
HOUSE BILL 2951

State of Washington 64th Legislature 2016 Regular Session

By Representatives Scott, Taylor, and Shea

Read first time 02/01/16. Referred to Committee on Judiciary.

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

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

5 NEW SECTION. **Sec. 1.** The legislature intends by this act to
6 protect the right of each citizen to lawfully transport and store
7 firearms within his or her private vehicle for lawful purposes in any
8 place the vehicle is otherwise permitted to be and whenever this
9 would not contravene existing federal or state law.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.41 RCW
11 to read as follows:

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

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

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

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

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

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

38 (6) As used in this section, "motor vehicle" means any
39 automobile, truck, van, minivan, sports utility vehicle, motorcycle,

1 motor scooter, or any other vehicle required to be registered under
2 state law.

--- END ---