



Position Paper: Possession of Knives While on Interstate Travel | September 4, 2013

The Problem:

Due to conflicting state laws and knife definitions, law-abiding citizens are encountering problems with their knife possession during travel. In other words, an individual who lives in one state and can legally carry and use a knife in his or her resident state may travel to a state where possession of the same knife is not legal. During this travel, however, one or some of the states through which the individual passes may not consider the same knife in compliance with state laws.

For example, the American Knife and Tool Institute (AKTI) recently received a call from an individual who had been taken into custody after just such a scenario. The man was a Connecticut resident who was being held by law enforcement officials in New York. As part of a planned hunting trip to a western state, he had checked a fixed-blade hunting knife in his luggage at the Westchester County, NY, airport. The knife, which was not legal for carry in New York, was discovered by airport officials during a bag search and the man was arrested.

Another case brought to AKTI's attention in the last two years involved a person on an international flight that was diverted to New York City. He'd had no intention of even traveling through New York and was unaware of the state's knife laws. But, while he was on an unplanned layover at a New York airport, the knife in his checked bag was discovered and he was informed it was illegal.

These situations are becoming more and more common. The inconsistent knife laws across the country are a burden on law-abiding citizens who have no way to track the laws in all 50 states, and no way to know all the states through which they may travel at any particular time. AKTI believes the only solution is for the federal government to address the problem in a manner similar to how it addressed the firearms travel issues.

The Solution:

Because of the many legitimate reasons to transport knives and edged tools, AKTI is urging federal lawmakers to support protection for citizens who obey the knife laws in their home states and are traveling with their knives for legitimate work and recreational purposes.

The Firearms Owners' Protection Act (FOPA), which allows citizens to transport guns over state lines for lawful purposes, even when local restrictions would otherwise prohibit passage, is the perfect model for the transportation of knives. AKTI is asking federal legislators to extend similar protections to law-abiding knife owners and users who travel between states

Similar to FOPA, under which firearms in transit must be unloaded and inaccessible, AKTI's proposed legislation would not permit the knife owner to carry his or her knife in a place where it could be "immediately grasped," and would require transportation in a case or bag fitted with a cover or clasp.

Proposed Legislation:

Notwithstanding any other provision of any law or any rule or regulation of a state or any political subdivision thereof, any person shall be entitled to transport a knife, for any lawful purpose, from any place where he may lawfully possess and carry such knife, to any other place where they may lawfully possess and carry such knife, if, during such transportation, the knife is:

- a. Not readily accessible such that it may be immediately grasped by such person;
- b. Within a briefcase or other such bag fitted with a cover and/or clasp; and
- c. In the case of air travel, within a bag or container checked, or intended to be checked, during transit.