
SENATE BILL 5459

State of Washington

52nd Legislature

1991 Regular Session

By Senators Moore, Conner and Williams.

Read first time January 31, 1991. Referred to Committee on Environment & Natural Resources.

1 AN ACT Relating to animal traps; adding new sections to chapter
2 77.16 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** As used in sections 2 through 5 of this
5 act, "steel jaw traps" means spring-powered devices or traps that
6 capture or hold an animal by exerting a lateral force with fix-mounted
7 jaws on the leg, toe, paw, or other part of an animal's body.

8 NEW SECTION. **Sec. 2.** Except as provided in sections 3 and 4
9 of this act, no person shall use, set, place, maintain, or tend, or
10 cause to be used, set, placed, maintained, or tended, steel jaw traps.

11 NEW SECTION. **Sec. 3.** (1) Sections 2 through 5 of this act shall
12 not apply to state employees using steel jaw traps to alleviate an

1 emergency to the public health, safety, and welfare, after use has been
2 ordered or approved by the secretary of the department of health.

3 (2) Before ordering or approving the use of steel jaw traps, the
4 secretary of the department of health shall determine that:

5 (a) An emergency involving the public health, safety, or welfare
6 exists or is imminent;

7 (b) An alternative method of alleviating the emergency does not
8 exist or is inadequate; and

9 (c) The emergency can be alleviated by use of steel jaw traps.

10 The secretary of the department of health shall then specify the
11 counties within the state that are affected by the emergency, and order
12 or permit designated state personnel to use steel jaw traps within
13 these counties for a period not to exceed one hundred eighty days. The
14 period may be extended for no more than ninety days upon determination
15 that the emergency and the need for use of steel jaw traps exist. More
16 than one extension may be granted, but each extension shall require a
17 separate determination that the emergency and the need for use of steel
18 jaw traps continue to exist.

19 (3) The secretary of the department of health shall notify the
20 public of the affected counties and periods of intended use at least
21 seven days in advance of deployment of steel jaw traps.

22 NEW SECTION. **Sec. 4.** (1) Sections 2 through 5 of this act
23 shall not apply to a person who owns or leases land and obtains a
24 special permit from the director of the department of wildlife to use
25 steel jaw traps on his or her land to alleviate an animal nuisance
26 problem. The person shall apply in writing for the special permit and
27 shall set forth facts in the application adequate for the department to
28 make a preliminary determination as to whether or not an animal
29 nuisance exists on the applicant's land that can be alleviated by use

1 of steel jaw traps. If the preliminary determination is favorable to
2 the applicant, the director shall then make his or her own
3 investigation that must confirm, before a permit is issued, the
4 existence of the animal nuisance and the need for the use of steel jaw
5 traps. A special permit is issued for a period not to exceed thirty
6 days.

7 (2) The director of the department of wildlife is authorized to
8 issue special permits for the purpose of this section.

9 NEW SECTION. **Sec. 5.** A person convicted of violating sections
10 2 through 4 of this act shall be punished by imprisonment for not more
11 than six months, or fined not more than one thousand dollars, or both.
12 Each violation of sections 2 through 4 of this act is considered a
13 separate offense.

14 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are
15 each added to chapter 77.16 RCW.