

# VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

## CHAPTER 244

*An Act to amend and reenact § 29.1-521 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 29.1-521.3, relating to disabled individuals hunting from stationary vehicles.*

[H 90]

Approved April 4, 1994

**Be it enacted by the General Assembly of Virginia:**

**1. That § 29.1-521 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 29.1-521.3 as follows:**

§ 29.1-521. Unlawful to hunt, trap, possess, sell or transport wild birds and wild animals except as permitted; penalty.

A. The following shall be unlawful:

1. To hunt or kill any wild bird or wild animal, including any nuisance species, with a gun, firearm or other weapon on Sunday, which is hereby declared a rest day for all species of wild bird and wild animal life, except raccoons, which may be hunted until 2:00 a.m. on Sunday mornings.

2. To destroy or molest the nest, eggs, dens or young of any wild bird or wild animal, except nuisance species, at any time without a permit as required by law.

3. To hunt or attempt to kill or trap any species of wild bird or wild animal after having obtained the daily bag or season limit during such day or season.

4. To occupy any baited blind or other baited place for the purpose of taking or attempting to take any wild bird or wild animal or to put out bait or salt for any wild bird or wild animal for the purpose of taking or killing them. However, this shall not apply to baiting nuisance species of animals and birds, or to baiting traps for the purpose of taking fur-bearing animals that may be lawfully trapped.

5. To kill or capture any wild bird or wild animal adjacent to any area while a field or forest fire is in progress.

6. To shoot or attempt to take any wild bird or wild animal from an automobile or other vehicle, *except as provided in § 29.1-521.3.*

7. To set a trap of any kind on the lands or waters of another without attaching to the trap the name and address of the trapper.

8. To set a trap where it would be likely to injure persons, dogs, stock or fowl.

9. To fail to visit all traps once each day and remove all animals caught, and immediately report to the landowner as to stock, dogs or fowl which are caught and the date.

10. To hunt, trap, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for transportation, transport, cause to be transported, by any means whatever, receive for transportation or export, or import, at any time or in any manner, any wild bird or wild animal or the carcass or any part thereof, except as specifically permitted by law and only by the manner or means and within the numbers stated. However, the provisions of this section shall not be construed to prohibit the use or transportation of legally taken turkey carcasses, or portions thereof, for the purposes of making or selling turkey callers.

B. A violation of this section shall be punishable as a Class 3 misdemeanor.

*§ 29.1-521.3 Shooting wild birds and wild animals from stationary vehicles by disabled persons.*

*Any person, upon application to a game warden and the presentation of a medical doctor's written statement based on a physical examination that such person is permanently unable to walk due to impaired mobility, may, in the discretion of the game warden, be issued a permit to shoot wild birds and wild animals from a stationary automobile or other vehicle during established open hunting seasons and in accordance with other laws and regulations. Permits issued pursuant to this section shall (i) be issued on a form provided by the Department, (ii) not authorize shooting from a stationary vehicle less than 50 feet from nor in or across any public road or highway subject to the provisions of § 29.1-526, (iii) be issued for the lifetime of the permittee and be issued only to those persons who are properly licensed to hunt, and (iv) be nontransferable. Any permit found in the possession of any person not entitled to such permit shall be subject to confiscation by a game warden.*