VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 347

An Act to amend and reenact § 29.1-530.1 of the Code of Virginia, relating to hunting apparel; blaze pink.

[H 1939]

Approved March 13, 2017

Be it enacted by the General Assembly of Virginia:

1. That § 29.1-530.1 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-530.1. Blaze orange or blaze pink clothing required at certain times.

A. During any firearms deer season, except during the special season for hunting deer with a muzzle-loading rifle only, in counties and cities designated by the Board, every hunter and every person accompanying a hunter shall *(i)* wear a blaze orange *or blaze pink* hat, except that the bill or brim of the hat may be a color or design other than solid blaze orange *or blaze pink*, or blaze orange *or blaze pink* upper body clothing~~,~~ that is visible from 360 degrees or *(ii)* display at least 100 square inches of solid blaze orange *or blaze pink* material at shoulder level within body reach visible from 360 degrees.

B. During the special season for hunting deer with a muzzle-loading rifle only, in counties and cities designated by the Board, every muzzleloader deer hunter and every person accompanying a muzzleloader deer hunter shall *(i)* wear a blaze orange *or blaze pink* hat, except that the bill or brim of the hat may be a color or design other than solid blaze orange *or blaze pink*, or *(ii)* blaze orange *or blaze pink* upper body clothing~~, that is~~ *either of which shall be* visible from 360 degrees, ~~except when any~~ *unless* such person is physically located in a tree stand or other stationary hunting location.

C. Any person violating the provisions of this section shall, upon conviction, pay a fine of $25.

D. Violations of this section shall not be admissible in any civil action for personal injury or death as evidence of negligence, contributory negligence, or assumption of the risk.

E. This section shall not apply when (i) hunting waterfowl from stationary or floating blinds, (ii) hunting waterfowl over decoys, (iii) hunting waterfowl in wetlands as defined in § 28.2-1300, (iv) hunting waterfowl from a boat or other floating conveyance, (v) hunting doves, (vi) participating in hunting dog field trials permitted by the Board of Game and Inland Fisheries, (vii) on horseback while hunting foxes with hounds but without firearms, or (viii) hunting with a bow and arrow in areas where the discharge of firearms is prohibited by state law or local ordinance.