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**HOUSE BILL 2951**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Representatives Scott, Taylor, and Shea

AN ACT Relating to the transportation and storage of firearms and ammunition in privately owned motor vehicles; adding a new section to chapter 9.41 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature intends by this act to protect the right of each citizen to lawfully transport and store firearms within his or her private vehicle for lawful purposes in any place the vehicle is otherwise permitted to be and whenever this would not contravene existing federal or state law.

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

(1) A business, commercial enterprise, or employer may not establish, maintain, or enforce a policy or rule that prohibits or has the effect of prohibiting a person from transporting or storing any firearm or ammunition in a privately owned motor vehicle when the person is in compliance with all other applicable laws and the firearm or ammunition is locked out of sight within the trunk, glove box, or other enclosed compartment or area within or on the privately owned motor vehicle.

(2)(a) A person who would be entitled legally to transport or store a firearm or ammunition, but is denied the ability to transport or store a firearm or ammunition by a policy that violates subsection (1) of this section, may bring a civil action in the appropriate court to enjoin any business, commercial enterprise, or employer from violating subsection (1) of this section. In any action brought pursuant to this section, court costs and reasonable attorneys' fees shall be awarded to the prevailing plaintiff.

(b) A person who is injured or incurs damages, or the survivors of a person killed, as a result of a violation of subsection (1) of this section, may bring a civil action for damages in the appropriate court against any business entity, commercial enterprise, or employer who committed or caused such violation.

(3) No employer may discharge or discipline an employee for violating a policy or rule established, maintained, or enforced in violation of subsection (1) of this section. If an employer discharges an employee in violation of this subsection, the employee shall have a cause of action against the employer. The employer shall be liable for the amount of damages suffered as a result of the violation and for costs and reasonable attorneys' fees. The employer may also be ordered to reinstate the aggrieved employee.

(4) No business, commercial enterprise, or employer shall be held liable in any civil action for damages based on property damage, physical injuries, or death resulting from or arising out of another person's actions involving a firearm or ammunition transported or stored in a privately owned vehicle pursuant to subsection (1) of this section including, but not limited to, the theft of a firearm from an employee's automobile. Nothing contained in this section shall create a new duty on the part of any business, commercial enterprise, or employer beyond the duty specified in subsection (1) of this section.

(5) In any action relating to the enforcement of any right or obligation under this section, the reasonable, good-faith efforts of a business, commercial enterprise, or employer to comply with other applicable and irreconcilable federal or state safety laws or regulations shall be a complete defense to the liability of any business, commercial enterprise, or employer.

(6) As used in this section, "motor vehicle" means any automobile, truck, van, minivan, sports utility vehicle, motorcycle, motor scooter, or any other vehicle required to be registered under state law.

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