

1 HOUSE BILL NO. 59

2 INTRODUCED BY PAVLOVICH

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A HUNTER TO USE A MOTOR-DRIVEN VEHICLE ON
5 A CLOSED ROAD TO RETRIEVE BIG GAME AFTER 6 P.M.; AND AMENDING SECTION 87-3-125, MCA."

6

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8

9 Section 1. Section 87-3-125, MCA, is amended to read:

10 "87-3-125. Restrictions on use of motor vehicles while hunting. (1) ~~No~~ A person, while hunting
11 game animals or game birds, may not use a motor-driven vehicle other than on an established road or trail
12 unless ~~he~~ that person has reduced a big game animal to possession and cannot easily retrieve the big game
13 animal. In that case, a motor-driven vehicle may be used to retrieve the big game animal, except in areas
14 where more restrictive regulations apply or where the landowner has not granted ~~such~~ permission. After
15 the retrieval, the motor-driven vehicle ~~is to~~ must be returned to an established road or trail by the shortest
16 possible route. For purposes of safety and allowing normal travel, a motor-driven vehicle may be parked
17 on the roadside or directly adjacent to a road or trail.

18 (2) ~~No~~ A person, while hunting game animals or game birds, may not drive or attempt to drive, run
19 or attempt to run, molest or attempt to molest, flush or attempt to flush, or harass or attempt to harass any
20 game animal or game bird with the use or aid of any motor-driven vehicle.

21 (3) ~~No~~ A person, while hunting game animals or game birds, may not drive through any retired
22 cropland, brush area, slough area, timber area, open prairie, or unharvested or harvested cropland, except
23 upon an established road or trail, unless written permission has been given by the landowner and is in
24 possession of the hunter.

25 (4) ~~It is unlawful for a~~ A person ~~to~~ may not use a self-propelled vehicle to intentionally concentrate,
26 drive, rally, stir up, or harass wildlife, except predators ~~of this state, providing that this~~. This subsection
27 does not apply to landowners and their authorized agents engaged in the immediate protection of that
28 landowner's property.

29 (5) When a road has been closed by the department or the commission, a hunter who has reduced
30 a big game animal to possession and cannot easily retrieve the big game animal may use the road to

1 retrieve the animal with a motor-driven vehicle if retrieval occurs after 6 p.m. on the day the animal is
2 taken.

3 (6) The restrictions in subsections (1) through (3) on motor-driven vehicle use off an established
4 road or trail apply only to hunting on state or private land, not to hunting on federal land unless the federal
5 agency specifically requests or approves state enforcement."

6 -END-