

1 H.231

2 Introduced by Representative Satcowitz of Randolph

3 Referred to Committee on

4 Date:

5 Subject: Fish and wildlife; technical corrections; definitions; uniform points;  
6 transporting a crossbow in a motor vehicle

7 Statement of purpose of bill as introduced: This bill proposes to make several  
8 technical corrections to fish and wildlife statutes. The bill would strike two  
9 definitions from the general definitions section of fish and wildlife statutes.  
10 The bill also would make technical changes to the uniform point system  
11 statute, including increasing the point penalty for snaring animals. The bill  
12 would also provide that certain use of public waters violations would be  
13 judicial bureau offenses.

14 An act relating to technical corrections to fish and wildlife statutes

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

16 Sec. 1. 10 V.S.A. § 4001 is amended to read:

17 § 4001. DEFINITIONS

18 Words and phrases used in this part, unless otherwise provided, shall be  
19 construed to mean as follows:

20 \* \* \*

1 (6) ~~Pickerel: the great northern pike, chain pickerel, or muskellunge.~~

2 [Repealed.]

3 (7) ~~Pike perch: walleyed or yellow pike.~~ [Repealed.]

4 \* \* \*

5 Sec. 2. 10 V.S.A. § 4905 is amended to read:

6 § 4905. BIRDS' NESTS AND EGGS; DESTROYING OR ROBBING

7 A person shall not take or ~~wilfully~~ willfully destroy the nests or eggs of  
8 wild birds, other than pigeons, the English sparrow, starling, or purple grackle,  
9 except when necessary to protect buildings and the nests to be removed contain  
10 no eggs or chicks and are no longer being used by birds for feeding, or when  
11 taken as provided in section 4152 of this title.

12 Sec. 3. 10 V.S.A. § 4502 is amended to read:

13 § 4502. UNIFORM POINT SYSTEM; REVOCATION OF LICENSE

14 (a) A uniform point system that assigns points to those convicted of a  
15 violation of a provision of this part is established. The conviction report from  
16 the court shall be prima facie evidence of the points assessed. In addition to  
17 other penalties assessed for violation of fish and wildlife statutes, the  
18 Commissioner shall suspend licenses issued under this part that are held by a  
19 person who has accumulated 10 or more points in accordance with the  
20 provisions of subsection (c) of this section.

1 (b) A person violating provisions of this part shall receive points for  
2 convictions in accordance with the following schedule (all sections are in this  
3 title of the Vermont Statutes Annotated):

4 (1) Except for biological collection violations determined to be nonpoint  
5 violations under the rules of the Board, five points shall be assessed for any  
6 violation of statutes or rules adopted under this part except those listed in  
7 subdivisions (2) and (3) of this subsection.

8 (2) Ten points shall be assessed for:

9 \* \* \*

10 (I) ~~§ 4706. Snaring animals~~ [Repealed.]

11 \* \* \*

12 (Y) ~~Appendix § 2; Appendix § 33, section 14.3.~~ Reporting of big  
13 game

14 \* \* \*

15 (II) ~~Appendix § 37, as it applies to annual deer limits~~ section 10.

16 Novice season

17 (JJ) § 4742a. Youth deer hunting weekend. The points shall be  
18 assessed solely against the adult who is accompanying the youth hunter.

19 (KK) § 4908. Youth turkey hunting weekend. The points assessed  
20 against the adult accompanying the youth hunter.

1           (LL) § 4256. Mentored hunting license. The points shall be assessed  
2 against the licensed adult who is accompanying the individual holding the  
3 mentored hunting license.

4           (MM) § 4827a. Feeding a black bear

5           (NN) § 4826. Taking deer doing damage

6           (OO) § 22a. Taking turkey doing damage

7           (PP) § 35. Taking moose doing damage

8           (QQ) ~~Appendix § 22, section 6.7; Appendix § 33, section 13.1(g);~~  
9 ~~Appendix § 37, section 7.7. Possession or transport of a cocked crossbow in or~~  
10 ~~on a motor vehicle, motorboat, airplane, snowmobile, or other motor propelled~~  
11 ~~vehiele~~ [Repealed.]

12           (RR) ~~Appendix § 7, section 6.3(b). Hunting bear with any dog not~~  
13 ~~listed on the permit~~ [Repealed.]

14                                                                   \* \* \*

15           (3) Twenty points shall be assessed for:

16           (A) ~~§ 4192. General powers and duties; failure to obey warden~~  
17 [Repealed.]

18                                                                   \* \* \*

19           (I) § 4745. Taking ~~deer~~ big game out of season prohibited

20                                                                   \* \* \*

1 (O) Appendix § 7, sections 4.2, ~~5.1, 5.2,~~ 5.3, 6.1, 6.2, 6.3(b), 6.3(d),  
2 6.3(e), ~~6.4, 6.5(c), 6.5(d),~~ 7.1, ~~and 7.2, 7.3, and 7.4.~~ Bear, unauthorized taking

3 (P) Appendix § 22. Turkey season, excluding: requirements for  
4 youth turkey hunting season; ~~section 6.2,~~ and size of shot used or possessed;  
5 ~~and section 6.7, transport of cocked crossbow~~

6 \* \* \*

7 (U) Appendix § 37. Deer management rule, excluding requirements  
8 for youth deer hunting weekend; requirements for novice season; limitations  
9 on feeding of deer; ~~section 7.7, transport of cocked crossbow;~~ reporting big  
10 game; and section 11.0, ban of urine and other natural lures

11 \* \* \*

12 (W) § 4711. Crossbow hunting [Repealed.]

