

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 47

Short Title: Washington Road Hunting.

(Local)

Sponsors: Senator Martin of Pitt.

Referred to: State Government, Local Government, and Personnel.

February 6, 1997

A BILL TO BE ENTITLED

**AN ACT TO PROHIBIT THE RECKLESS USE OF A FIREARM OR BOW AND
ARROW AND TO REGULATE HUNTING FROM THE RIGHT-OF-WAY IN
WASHINGTON COUNTY.**

The General Assembly of North Carolina enacts:

Section 1. It is unlawful to use a firearm, bow and arrow, or crossbow carelessly or heedlessly or in willful or wanton disregard of the rights or safety of others. Such reckless use of a weapon in violation of this section includes using a firearm, bow and arrow, or crossbow in a manner that poses a hazard to any person or property, or involves the discharge of a firearm sending a projectile across the property of another without that person's permission.

Section 2. It is unlawful to hunt, take, or kill, or to attempt to hunt, take, or kill, any wild animal or wild bird with firearm, bow and arrow, or crossbow, on, from, or across the right-of-way of any State-maintained road or highway, or to discharge any firearm, bow and arrow, or crossbow on, from, or across the right-of-way of any State-maintained road or highway. A hunter recovering dogs shall not be in violation of this section so long as all the hunter's weapons remain in a motor vehicle.

Section 3. It is unlawful to possess a loaded shotgun or center-fire rifle while on the right-of-way of any State-maintained road or highway outside the confines of the

1 passenger area of a vehicle. This section does not apply to the owner in fee of the land
2 adjacent to the right-of-way.

3 Section 4. It is unlawful for any person to hunt, take, or kill a wild animal or
4 wild bird with firearms or dogs, or to possess a loaded firearm outside the confines of the
5 passenger area of a vehicle, on the land of another, without the permission of the owner
6 or lessee of the land.

7 Section 5. This act does not apply to:

- 8 (1) The use or possession of firearms in defense of persons or property;
- 9 (2) Law enforcement officers or members of the armed forces acting in the
10 line of duty;
- 11 (3) The use of firearms pursuant to the lawful direction of law enforcement
12 officers;
- 13 (4) Persons lawfully engaged in pest control;
- 14 (5) Public or private shooting galleries; or
- 15 (6) Private landowners on their own property using their own firearms to
16 control pests or pursuant to permits issued by the Wildlife Resources
17 Commission.

18 Section 6. Violation of this act is a Class 3 misdemeanor.

19 Section 7. This act is enforceable by law enforcement officers of the Wildlife
20 Resources Commission, by sheriffs and deputy sheriffs, and by other peace officers with
21 general subject matter jurisdiction.

22 Section 8. This act becomes effective December 1, 1997.