
SUBSTITUTE SENATE BILL 5264

State of Washington 63rd Legislature 2013 Regular Session

By Senate Transportation (originally sponsored by Senators Benton, Mullet, Baumgartner, and Sheldon)

READ FIRST TIME 02/28/13.

1 AN ACT Relating to the transportation and storage of certain
2 explosive devices; and amending RCW 70.74.191.

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

4 **Sec. 1.** RCW 70.74.191 and 2002 c 370 s 2 are each amended to read
5 as follows:

6 The laws contained in this chapter and regulations prescribed by
7 the department of labor and industries pursuant to this chapter shall
8 not apply to:

9 (1) Explosives or blasting agents in the course of transportation
10 by way of railroad, water, highway, or air under the jurisdiction of,
11 and in conformity with, regulations adopted by the federal department
12 of transportation, the Washington state utilities and transportation
13 commission, and the Washington state patrol;

14 (2) The laboratories of schools, colleges, and similar institutions
15 if confined to the purpose of instruction or research and if not
16 exceeding the quantity of one pound;

17 (3) Explosives in the forms prescribed by the official United
18 States Pharmacopoeia;

1 (4) The transportation, storage, and use of explosives or blasting
2 agents in the normal and emergency operations of United States agencies
3 and departments including the regular United States military
4 departments on military reservations; arsenals, navy yards, depots, or
5 other establishments owned by, operated by, or on behalf of, the United
6 States; or the duly authorized militia of any state; or to emergency
7 operations of any state department or agency, any police, or any
8 municipality or county;

9 (5) A hazardous devices technician when carrying out normal and
10 emergency operations, handling evidence, and operating and maintaining
11 a specially designed emergency response vehicle that carries no more
12 than ten pounds of explosive material or when conducting training and
13 whose employer possesses the minimum safety equipment prescribed by the
14 federal bureau of investigation for hazardous devices work. For
15 purposes of this section, a hazardous devices technician is a person
16 who is a graduate of the federal bureau of investigation hazardous
17 devices school and who is employed by a state, county, or municipality;

18 (6) The importation, sale, possession, and use of fireworks as
19 defined in chapter 70.77 RCW, signaling devices, flares, fuses, and
20 torpedoes;

21 (7) The transportation, storage, and use of explosives or blasting
22 agents in the normal and emergency avalanche control procedures as
23 conducted by trained and licensed ski area operator personnel.
24 However, the storage, transportation, and use of explosives and
25 blasting agents for such use shall meet the requirements of regulations
26 adopted by the director of labor and industries;

27 (8) The storage of consumer fireworks as defined in chapter 70.77
28 RCW pursuant to a forfeiture or seizure under chapter 70.77 RCW by the
29 chief of the Washington state patrol, through the director of fire
30 protection, or his or her deputy, or by state agencies or local
31 governments having general law enforcement authority; ((and))

32 (9) The transportation and storage of explosive actuated tactical
33 devices, including noise and flash diversionary devices, by local law
34 enforcement tactical response teams and officers in law enforcement
35 department-issued vehicles designated for use by tactical response
36 teams and officers, provided the explosive devices are stored and
37 secured in compliance with regulations and rulings adopted by the
38 federal bureau of alcohol, tobacco, firearms and explosives; and

1 (10) Any violation under this chapter if any existing ordinance of
2 any city, municipality, or county is more stringent than this chapter.

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