

115TH CONGRESS
1ST SESSION

S. 1092

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

MAY 10, 2017

Mr. ENZI (for himself, Mr. WYDEN, Mr. DAINES, Mr. HEINRICH, Mr. RISCH,
and Mr. MANCHIN) introduced the following bill; which was read twice
and referred to the Committee on Commerce, Science, and Transpor-
tation

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 “Interstate Transport
5 Act of 2017”.

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

7 (a) TRANSPORT OF KNIVES.—Notwithstanding any
8 other provision of any law or any rule or regulation of
9 a State or any political subdivision thereof, any person

1 who is not otherwise prohibited by any Federal law, rule,
2 or regulation from transporting, shipping, or receiving a
3 knife shall be entitled to transport a knife for any lawful
4 purpose from any place where the person may lawfully
5 possess and carry such knife to any other place where the
6 person may lawfully possess and carry such knife if—

7 (1) in the case of a mode of transportation sub-
8 ject to rules and regulations of the Transportation
9 Security Administration or the Coast Guard, the in-
10 dividual complies with all applicable rules and regu-
11 lations of the Transportation Security Administra-
12 tion or the Coast Guard, respectively; and

13 (2) in the case of a mode of transportation not
14 subject to rules and regulations of the Transpor-
15 tation Security Administration or the Coast Guard,
16 during such transportation, any such knife that is
17 being transported and that is not legal for the per-
18 son to possess in a jurisdiction through which the
19 person is traveling—

20 (A) is not readily accessible or directly ac-
21 cessible from the passenger compartment of the
22 mode of transportation; or

23 (B) in the case of a mode of transportation
24 without a compartment separate from the pas-
25 senger compartment, is contained in a locked

1 container other than the glove compartment or
2 console.

3 (b) EMERGENCY KNIVES.—

4 (1) IN GENERAL.—An individual—

5 (A) may carry in the passenger compart-
6 ment of a mode of transportation a knife or
7 tool—

8 (i) the blades of which consist only of
9 a blunt tipped safety blade, a guarded
10 blade, or both; and

11 (ii) that is specifically designed for en-
12 abling escape in an emergency by cutting
13 safety belts; and

14 (B) shall not be required to secure a knife
15 or tool described in subparagraph (A) in any
16 locked container.

17 (2) LIMITATION.—This subsection shall not
18 apply to the transport of a knife or tool by a mode
19 of transportation that is subject to rules and regula-
20 tions of the Transportation Security Administration
21 or the Coast Guard.

22 (c) NO ARREST OR DETENTION.—An individual who
23 is transporting a knife in compliance with this section may
24 not be arrested or otherwise detained for violation of any
25 law, rule, or regulation of a State or political subdivision

1 of a State related to the possession, transport, or carrying
2 of a knife, unless there is probable cause to believe that
3 the individual is not in compliance with subsection (a).

4 (d) CLAIM OR DEFENSE.—An individual may assert
5 this section as a claim or defense in any civil or criminal
6 action or proceeding. When an individual asserts this sec-
7 tion as a claim or defense in a criminal proceeding, the
8 State or political subdivision shall have the burden of prov-
9 ing, beyond a reasonable doubt, that the individual was
10 not in compliance with subsection (a).

11 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion shall be construed to limit any right to possess, carry,
13 or transport a knife under applicable State law.

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