

1 S.48

2 Introduced by Senator Pollina

3 Referred to Committee on

4 Date:

5 Subject: Fish and wildlife; hunting; shooting from vehicle; temporary physical
6 disability

7 Statement of purpose of bill as introduced: This bill proposes to allow the
8 Commissioner of Fish and Wildlife to authorize a person to take or attempt to
9 take game by shooting from a motor vehicle if the person is unable to pursue
10 game due to a temporary severe physical disability certified by a physician.

11 An act relating to authorizing a person with a temporary physical disability
12 to take game from a motor vehicle

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 10 V.S.A. § 4705 is amended to read:

15 § 4705. SHOOTING FROM MOTOR VEHICLES OR AIRCRAFT;

16 SHOOTING FROM OR ACROSS HIGHWAY; PERMIT

17 (a) A person shall not take or attempt to take ~~a wild animal~~ game by
18 shooting from a motor vehicle, motorboat, airplane, snowmobile, or other
19 motor-propelled craft or any vehicle drawn by a motor-propelled vehicle
20 except as permitted under subsection (e) of this section.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

* * *

(c) A person while on or within 25 feet of the traveled portion of a public highway, except a public highway designated Class 4 on a town highway map, shall not take or attempt to take any wild animal by shooting a firearm, a muzzle loader, a bow and arrow, or a crossbow. A person while on or within the traveled portion of a public highway designated Class 4 on a town highway map shall not take or attempt to take any wild animal by shooting a firearm, a muzzle loader, a bow and arrow, or a crossbow. A person shall not shoot a firearm, a muzzle loader, a bow and arrow, or a crossbow over or across the traveled portion of a public highway, except for a person shooting over or across the traveled portion of a public highway from a sport shooting range, as that term is defined in section 5227 of this title, provided that:

- (1) the sport shooting range was established before January 1, 2014; and
- (2) the operators of the sport shooting range post signage warning users of the public highway of the potential danger from the sport shooting range.

* * *

(e) Subsections (a) and (c) of this section shall not apply to a licensed hunter with paraplegia or who is certified by a physician to be unable to pursue game because of permanent or temporary severe physical disability, if he or she obtains a permit as provided in this subsection. The Commissioner on receipt of satisfactory proof of the disability of an applicant may issue a permit

1 under this subsection. This permit shall be attached to the license, and shall
2 remain in effect until the death of the holder or until the termination of the
3 temporary severe physical disability, unless the Commissioner has reason to
4 believe the permit is misused. The holder of the permit shall carry it at all
5 times while hunting, and shall produce it on demand for inspection by any
6 game warden or other law enforcement officer authorized to make arrests. The
7 holder of the permit may take game from a vehicle or boat but only if it is
8 stationary and is not within 10 feet of the traveled portion of a public highway.
9 In no event shall the holder of a permit shoot across the traveled portion of a
10 public highway.

11 (f) The phrase “public highway,” as used in this section, means roads,
12 including Class 4 roads, shown on the highway maps of the respective towns,
13 made by the Agency of Transportation, but does not include foot trails or
14 private roads.

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on passage.