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From: Baird, Kevin (WSP)
Sent: Tuesday, November 1, 2022 7:03 AM
Subject: WSP Firearms Background Division Update - November 2022

Hello!

This month's update will be a continuation of more questions and answers that we didn't have room for last month...

1. *When the Secure Automated Firearms E-Check (SAFE) system is rolled out, will I be able to digitally store the completed and signed Department of Licensing Firearm Transfer Application (FTA) or will I need to print that out for physical storage?*

Answer:

Your choice! However, the FTA will be changed and no longer require a signature from the transferee, so electronic storage of the .pdf may be even easier!

2. *For "other", such as Silencers and Suppressors, will any information be transmitted to WA state?*

Answer:

Silencers and Suppressors are handled by the ATF via the NFA approval process and don't require a NICS check (see field #28 on the 4473). "Other" for background check and reporting purposes will only be frames and upper/lower receivers. Those items are required to be handled the same as handguns/semiautomatic rifles per RCW 9.41.111, meaning that WA Department of Licensing (DOL) is notified via the Firearm Transfer Application (FTA) after the background check is processed. However, this RCW does not go into effect until 30 days after WSP sends out a notice to FFLs saying we're operational. Once we are live, the FTA form that FFLs currently send to their local law enforcement agency (which they then send to DOL), will be done electronically by SAFE, eliminating yet another step for the FFLs!

3. *Will WA State accept CPLs for pistols and "other" firearms in lieu of submitting a SAFE NICS check once the system is operational?*

Answer:

No. RCW 9.41.090(3)(b) is very specific in what is required for all firearm transfers/purchases:

The state, through the legislature or initiative process, may enact a statewide firearms background check system equivalent to, or more comprehensive than, the check required by (a) of this subsection to determine that a purchaser is eligible to possess a firearm under RCW 9.41.040. Once a state system is established, a dealer shall use the state system and national instant criminal background check system, provided for by the Brady handgun violence prevention act (18 U.S.C. Sec. 921 et seq.), to make criminal background checks of applicants to purchase firearms.

Note: SAFE will be checking the national instant criminal background check system (NICS), so this statute doesn't mean that you have to run a person through SAFE, and then turn around and run them again through NICS. That would not be very efficient!

Also, one last thing! We are ready to start building the "API" to allow third party software to connect to SAFE and need some help making sure we get things right!!! If you are an FFL who uses a third party software system to conduct your

background checks, please respond to this email with the third party software company's name and a point of contact email or phone number for us to follow up with them.

As always, if you have more questions, comments, or concerns, please don't hesitate to reply to this email!

Thank you,

Kevin

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