

## Baird, Kevin (WSP)

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**From:** Baird, Kevin (WSP)  
**Sent:** Wednesday, June 1, 2022 8:22 AM  
**Subject:** WSP Firearms Background Division Update - June 2022

Hello!

Last month's email update generated an excellent response from one of you with several questions that we believe the rest of you may be wondering about. So, this month the update will be a frequently asked questions (FAQ) of sorts...but, if you have questions not covered here, please don't hesitate to respond to the email and ask!

- *What will be the fee for a background check? **\$18***
- *How will FFLs submit the fee? **SAFE will create a monthly invoice to be sent to the FFL (via email) and all fees for the month will be paid at one time through One Washington (the State accounts receivable system being built).***
- *For semiautomatic rifles (SARs), will the \$18 background check fee be in addition to the SAR fee currently paid to Washington State Department of Licensing (DOL)? **No, the \$18 fee replaces the SAR fee, but is also applied to all firearm transfers except pawn redemptions.***
- *Will there be a way to run multiple firearms on one check and if a fee is required, will it be per firearm or per background check? **Yes! For firearm sales/private transfers, the fee will be per transaction, not per firearm.***
- *Will the fees also be required for loans redemptions? **No! Pawn and pre-pawn will have no fee per RCW 9.41.1135:***

### **RCW 9.41.1135**

#### ***Firearms sales or transfers—Use of state firearms background check system.***

*(1) Beginning on the date that is thirty days after the Washington state patrol issues a notification to dealers that a state firearms background check system is established within the Washington state patrol under RCW 43.43.580, a dealer shall use the state firearms background check system to conduct background checks for all firearms transfers. A dealer may not sell or transfer a firearm to an individual unless the dealer first contacts the Washington state patrol for a background check to determine the eligibility of the purchaser or transferee to possess a firearm under state and federal law and the requirements and time periods established in RCW 9.41.090 and 9.41.092 have been satisfied. When an applicant applies for the purchase or transfer of a pistol or semiautomatic assault rifle, a dealer shall comply with all requirements of this chapter that apply to the sale or transfer of a pistol or semiautomatic rifle. The purchase or transfer of a firearm that is not a pistol or semiautomatic assault rifle must be processed in the same manner and under the same requirements of this chapter that apply to the sale or transfer of a pistol, except that the provisions of RCW 9.41.129, and the requirement in RCW 9.41.110(9)(b) concerning transmitting application records to the director of licensing, shall not apply to these transactions.*

*(2) A dealer shall charge a purchaser or transferee a background check fee in an amount determined by the Washington state patrol and remit the proceeds from the fee to the Washington state patrol on a monthly basis. **The background check fee does not apply to any background check conducted in connection with a pawnbroker's receipt of a pawned firearm or the redemption of a pawned firearm.***

(3) *This section does not apply to sales or transfers to licensed dealers or to the sale or transfer of an antique firearm.*

- *Will the Secure Automated Firearms E-check (SAFE) system allow handguns to be processed and be released immediately if cleared, the same as the federal NICS check? It is our goal to have as many 'lights out' background checks as possible...to allow people with no prohibiting information to be processed automatically by SAFE. It probably won't be 'immediate' (but neither is the FBI NICS e-check), but should drastically improve upon the current time required for a background check. Keep in mind, semiautomatic rifles (SARs) have a statutory 10 day wait period under RCW 9.41.092, regardless of the time it takes to process the background check.*
- *How long will your system retain the background checks on file? Federal law prohibits any agency from retaining any information on a 'proceed' transaction for more than 24 hours. For anyone who is denied a firearm transfer, we will keep the denial information for six years to allow the person an ample opportunity to appeal.*
- *Will SAFE eliminate the requirement to send the FTA copy to DOL? Yes! SAFE will automatically send the required information to DOL, as well as generate a .pdf you may save or print for record retention purposes.*
- *Once a proceed is received, will we have to go back into SAFE to enter the "date transferred" (#36 on the 4473)? Yes. The final step in the process is for the FFL to enter the date the firearm was transferred to the purchaser/transferee. Once completed the completed 4473 will be generated as a .pdf and printable for a 'wet signature' by the transferee.*
- *Will there be a call in option when the internet is down? Yes. Our staffing model accounts for some 'phone in' checks to be handled. However, keep in mind, that by using SAFE, you will get the benefit of not having to manually fill out both the 4473 and the FTA, you get a 'status' dashboard of your checks, and you will get immediate notifications of proceeds and denials as soon as they are adjudicated.*

Thank you,

Kevin

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