THE KNIFE OWNERS' PROTECTION ACT (KOPA)
S. 1955
Senators Mike Lee and Mike Enzi

The Problem:

- Those who travel across the country with knives for work and recreation are presently subject to arrest and prosecution under a confusing patchwork of inconsistent state and local laws and regulations. What is perfectly legal in one place may be a serious crime in another, carrying significant penalties including jail time. Enforcement is not uniform even within jurisdictions and is subject to the vagaries of political expediency at times.
- This not a theoretical problem, but a real one. New York City has in the past few years targeted possession of the most common types of folding knives, arresting and prosecuting what is conservatively estimated to be *thousands* of law-abiding knife owners for possession of these widely owned knives; knives that Congress recently declared legal under Federal law.
- Recently, in an action that has disturbing familiarity for sportsmen, an individual traveling via Kennedy Airport in New York changing planes en route to an overseas destination, with a number of very expensive custom knives in checked baggage, was arrested and the knives seized by Port of NY/NJ law enforcement.
- The prosecution of honest, law-abiding citizens for carrying simple pocket knives is not just a localized occurrence in New York, but is part of a growing trend around the country, with similar prosecutions occurring in Colorado, Michigan, Texas, and New Jersey.
- It is virtually impossible for any citizen to be fully cognizant of the knife laws everywhere they travel.
- To illustrate how confusing and complex travel with knives can be, consider that 36 states allow civilian possession of switchblades to varying degrees, 22 states have no restrictions on civilian possession of switchblades, still other states deem possession to be a serious crime. Just four states have laws similar to the Federal Switchblade Act that protects one-hand opening and assisting opening pocket knives (over 80% of the knives sold in the U.S. today). In many other states, their legality is subject to widely varying interpretation. While many states have permissive or relatively permissive knife laws, only seven states have a Knife Preemption Law (Alaska, Arizona, Georgia, Kansas, New Hampshire, Tennessee and Utah).

The Solution:

- KOPA simply provides safe harbor to Americans travelling with a knife where it is lawful for the knife to be possessed at both the points of origin and destination, so long as the knife is transported in accordance with specific requirements making them inaccessible during travel.
- This solution is not novel, but based on exiting legislative precedent. In 1986, Congress passed the Firearms Owner Protection Act, 18 USC 926A ("FOPA") to protect law-abiding gun owners during travel so long as they legally possessed the firearm in both the state of origin and destination.
- KOPA would extend these same protections to knife owners.
- KOPA also protects the transportation of a commonly-available emergency knife with a blunt point or guarded blade in any mode of transportation except on an airline flight. These commonly available emergency knives are designed to enable the user to cut a seat belt or other entanglement in case of an accident or emergency.