13 (X) Appendix § 4. ~~Hunting with a crossbow without a permit or~~  
14 ~~license~~ [Repealed.]

15 \* \* \*

16 (Z) Appendix § 44, ~~section 4.6.~~ Use of tooth jawed traps

17 (AA) Appendix § 44, ~~section 4.11.~~ Taking furbearers with poison

18 (BB) Appendix § 44, ~~section 4.12.~~ Taking furbearers from a den

19 (CC) § 4716. Holding or conducting a coyote-hunting competition

20 (DD) § 4706. Snaring animals

21 \* \* \*

1 Sec. 4. 10 V.S.A. § 4705 is amended to read:

2 § 4705. SHOOTING FROM MOTOR VEHICLES OR AIRCRAFT;

3 SHOOTING FROM OR ACROSS HIGHWAY; PERMIT

4 (a) A person shall not take or attempt to take a wild animal by shooting  
5 from a motor vehicle, motorboat, airplane, snowmobile, or other motor-  
6 propelled craft or any vehicle drawn by a motor-propelled vehicle except as  
7 permitted under subsection (e) of this section.

8 (b) A person shall not carry or possess while in or on a vehicle propelled by  
9 mechanical power or drawn by a vehicle propelled by mechanical power  
10 within the right-of-way of a public highway any of the following:

11 (1) a rifle ~~or~~, airgun, shotgun, or other projectile implement containing a  
12 loaded cartridge or shell in the chamber, mechanism, or in a magazine, or clip  
13 within a rifle or shotgun, ~~or~~;

14 (2) a muzzle-loading rifle or muzzle-loading shotgun that has been  
15 charged with powder and projectile and the ignition system of which has been  
16 enabled by having an affixed or attached percussion cap, primer, battery, or  
17 priming powder, except as permitted under subsections (d) and (e) of this  
18 section;

19 (3) unless it is uncocked, a person shall not possess or transport a  
20 crossbow in or on a motor vehicle, motorboat, airplane, snowmobile, or other

1 motor-propelled craft or any vehicle drawn by a motor-propelled vehicle  
2 except as permitted under subsection 47059e); and

3 (4) a person who possesses a rifle, crossbow, or shotgun, including a  
4 muzzle-loading rifle or muzzle-loading shotgun, in or on a vehicle propelled  
5 by mechanical power, or drawn by a vehicle propelled by mechanical power  
6 within a right-of-way of a public highway shall upon demand of an  
7 enforcement officer exhibit the firearm for examination to determine  
8 compliance with this section.

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

20 (1) the sport shooting range was established before January 1, 2014; and

1           (2) the operators of the sport shooting range post signage warning users  
2 of the public highway of the potential danger from the sport shooting range.

3           (d) This section shall not restrict the possession or use of a loaded firearm  
4 by an enforcement officer in performance of ~~his or her~~ the officer's duty.

5           (e) Subsections (a) and (c) of this section shall not apply to a licensed  
6 hunter with paraplegia or who is certified by a physician to be unable to pursue  
7 game because of permanent severe physical disability, if ~~he or she~~ the licensed  
8 hunter obtains a permit as provided in this subsection. The Commissioner on  
9 receipt of satisfactory proof of the disability of an applicant may issue a permit  
10 under this subsection. This permit shall be attached to the license and shall  
11 remain in effect until the death of the holder, unless the Commissioner has  
12 reason to believe the permit is misused. The holder of the permit shall carry it  
13 at all times while hunting and shall produce it on demand for inspection by any  
14 game warden or other law enforcement officer authorized to make arrests. The  
15 holder of the permit may take game from a vehicle or boat but only if it is  
16 stationary and is not within 10 feet of the traveled portion of a public highway.  
17 In no event shall the holder of a permit shoot across the traveled portion of a  
18 public highway.

19           (f) The phrase "public highway," as used in this section, means roads,  
20 including Class 4 roads, shown on the highway maps of the respective towns,



1 made by the Agency of Transportation, but does not include foot trails or  
2 private roads.

3 Sec. 5. 23 V.S.A. § 3317(b) is amended to read:

4 (b) Penalty or fine; \$300.00 or \$1,000.00 maximum. A person who  
5 violates a requirement under 10 V.S.A. § 1454 shall be subject to enforcement  
6 under 10 V.S.A. § 8007 or 8008 or a fine under this chapter, provided that the  
7 person shall be assessed a penalty or fine of not more than \$1,000.00 for each  
8 violation. A person who violates a rule adopted under 10 V.S.A. § 1424 shall  
9 be subject to enforcement under 10 V.S.A. chapter 201 or a fine under this  
10 chapter, provided that the person shall be assessed a penalty of not more than  
11 \$300.00 for each violation. A person who violates any of the following  
12 sections of this title shall be subject to a penalty of not more than \$300.00 for  
13 each violation:

14 \* \* \*

15 Sec. 6. 4 V.S.A. § 1102 is amended to read:

16 § 1102. JUDICIAL BUREAU; JURISDICTION

17 (a) The Judicial Bureau is created within the Judicial Branch under the  
18 supervision of the Supreme Court.

19 (b) The Judicial Bureau shall have jurisdiction of the following matters:

20 \* \* \*

21 (19) Violations of 10 V.S.A. § 1424, relating to the use of public waters.

- 1      Sec. 7. EFFECTIVE DATE
- 2      This act shall take effect on July 1, 2025.