

RCW 77.15.194 Unlawful traps—Penalty. (1) It is unlawful to use or authorize the use of any steel-jawed leghold trap, neck snare, or other body-gripping trap to capture any mammal for recreation or commerce in fur.

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

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

(4) Nothing in this section prohibits the use of a Conibear trap in water, a padded leghold trap, or a nonstrangling type foot snare with a special permit granted by the director under (a) through (d) of this subsection. Issuance of the special permits shall be governed by rules adopted by the department and in accordance with the requirements of this section. Every person granted a special permit to use a trap or device listed in this subsection shall check the trap or device at least every twenty-four hours.

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

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

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

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

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

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

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

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

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

(7) A person violating this section is guilty of a gross misdemeanor. [2019 c 382 s 1; 2003 c 53 s 374; 2001 c 1 s 3 (Initiative Measure No. 713, approved November 7, 2000).]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

Finding—Severability—2001 c 1 (Initiative Measure No. 713): See notes following RCW 77.15.192.