

§ 4902. WILD BIRDS GENERALLY; NO OPEN SEASON; EXCEPTION

- A. Wild birds, other than pigeons, shall not be taken, possessed, bought, or sold, at any time, except as provided by this part, rules of the Board, or orders of the Commissioner. Birds coming from ~~without~~ outside the State belonging to the same family as those protected by this subchapter shall not be bought or sold.

- B. Bird harm or death that results from human activity where the intent was not to harm or kill the bird, but where bird harm or death was a direct and foreseeable result of the activity, is prohibited. Nothing in this bill shall require the Department to implement a new permitting program. For purposes of this title, the Commissioner has authority to exercise enforcement discretion, including refraining from taking any enforcement action for the unintentional take of migratory birds. Enforcement, if any, shall focus on that have population level impacts on migratory birds. Enforcement of this provision, shall be in accordance with 10 V.S.A. Section 4520.