

CERTIFICATION OF ENROLLMENT

**ENGROSSED HOUSE BILL 1408**

55th Legislature  
1998 Regular Session

Passed by the House March 9, 1998  
Yeas 73 Nays 23

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**Speaker of the  
House of Representatives**

Passed by the Senate March 4, 1998  
Yeas 36 Nays 12

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**President of the Senate**

Approved

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1408** as passed by the House of Representatives and the Senate on the dates hereon set forth.

\_\_\_\_\_  
**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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ENGROSSED HOUSE BILL 1408

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AS AMENDED BY THE SENATE

Passed Legislature - 1998 Regular Session

State of Washington                      55th Legislature                      1997 Regular Session

By Representatives Mielke, Sheahan, Doumit, Pennington, Mulliken,  
Sterk, Thompson, Dunn and Sullivan

Read first time 01/24/97. Referred to Committee on Law & Justice.

1            AN ACT Relating to the carrying of a concealed pistol by persons  
2 from another state; and amending RCW 9.41.050 and 9.41.060.

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

4            **Sec. 1.** RCW 9.41.050 and 1997 c 200 s 1 are each amended to read  
5 as follows:

6            (1)(a) Except in the person's place of abode or fixed place of  
7 business, a person shall not carry a pistol concealed on his or her  
8 person without a license to carry a concealed pistol issued under RCW  
9 9.41.070, unless the person holds a valid permit or license issued by  
10 a state or local agency in another state authorizing the person to  
11 carry a concealed firearm.

12            (b) Every licensee shall have his or her concealed pistol license  
13 in his or her immediate possession at all times that he or she is  
14 required by this section to have a concealed pistol license and shall  
15 display the same upon demand to any police officer or to any other  
16 person when and if required by law to do so. Any violation of this  
17 subsection (1)(b) shall be a class 1 civil infraction under chapter  
18 7.80 RCW and shall be punished accordingly pursuant to chapter 7.80 RCW  
19 and the infraction rules for courts of limited jurisdiction. This

1 subsection applies also to a concealed pistol license issued in another  
2 state.

3 (2) A person shall not carry or place a loaded pistol in any  
4 vehicle unless the person has a license to carry a concealed pistol  
5 and: (a) The pistol is on the licensee's person, (b) the licensee is  
6 within the vehicle at all times that the pistol is there, or (c) the  
7 licensee is away from the vehicle and the pistol is locked within the  
8 vehicle and concealed from view from outside the vehicle.

9 (3) A person at least eighteen years of age who is in possession of  
10 an unloaded pistol shall not leave the unloaded pistol in a vehicle  
11 unless the unloaded pistol is locked within the vehicle and concealed  
12 from view from outside the vehicle.

13 (4) Violation of any of the prohibitions of subsections (2) and (3)  
14 of this section is a misdemeanor.

15 (5) Nothing in this section permits the possession of firearms  
16 illegal to possess under state or federal law.

17 **Sec. 2.** RCW 9.41.060 and 1996 c 295 s 5 are each amended to read  
18 as follows:

19 The provisions of RCW 9.41.050 shall not apply to:

20 (1) Marshals, sheriffs, prison or jail wardens or their deputies,  
21 or other law enforcement officers of this state or another state;

22 (2) Members of the armed forces of the United States or of the  
23 national guard or organized reserves, when on duty;

24 (3) Officers or employees of the United States duly authorized to  
25 carry a concealed pistol;

26 (4) Any person engaged in the business of manufacturing, repairing,  
27 or dealing in firearms, or the agent or representative of the person,  
28 if possessing, using, or carrying a pistol in the usual or ordinary  
29 course of the business;

30 (5) Regularly enrolled members of any organization duly authorized  
31 to purchase or receive pistols from the United States or from this  
32 state;

33 (6) Regularly enrolled members of clubs organized for the purpose  
34 of target shooting, when those members are at or are going to or from  
35 their places of target practice;

36 (7) Regularly enrolled members of clubs organized for the purpose  
37 of modern and antique firearm collecting, when those members are at or  
38 are going to or from their collector's gun shows and exhibits;

1 (8) Any person engaging in a lawful outdoor recreational activity  
2 such as hunting, fishing, camping, hiking, or horseback riding, only  
3 if, considering all of the attendant circumstances, including but not  
4 limited to whether the person has a valid hunting or fishing license,  
5 it is reasonable to conclude that the person is participating in lawful  
6 outdoor activities or is traveling to or from a legitimate outdoor  
7 recreation area;

8 (9) Any person while carrying a pistol unloaded and in a closed  
9 opaque case or secure wrapper; or

10 (10) Law enforcement officers retired for service or physical  
11 disabilities, except for those law enforcement officers retired because  
12 of mental or stress-related disabilities. This subsection applies only  
13 to a retired officer who has: (a) Obtained documentation from a law  
14 enforcement agency within Washington state from which he or she retired  
15 that is signed by the agency's chief law enforcement officer and that  
16 states that the retired officer was retired for service or physical  
17 disability; and (b) not been convicted of a crime making him or her  
18 ineligible for a concealed pistol license.

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