

## 1 SENATE BILL NO. 31

2 INTRODUCED BY GAGE

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW CERTAIN DISABLED PERSONS TO USE A  
5 CROSSBOW DURING A SPECIAL ARCHERY SEASON; AND AMENDING SECTION 87-2-803, MCA."  
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7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
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9 **Section 1.** Section 87-2-803, MCA, is amended to read:

10 **"87-2-803. Disabled persons.** (1) Disabled persons are entitled to fish and to hunt game birds  
11 with only a conservation license if they are residents of Montana not residing in an institution and are  
12 certified as disabled as prescribed by departmental rule.

13 (2) A resident of Montana who is certified as disabled by the department and who is not residing  
14 in an institution may purchase regular resident deer and elk licenses at one-half the fee paid by a resident  
15 who is 15 years old or older and who is under 62 years of age.

16 (3) A resident or nonresident disabled person who is certified as disabled by the department and  
17 who is not residing in an institution may carry a permit on a form prescribed by the department. A disabled  
18 person issued a permit under this subsection is entitled to have the department stamp the permit with  
19 "Permission to Hunt From a Vehicle" if the person establishes to the satisfaction of the department that the  
20 person is permanently physically handicapped and nonambulatory or that the person's mobility is  
21 substantially impaired.

22 (4) (a) A disabled person carrying a permit as required in subsection (3), ~~upon which~~ and that is  
23 stamped "Permission to Hunt From a Vehicle", ~~may hunt by shooting a firearm from;~~

24 (i) the shoulder, berm, or barrow pit right-of-way of a public highway, as defined in 61-1-202,  
25 ~~except a state or federal highway, or may hunt by shooting a firearm from;~~

26 (ii) within a self-propelled or drawn vehicle parked on a shoulder, berm, or barrow pit right-of-way  
27 in a manner that will not impede traffic or endanger motorists ~~or may hunt by shooting a firearm from; or~~

28 (iii) within a self-propelled or drawn vehicle parked in an area, not a public highway, where hunting  
29 is permitted.

30 (b) Nothing in this subsection allows a disabled person to shoot across the roadway of any public

1 highway or to hunt on private property without permission of the landowner.

2 (c) A disabled person who hunts as authorized in this subsection must have a companion to assist  
3 in immediately dressing any killed game animal. The companion may also assist the disabled hunter by  
4 pursuing, hunting, taking, shooting, or killing a game animal that has been wounded by the disabled hunter  
5 when the disabled hunter is unable to pursue and kill the wounded game animal.

6 (d) ~~Any~~ The vehicle from which a disabled person is hunting must be conspicuously marked with  
7 an orange-colored international symbol of the handicapped on the front, rear, and each side of the vehicle.

8 (5) A resident of Montana who is certified by the department as a blind individual, as defined in  
9 53-7-301, may be issued a lifetime fishing license for the blind upon payment of a one-time fee of \$10.  
10 The license is valid for the lifetime of the blind individual and allows the licensee to fish with hook and line  
11 or rod, as authorized by department rule. An applicant for a license under this subsection need not obtain  
12 a wildlife conservation license as a prerequisite to licensure.

13 (6) A disabled person who has been certified as disabled by the department pursuant to subsection  
14 (3) and who is permanently physically disabled in a way that prevents the person from using a bow and  
15 arrow may use a crossbow during a special archery season as prescribed in 87-2-708."

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