



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: July 12, 2018

TIME: 9:35 AM

WSR 18-15-033

Agency: Washington State Patrol

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 18-11-026 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Proposed new chapter 446-100 WAC Bump-Fire Stock Buy-Back Program:

Authority – WAC 446-100-010

Definitions – WAC 446-100-015

Procedures – WAC 446-100-020

Hearing location(s):

Date: Time: Location: (be specific) Comment:

Date:	Time:	Location: (be specific)	Comment:
August 23, 2018	10:30am – 11:30am	Washington State Patrol Helen Somers Building 106 11 th Street SE; Room G015A Olympia, WA 98507	

Date of intended adoption: August 27, 2018 (Note: This is NOT the effective date)

Submit written comments to:

Name: Kimberly Mathis, Agency Rules Coordinator

Address: 106 11th Street SE; Olympia WA 98507

Email: wsprules@wsp.wa.gov

Fax:

Other:

By (date) August 22, 2018

Assistance for persons with disabilities:

Contact Kimberly Mathis

Phone: 360-596-4017

Fax:

TTY:

Email:

Other:

By (date) August 20, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules: ESB 5992 requires WSP to adopt rules to implement the bump-fire stock buy-back program, allowing a person in possession of a bump-fire stock to relinquish the device to WSP in exchange for a monetary payment

Reasons supporting proposal: To provide clarity of the procedures of the bump-fire stock buy-back program.

Statutory authority for adoption: Chapter 43.43 RCW

Statute being implemented: Chapter 43.43 RCW

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Washington State Patrol Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Kimberly Mathis	Olympia, WA	360-596-4017
Implementation:	Washington State Patrol	Olympia, WA	360-596-4017
Enforcement:	Washington State Patrol	Olympia, WA	360-596-4017

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:
Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain: This rule is exempt pursuant to RCW 34.05.328(5)(b)(v)

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of exemptions, if necessary:


COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's analysis showing how costs were calculated. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: July 12, 2018	Signature: 
Name: John R. Batiste	
Title: Chief	

Chapter 446-100 WAC
BUMP-FIRE STOCK BUYBACK PROGRAM

NEW SECTION

WAC 446-100-010 Authority. The Washington state patrol will establish and administer a bump-fire stock buyback program in accordance with chapter 43.43 RCW.

NEW SECTION

WAC 446-100-015 Definitions. For the purpose of these rules, the following words and phrases will have the following meanings:

"Bump-fire stock" means a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable with the semiautomatic firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger.

NEW SECTION

WAC 446-100-020 Procedures. The buyback program in which the Washington state patrol will pay one hundred fifty dollars to any Washington state resident, excluding gun dealers, who present a bump-fire stock that are in working condition, can be brought to a specified location.

(1) The Washington state patrol will hold events at its facilities throughout the state. These events will be announced on social media and the Washington state patrol web page at www.wsp.wa.gov.

(2) An individual must bring the bump-fire stock as defined in WAC 446-100-015 along with a valid driver's license or any other identification to a scheduled event.

(a) An individual must complete a voucher form provided by the Washington state patrol, with the individual's name and a valid mailing address for payment.

(b) The Washington state patrol will destroy the bump-fire stock and process the voucher form for payment.

(c) The Washington state patrol will issue a check and mail to the name and address on the voucher form.