
SUBSTITUTE HOUSE BILL 1917

State of Washington

66th Legislature

2019 Regular Session

By House Rural Development, Agriculture, & Natural Resources
(originally sponsored by Representatives Peterson and Dent)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to the use of certain animal traps by airport
2 operators; and amending RCW 77.15.194.

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

4 **Sec. 1.** RCW 77.15.194 and 2003 c 53 s 374 are each amended to
5 read as follows:

6 (1) It is unlawful to use or authorize the use of any steel-jawed
7 leghold trap, neck snare, or other body-gripping trap to capture any
8 mammal for recreation or commerce in fur.

9 (2) It is unlawful to knowingly buy, sell, barter, or otherwise
10 exchange, or offer to buy, sell, barter, or otherwise exchange the
11 raw fur of a mammal or a mammal that has been trapped in this state
12 with a steel-jawed leghold trap or any other body-gripping trap,
13 whether or not pursuant to permit.

14 (3) It is unlawful to use or authorize the use of any steel-jawed
15 leghold trap or any other body-gripping trap to capture any animal,
16 except as provided in subsections (4) (~~and (5)~~) through (6) of this
17 section.

18 (4) Nothing in this section prohibits the use of a Conibear trap
19 in water, a padded leghold trap, or a nonstrangling type foot snare
20 with a special permit granted by the director under (a) through (d)
21 of this subsection. Issuance of the special permits shall be governed

1 by rules adopted by the department and in accordance with the
2 requirements of this section. Every person granted a special permit
3 to use a trap or device listed in this subsection shall check the
4 trap or device at least every twenty-four hours.

5 (a) Nothing in this section prohibits the director, in
6 consultation with the department of social and health services or the
7 United States department of health and human services from granting a
8 permit to use traps listed in this subsection for the purpose of
9 protecting people from threats to their health and safety.

10 (b) Nothing in this section prohibits the director from granting
11 a special permit to use traps listed in this subsection to a person
12 who applies for such a permit in writing, and who establishes that
13 there exists on a property an animal problem that has not been and
14 cannot be reasonably abated by the use of nonlethal control tools,
15 including but not limited to guard animals, electric fencing, or box
16 and cage traps, or if such nonlethal means cannot be reasonably
17 applied. Upon making a finding in writing that the animal problem has
18 not been and cannot be reasonably abated by nonlethal control tools
19 or if the tools cannot be reasonably applied, the director may
20 authorize the use, setting, placing, or maintenance of the traps for
21 a period not to exceed thirty days.

22 (c) Nothing in this section prohibits the director from granting
23 a special permit to department employees or agents to use traps
24 listed in this subsection where the use of the traps is the only
25 practical means of protecting threatened or endangered species as
26 designated under RCW 77.08.010.

27 (d) Nothing in this section prohibits the director from issuing a
28 permit to use traps listed in this subsection, excluding Conibear
29 traps, for the conduct of legitimate wildlife research.

30 (5) Nothing in this section prohibits the United States fish and
31 wildlife service, its employees or agents, from using a trap listed
32 in subsection (4) of this section where the fish and wildlife service
33 determines, in consultation with the director, that the use of such
34 traps is necessary to protect species listed as threatened or
35 endangered under the federal endangered species act (16 U.S.C. Sec.
36 1531 et seq.).

37 (6) (a) An airport operator that uses a padded foot, leghold, or
38 any other body-gripping trap for the protection of human and aviation
39 security to secure an animal is exempt from the provisions of
40 subsection (3) of this section if: (i) Once every three years, the

1 airport operator obtains a special permit from the director for this
2 purpose; and (ii) once each year, the airport operator submits a
3 report to the director detailing the previous year's activities
4 regulated under subsection (3) of this section.

5 (b) Nothing under this subsection (6) authorizes an airport
6 operator to sell the raw fur of a mammal or otherwise violate the
7 provisions of subsection (2) of this section.

8 (c) For the purposes of this subsection, "airport operator" has
9 the same meaning as defined in RCW 14.08.015.

10 (7) A person violating this section is guilty of a gross
11 misdemeanor.

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