

RCW 9.91.160 Personal protection spray devices. (1) It is unlawful for a person under eighteen years old, unless the person is at least fourteen years old and has the permission of a parent or guardian to do so, to purchase or possess a personal protection spray device. A violation of this subsection is a misdemeanor.

(2) No town, city, county, special purpose district, quasi-municipal corporation or other unit of government may prohibit a person eighteen years old or older, or a person fourteen years old or older who has the permission of a parent or guardian to do so, from purchasing or possessing a personal protection spray device or from using such a device in a manner consistent with the authorized use of force under RCW 9A.16.020. No town, city, county, special purpose district, quasi-municipal corporation, or other unit of government may prohibit a person eighteen years old or older from delivering a personal protection spray device to a person authorized to possess such a device.

(3) For purposes of this section:

(a) "Personal protection spray device" means a commercially available dispensing device designed and intended for use in self-defense and containing a nonlethal sternutator or lacrimator agent, including but not limited to:

(i) Tear gas, the active ingredient of which is either chloroacetophenone (CN) or O-chlorobenzylidene malononitrile (CS); or

(ii) Other agent commonly known as mace, pepper mace, or pepper gas.

(b) "Delivering" means actual, constructive, or attempted transferring from one person to another.

(4) Nothing in this section authorizes the delivery, purchase, possession, or use of any device or chemical agent that is otherwise prohibited by state law. [1994 sp.s. c 7 § 514.]

Finding—Intent—Severability—1994 sp.s. c 7: See notes following RCW 43.70.540.