

Washington Constitution

Article 1; Section 24

The Right to Bear Arms:

"The right of the individual citizen to bear arms in defense of himself, or the state, shall not be impaired"

FACTS ABOUT CARRYING A FIREARM

- 1.) Washington is an "open carry" state for firearms. This means a person may carry a firearm in an exposed holster without any kind of permit unless there is something that makes it specifically illegal (For example, carrying a weapon onto primary or secondary school grounds or other prohibited places, or carrying a weapon by most felons or anyone convicted of a domestic violence crime.)
- 2.) Unlawful carrying (RCW 9.41.270) occurs when the person carries or displays a weapon "in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons" This is something more than just walking around with an exposed firearm. If there is a dispute, for example, and one person, while angry, displays the weapon to scare the other person.
- 3.) Unlawful carrying without a Concealed Pistol License (CPL) occurs when a person carries a concealed pistol on his person and does not have a CPL. A person may carry a loaded firearm in a vehicle only if they have a valid CPL. Those without a valid CPL may carry a firearm in a vehicle only if the firearm is unloaded and in a secure wrapper or opaque case. (RCW 9.41.050)
- 4.) Due to state preemption, no city, town, county, or other municipality can restrict your right to keep and bear arms more than the state (RCW 9.41.290)
- 5.) Carrying concealed (with a CPL) or openly in establishments that serve alcohol is allowed in Washington, so long as it is not carried into an area designated as "no minors allowed" by the Washington Liquor Control Board (RCW 9.41.300)
- 6.) There is no stipulation that a Washington CPL holder MUST carry concealed. Furthermore, lawful open carry of a firearm is NOT grounds for revocation of a Washington CPL.
- 7.) IF IT IS NOT PROHIBITED BY STATUTE, IT IS LEGAL

LICENSING

- 1.) If you live in the unincorporated area of a county you must apply in person at your sheriff's office.
- 2.) If you live in an incorporated city within the county, you may apply in person at either the city police department or sheriff's office.
- 3.) If you are not a Washington State resident, you may apply at any local law enforcement agency in the state.

PLACES OFF-LIMITS WHILE CARRYING

Refer to RCW 9.41.300 on the inside to view the complete list of restrictions.

Useful Resources

Northwest Citizen's Defense League

<http://www.nwcdl.org>

Washington Open Carry Discussion Forum

<http://opencarry.mywowbb.com/forum55/>

Washington Uniform Firearms Act

<http://apps.leg.wa.gov/RCW/default.aspx?cite=9.41&full=true>

Students For Concealed Carry On Campus

www.concealedcampus.org

Washington State Rifle & Pistol Association

www.wsrpa.net

Handgun Law

www.handgunlaw.us

Gun Owners of America

www.gunowners.org

National Rifle Association

www.NRA.org

Revised Code of Washington

<http://apps.leg.wa.gov/rcw/>

National website and discussion forum dedicated to promoting the lawful open carrying of firearms.

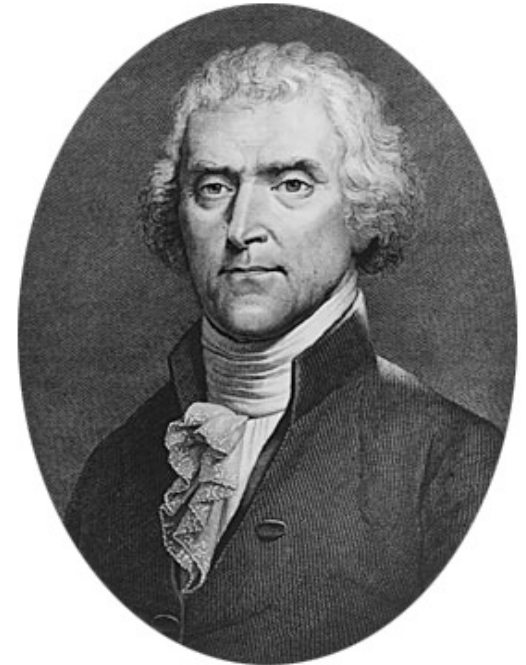


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Yes, Open Carry is Legal.

DISCLAIMER: All firearms laws and interpretations noted here are provided for your information and research. You are responsible to know and understand the law before you carry a firearm. Please refer to the Revised Code of Washington or a lawyer if you need more information.

Washington Gun Rights



"...all power is inherent in the people...it is their right and duty to be at all times armed."

Thomas Jefferson

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Selected Washington Statutes Pertaining to Firearms

RCW 9.41.050 - Carrying firearms

- (1) (a) Except in the person's place of abode or fixed place of business, a person shall not carry a pistol concealed on his or her person without a license to carry a concealed pistol. (b) Every licensee shall have his or her concealed pistol license in his or her immediate possession at all times that he or she is required by this section to have a concealed pistol license and shall display the same upon demand to any police officer or to any other person when and if required by law to do so. Any violation of this subsection (1)(b) shall be a class 1 civil infraction under chapter 7.80 RCW and shall be punished accordingly pursuant to chapter 7.80 RCW and the infraction rules for courts of limited jurisdiction.
- (2) (a) A person shall not carry or place a loaded pistol in any vehicle unless the person has a license to carry a concealed pistol and: (i) The pistol is on the licensee's person, (ii) the licensee is within the vehicle at all times that the pistol is there, or (iii) the licensee is away from the vehicle and the pistol is locked within the vehicle and concealed from view from outside the vehicle. (b) A violation of this subsection is a misdemeanor.
- (3) (a) A person at least eighteen years of age who is in possession of an unloaded pistol shall not leave the unloaded pistol in a vehicle unless the unloaded pistol is locked within the vehicle and concealed from view from outside the vehicle. (b) A violation of this subsection is a misdemeanor.
- (4) Nothing in this section permits the possession of firearms illegal to possess under state or federal law.

