

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-95
SENATE BILL 47

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

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

Section 5. This act does not apply to:

- (1) The use or possession of firearms in defense of persons or property;
- (2) Law enforcement officers or members of the armed forces acting in the line of duty;
- (3) The use of firearms pursuant to the lawful direction of law enforcement officers;
- (4) Persons lawfully engaged in pest control;
- (5) Public or private shooting galleries; or

(6) Private landowners on their own property using their own firearms to control pests or pursuant to permits issued by the Wildlife Resources Commission.

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

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

Section 8. This act shall apply to Washington County only.

Section 9. This act becomes effective December 1, 1997.

In the General Assembly read three times and ratified this the 27th day of May, 1997.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives