

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 1414

Short Title: Washington Hunting.

(Local)

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Sponsors: Senator Martin of Pitt.

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Referred to: Local Government and Regional Affairs.

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May 30, 1996

A BILL TO BE ENTITLED

1 AN ACT TO PROHIBIT THE RECKLESS USE OF A FIREARM OR BOW AND  
2 ARROW AND TO REGULATE HUNTING FROM THE RIGHT-OF-WAY IN  
3 WASHINGTON COUNTY.  
4

5 The General Assembly of North Carolina enacts:

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

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

18 Sec. 3. It is unlawful to possess a loaded shotgun or center-fire rifle while on  
19 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           Sec. 4. It is unlawful for any person to hunt, take, or kill a wild animal or wild  
4 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           Sec. 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;
- 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           Sec. 6. Violation of this act is a Class 3 misdemeanor.

19           Sec. 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           Sec. 8. This act becomes effective December 1, 1996.