

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 436
HOUSE BILL 803

AN ACT TO PREVENT THE USE OF ARTIFICIAL LIGHT IN AREAS
INHABITED BY GAME IN SCOTLAND COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Any person who, from 30 minutes after sunset on any day until 30 minutes before sunrise on the following day, deliberately flashes or displays an artificial light from or attached to a motor-driven conveyance or from any means of conveyance attached to said motor-driven conveyance so as to cast the beam thereof beyond the surface of a roadway on any field, woodland or forest in an area frequented or inhabited by wild game animals shall be guilty of a misdemeanor. Every person occupying such vehicle or conveyance at the time of such violation shall be deemed *prima facie* guilty of such violation as a principal.

Sec. 2. The North Carolina Wildlife Resources Commission is authorized to issue permits to use lights for wildlife research purposes only.

Sec. 3. Each person violating the provisions of this act, shall, on the first conviction thereof, be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00). Upon a second or subsequent conviction, such persons shall be fined not less than one hundred dollars (\$100.00) nor more than two hundred fifty dollars (\$250.00) or imprisoned not more than 60 days, or both, at the discretion of the court.

Sec. 4. The provisions of this act shall not apply to the person while on land owned by him in fee simple or in which he has a life estate or a person who leases land for agricultural purposes, but the fact of such ownership shall be a matter of defense in any prosecution for violation of this act.

Sec. 5. All lawful peace officers of the county and State, including wildlife protectors, shall have authority to arrest for violations of this act.

Sec. 6. This act shall apply only to Scotland County.

Sec. 7. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 26th day of May, 1977.