

114TH CONGRESS
1ST SESSION

S. _____

To protect the right of law-abiding citizens to transport knives interstate,
notwithstanding a patchwork of local and State prohibitions.

IN THE SENATE OF THE UNITED STATES

Mr. ENZI (for himself and Mr. WYDEN) introduced the following bill; which
was read twice and referred to the Committee on _____

A BILL

To protect the right of law-abiding citizens to transport
knives interstate, notwithstanding a patchwork of local
and State prohibitions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Knife Owners’ Protec-
5 tion Act of 2015”.

6 **SEC. 2. INTERSTATE TRANSPORT OF KNIVES.**

7 (a) DEFINITION.—In this section, the term “trans-
8 port”—

9 (1) includes staying in temporary lodging over-
10 night, common carrier misrouting or delays, stops

1 for food, fuel, vehicle maintenance, emergencies,
2 medical treatment, and any other activity related to
3 the journey of an individual; and

4 (2) does not include transport of a knife with
5 the intent to commit an offense punishable by im-
6 prisonment for a term exceeding 1 year involving the
7 use or threatened use of force against another per-
8 son, or with knowledge, or reasonable cause to be-
9 lieve, that such an offense is to be committed in the
10 course of, or arising from, the journey.

11 (b) TRANSPORT OF KNIVES.—Notwithstanding any
12 other provision of law, rule, or regulation of the United
13 States, or of a State or political subdivision of a State,
14 an individual who is not otherwise prohibited by Federal
15 law from possessing, transporting, shipping, or receiving
16 a knife may transport a knife from any State or place
17 where the individual may lawfully possess, carry, or trans-
18 port the knife to any other State or place where the indi-
19 vidual may lawfully possess, carry, or transport the knife
20 if—

21 (1) in the case of transport by motor vehicle—

22 (A) the knife is not directly accessible from
23 the passenger compartment of the motor vehi-
24 cle; or

1 (B) in the case of a motor vehicle without
2 a compartment separate from the passenger
3 compartment, the knife is contained in a
4 closed—

5 (i) container;

6 (ii) glove compartment; or

7 (iii) console; or

8 (2) in the case of transport by means other
9 than a motor vehicle, including any transport over
10 land, on or through water, or through the air, the
11 knife is contained in a closed container.

12 (c) EMERGENCY KNIVES.—

13 (1) IN GENERAL.—An individual—

14 (A) may carry in the passenger compart-
15 ment of a motor vehicle a knife or tool designed
16 for enabling escape in an emergency that incor-
17 porates a blunt tipped safety blade or a guard-
18 ed blade or both for cutting safety belts; and

19 (B) shall not be required to secure a knife
20 or tool described in subparagraph (A) in a
21 closed—

22 (i) container;

23 (ii) glove compartment; or

24 (iii) console.

1 (2) LIMITATION.—This subsection shall not
2 apply to the transport of a knife or tool in the pas-
3 senger cabin of an aircraft whose passengers are
4 subject to airport screening procedures of the Trans-
5 portation Security Administration.

6 (d) NO ARREST OR DETENTION.—An individual who
7 is transporting a knife in compliance with this section may
8 not be arrested or otherwise detained for violation of any
9 law, rule, or regulation of a State or political subdivision
10 of a State related to the possession, transport, or carrying
11 of a knife, unless there is probable cause to believe that
12 the individual is not in compliance with subsection (b).

13 (e) CLAIM OR DEFENSE.—An individual may assert
14 this section as a claim or defense in any civil or criminal
15 action or proceeding. When an individual asserts this sec-
16 tion as a claim or defense in a criminal proceeding, the
17 State or political subdivision shall have the burden of prov-
18 ing, beyond a reasonable doubt, that the individual was
19 not in compliance with subsection (b).

20 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
21 tion shall be construed to limit any right to possess, carry,
22 or transport a knife under applicable State law.