
SENATE BILL 5675

State of Washington

54th Legislature

1995 Regular Session

By Senators Morton, Oke, Schow and Hochstatter

Read first time 01/31/95. Referred to Committee on Law & Justice.

1 AN ACT Relating to temporary locations for firearms dealers; and
2 amending RCW 9.41.110.

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

4 **Sec. 1.** RCW 9.41.110 and 1994 sp.s. c 7 s 416 are each amended to
5 read as follows:

6 (1) No dealer may sell or otherwise transfer, or expose for sale or
7 transfer, or have in his or her possession with intent to sell, or
8 otherwise transfer, any pistol without being licensed as provided in
9 this section.

10 (2) No dealer may sell or otherwise transfer, or expose for sale
11 or transfer, or have in his or her possession with intent to sell, or
12 otherwise transfer, any firearm other than a pistol without being
13 licensed as provided in this section.

14 (3) No dealer may sell or otherwise transfer, or expose for sale
15 or transfer, or have in his or her possession with intent to sell, or
16 otherwise transfer, any ammunition without being licensed as provided
17 in this section.

18 (4) The duly constituted licensing authorities of any city, town,
19 or political subdivision of this state shall grant licenses in forms

1 prescribed by the director of licensing effective for not more than one
2 year from the date of issue permitting the licensee to sell firearms
3 within this state subject to the following conditions, for breach of
4 any of which the license shall be forfeited and the licensee subject to
5 punishment as provided in RCW 9.41.010 through 9.41.810. A licensing
6 authority shall forward a copy of each license granted to the
7 department of licensing. The department of licensing shall notify the
8 department of revenue of the name and address of each dealer licensed
9 under this section.

10 (5)(a) A licensing authority shall, within thirty days after the
11 filing of an application of any person for a dealer's license,
12 determine whether to grant the license. However, if the applicant does
13 not have a valid permanent Washington driver's license or Washington
14 state identification card, or has not been a resident of the state for
15 the previous consecutive ninety days, the licensing authority shall
16 have up to sixty days to determine whether to issue a license. No
17 person shall qualify for a license under this section without first
18 receiving a federal firearms license and undergoing fingerprinting and
19 a background check. In addition, no person ineligible to possess a
20 firearm under RCW 9.41.040 or ineligible for a concealed pistol license
21 under RCW 9.41.070 shall qualify for a dealer's license.

22 (b) A dealer shall require every employee who may sell a firearm in
23 the course of his or her employment to undergo fingerprinting and a
24 background check. An employee must be eligible to possess a firearm,
25 and must not have been convicted of a crime that would make the person
26 ineligible for a concealed pistol license, before being permitted to
27 sell a firearm. Every employee shall comply with requirements
28 concerning purchase applications and restrictions on delivery of
29 pistols that are applicable to dealers.

30 (6)(a) Except as otherwise provided in (b) of this subsection, the
31 business shall be carried on only in the building designated in the
32 license. For the purpose of this section, advertising firearms for
33 sale shall not be considered the carrying on of business.

34 (b) A dealer may conduct business temporarily at a location other
35 than the building designated in the license, if the temporary location
36 is within Washington state and is the location of a gun club, gun show
37 or competitive shooting event sponsored by a national, state, or local
38 organization, or an affiliate of any such organization, devoted to the
39 collection, competitive use, or other sporting use of firearms in the

1 community. Nothing in this subsection (6)(b) authorizes a dealer to
2 conduct business in or from a motorized or towed vehicle except at a
3 competitive shooting event sanctioned by a national, state, or local
4 organization, or an affiliate of the organization, devoted to the
5 collection, competitive use, or sporting use of firearms.

6 In conducting business temporarily at a location other than the
7 building designated in the license, the dealer shall comply with all
8 other requirements imposed on dealers by RCW 9.41.090, 9.41.100, and
9 9.41.110. The license of a dealer who fails to comply with the
10 requirements of RCW 9.41.080 and 9.41.090 and subsection (8) of this
11 section while conducting business at a temporary location shall be
12 revoked, and the dealer shall be permanently ineligible for a dealer's
13 license.

14 (7) The license or a copy thereof, certified by the issuing
15 authority, shall be displayed on the premises in the area where
16 firearms are sold, or at the temporary location, where it can easily be
17 read.

18 (8)(a) No pistol may be sold: (i) In violation of any provisions
19 of RCW 9.41.010 through 9.41.810; nor (ii) may a pistol be sold under
20 any circumstances unless the purchaser is personally known to the
21 dealer or shall present clear evidence of his or her identity.

22 (b) A dealer who sells or delivers any firearm in violation of RCW
23 9.41.080 is guilty of a class C felony. In addition to any other
24 penalty provided for by law, the dealer is subject to mandatory
25 permanent revocation of his or her dealer's license and permanent
26 ineligibility for a dealer's license.

27 (c) The license fee for pistols shall be one hundred twenty-five
28 dollars. The license fee for firearms other than pistols shall be one
29 hundred twenty-five dollars. The license fee for ammunition shall be
30 one hundred twenty-five dollars. Any dealer who obtains any license
31 under subsection (1), (2), or (3) of this section may also obtain the
32 remaining licenses without payment of any fee. The fees received under
33 this section shall be deposited in the account under RCW 69.50.520.

34 (9)(a) A true record in triplicate shall be made of every pistol
35 sold, in a book kept for the purpose, the form of which may be
36 prescribed by the director of licensing and shall be personally signed
37 by the purchaser and by the person effecting the sale, each in the
38 presence of the other, and shall contain the date of sale, the caliber,
39 make, model and manufacturer's number of the weapon, the name, address,

1 occupation, and place of birth of the purchaser and a statement signed
2 by the purchaser that he or she is not ineligible under RCW 9.41.040 to
3 possess a firearm.

4 (b) One copy shall within six hours be sent by certified mail to
5 the chief of police of the municipality or the sheriff of the county of
6 which the purchaser is a resident; the duplicate the dealer shall
7 within seven days send to the director of licensing; the triplicate the
8 dealer shall retain for six years.

9 (10) Subsections (2) through (9) of this section shall not apply to
10 sales at wholesale.

11 (11) The dealer's licenses authorized to be issued by this section
12 are general licenses covering all sales by the licensee within the
13 effective period of the licenses. The department shall provide a
14 single application form for dealer's licenses and a single license form
15 which shall indicate the type or types of licenses granted.

16 (12) Except as provided in RCW 9.41.090, every city, town, and
17 political subdivision of this state is prohibited from requiring the
18 purchaser to secure a permit to purchase or from requiring the dealer
19 to secure an individual permit for each sale.

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