

ALLOW HUNTING FROM PERSONAL ASSISTIVE MOBILITY DEVICE

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4239 as enacted

Public Act 185 of 2015

Sponsor: Rep. Charles Smiley

House Committee: Tourism and Outdoor Recreation

Senate Committee: Outdoor Recreation and Tourism

Complete to 1-5-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4239 amends Section 40111 of the Natural Resources and Environmental Protection Act (NREPA) to do the following.

** The bill allows an individual who holds a permit to hunt from a standing vehicle¹ to transport or possess a loaded, uncased firearm on a personal assistive mobility device if the action is open. This section of NREPA already contains a similar exemption for disabled individuals, though it is limited to a disabled individual on a state-licensed game bird hunting preserve.

In order for that individual to possess and/or discharge a loaded firearm for the taking of wild game, the following the requirements must be met:

- The personal assistive mobility device cannot be moving.
- The individual must hold a valid base license and any other necessary license, and comply with all other laws and rules for the taking of game.

A personal assistive mobility device is defined as "any device, including, but not limited to, one that is battery-powered, that is designed solely for use by an individual with mobility impairment for locomotion and is considered an extension of the individual."

** The bill expands a provision that prohibits transporting or possessing a bow in or upon a vehicle unless it is unstrung, enclosed in a case, or carried in the trunk of a vehicle so that it would apply to *crossbows*, and specifies that the prohibition applies *while that vehicle is operated on public land or on a highway, road, or street in this state*.

** NREPA prohibits hunting within 150 yards of an occupied building, dwelling, house, residence, cabin, or any barn or other farm building without obtaining written permission of the owner, renter, or occupant of the property. The bill narrows this prohibition so that it only applies to an individual who hunts with a firearm. "Hunt" or "hunting" means to

¹ Section 40114 of NREPA allows the Department of Natural Resources to issue a permit to allow an individual who is unable to walk to hunt from a standing vehicle.

"pursue, capture, shoot, kill, chase, follow, harass, harm, rob, or trap a wild animal, or to attempt to engage in such an activity."

The bill's effective date is January 1, 2016.

FISCAL IMPACT:

House Bill 4239 would not have a significant fiscal impact on the Department of Natural Resources.

Legislative Analyst: Josh Roesner
Fiscal Analyst: Austin Scott

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.