cartridges for propellant-actuated power devices and industrial guns. Military-type ammunition containing explosive bursting charges, incendiary, tracer, spotting, or pyrotechnic projectiles is excluded from this definition. [Wash. Rev. Code Ann. § 70.74.010\(28\)](#).

¹³⁵ Wash. Admin. Code 170-296-0800.

Investigating Gun Crimes

Washington Microstamping/Ballistic Identification

Washington has no laws regarding microstamping or ballistic identification.

See [Regulating Guns in America: Ballistic Identification](#) and LCAV's policy page on [Firearm Microstamping](#) for a comprehensive discussion of these issues.

Firearms Trafficking in Washington

Washington prohibits any person from delivering a firearm to any other person whom he or she has reasonable cause to believe is ineligible to possess a firearm.¹³⁶

Washington also prohibits any person from changing, altering, removing, or obliterating the name of the maker, model, manufacturer's number, or other mark of identification on any firearm.¹³⁷

Washington law incorporates the federal requirement that licensed dealers must conduct background checks on prospective purchasers each time a dealer transfers a firearm.¹³⁸

Washington also penalizes anyone who knowingly makes a false statement regarding identity or eligibility requirements on the application to purchase a handgun.¹³⁹

Washington has no other laws aimed at firearms trafficking.

See [LCAV's policy page on Firearms Trafficking](#) for further information on this topic.

¹³⁶ [Wash. Rev. Code Ann. § 9.41.080](#). A violation is a class C felony, and any firearms dealer violating this prohibition is subject to mandatory permanent revocation of and permanent ineligibility for his or her dealer's license. [Wash. Rev. Code Ann. §§ 9.41.080, 9.41.110\(8\)\(b\)](#).

¹³⁷ [Wash. Rev. Code Ann. § 9.41.140](#). See [Wash. Rev. Code Ann. § 9.41.135](#) for information on the required annual verification of firearms dealer licenses and registration by the Washington Department of Licensing.

¹³⁸ [Wash. Rev. Code Ann. § 9.41.090\(2\)\(b\)](#).

¹³⁹ [Wash. Rev. Code Ann. § 9.41.090\(6\)](#).

Washington State Links

[Bureau of Alcohol, Tobacco, Firearms and Explosives, Seattle Field Division \(AK, HI, ID, OR, WA\)](#)

[Washington State Office of the Attorney General](#)

[Washington Ceasefire](#)

[Washington State Medical Association](#)