RCW 9.41.270 - Weapons Apparently Capable Of Producing Bodily Harm ...

- (1) It shall be unlawful for any person to carry, exhibit, display, or draw any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.
- (2) Any person violating the provisions of subsection (1) above shall be guilty of a gross misdemeanor. If any person is convicted of a violation of subsection (1) of this section, the person shall lose his or her concealed pistol license, if any. The court shall send notice of the revocation to the department of licensing, and the city, town, or county which issued the license.
- (3) Subsection (1) of this section shall not apply to or affect the following: (a) Any act committed by a person while in his or her place of abode or fixed place of business; (b) Any person who by virtue of his or her office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, while in the performance of such duty, (c) Any person acting for the purpose of protecting himself or

herself against the use of presently threatened unlawful force by another, or for the purpose of protecting another against the use of such unlawful force by a third person; (d) Any person making or assisting in making a lawful arrest for the commission of a felony; or (e) Any person engaged in military activities sponsored by the federal or state governments.

RCW 9.41.300 - Weapons Prohibited In Certain Places - Local Laws and Ordinances

- (1) It is unlawful for any person to enter the following places when he or she knowingly possesses or knowingly has under his or her control a weapon: (a) The restricted access areas of a jail, or of a law enforcement facility, or any place used for the confinement of a person (i) arrested for, charged with, or convicted of an offense, (ii) held for extradition or as a material witness, or (iii) otherwise confined pursuant to an order of a court, except an order under chapter 13.32A or 13.34 RCW. Restricted access areas do not include common areas of egress or ingress open to the general public; (b) Those areas in any building which are used in connection with court proceedings, including courtrooms, jury rooms, judge's chambers, offices and areas used to conduct court business, waiting areas, and corridors adjacent to areas used in connection with court proceedings. The restricted areas do not include common areas of ingress and egress to the building that is used in connection with court proceedings, when it is possible to protect court areas without restricting ingress and egress to the building. The restricted areas shall be the minimum necessary to fulfill the objective of this subsection (1)(b). In addition, the local legislative authority shall provide either a stationary locked box sufficient in size for pistols and key to a weapon owner for weapon storage, or shall designate an official to receive weapons for safekeeping, during the owner's visit to restricted areas of the building. The locked box or designated official shall be located within the same building used in connection with court proceedings. The local legislative authority shall be liable for any negligence causing damage to or loss of a weapon either placed in a locked box or left with an official during the owner's visit to restricted areas of the building. The local judicial authority shall designate and clearly mark those areas where weapons are prohibited, and shall post notices at each entrance to the building of the prohibition against weapons in the restricted areas; (c) The restricted access areas of a public mental health facility certified by the department of social and health services for inpatient hospital care and state institutions for the care of the mentally ill, excluding those facilities solely for evaluation and treatment. Restricted access areas do not include common areas of egress and ingress open to the general public; (d) That portion of an establishment classified by the state liquor control board as off-limits to persons under twenty-one years of age; or (e) The restricted access areas of a commercial service airport designated in the airport security plan approved by the federal transportation security administration, including passenger screening checkpoints at or beyond the point at which a passenger initiates the screening process. These areas do not include airport drives,

general parking areas and walkways, and shops and areas of the terminal that are outside the screening checkpoints and that are normally open to unscreened passengers or visitors to the airport. Any restricted access area shall be clearly indicated by prominent signs indicating that firearms and other weapons are prohibited in the area.

- (2) Cities, towns, counties, and other municipalities may enact laws and ordinances: (a) Restricting the discharge of firearms in any portion of their respective jurisdictions where there is a reasonable likelihood that humans, domestic animals, or property will be jeopardized. Such laws and ordinances shall not abridge the right of the individual guaranteed by Article I, section 24 of the state Constitution to bear arms in defense of self or others; and (b) Restricting the possession of firearms in any stadium or convention center, operated by a city, town, county, or other municipality, except that such restrictions shall not apply to: (i) Any pistol in the possession of a person licensed under RCW 9.41.70 or exempt from the licensing requirement by RCW 9.41.60; or (ii) Any showing, demonstration, or lecture involving the exhibition of firearms.
- (3) Omitted due to space restrictions
- (4) Omitted due to space restrictions
- (5) The perimeter of the premises of any specific location covered by subsection (1) of this section shall be posted at reasonable intervals to alert the public as to the existence of any law restricting the possession of firearms on the premises.
The rest of RCW 9.41.300 has been omitted due to space restrictions.

RCW 9.41.290 - State Preemption

Cities, towns, and counties or other municipalities may enact only those laws and ordinances relating to firearms that are specifically authorized by state law...Local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of state law shall not be enacted and are preempted and repealed.....

National website and discussion forum dedicated to promoting the lawful open carrying of firearms.



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