

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 571

An Act to amend and reenact § 29.1-529 of the Code of Virginia, relating to deer kill permits.

[H 1047]

Approved April 9, 1994

Be it enacted by the General Assembly of Virginia:

1. That § 29.1-529 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-529. Killing of deer or bear damaging fruit trees, crops, livestock or personal property or creating a hazard to aircraft or motor vehicles.

Whenever deer or bear are damaging fruit trees, crops, livestock or personal property in the Commonwealth, the owner or lessee of the lands on which such damage is done shall immediately report the damage to the local game warden for investigation. If after investigation the game warden finds that deer or bear are responsible for the damage, he shall authorize in writing the owner, lessee or any other person designated by the game warden to kill such deer or bear when they are found upon the land upon which the damages occurred. The game warden may limit such authorization by specifying in writing a period of time for which the authorization is effective. Game wardens issuing these authorizations ~~may specify in writing the sex of deer which may be killed~~ *shall specify in writing that only antlerless deer shall be killed, unless the game warden determines that there is clear and convincing evidence that the damage was done by deer with antlers.*

Whenever deer are creating a hazard to the operation of any aircraft or to the facilities connected with the operation of aircraft, the person or persons responsible for the safe operation of the aircraft or facilities shall report such fact to the local game warden for investigation. If after investigation the game warden finds that deer are creating a hazard, he shall authorize such person or persons, or their representatives, to kill the deer when they are found to be creating such a hazard.

Whenever deer are creating a hazard to the operation of a motor vehicle within the corporate limits of any city, the operator of a motor vehicle may report such fact to the local game warden for investigation. If after investigation the game warden finds that deer are creating a hazard within such city, he may authorize responsible persons, or their representatives, to kill the deer when they are found to be creating such a hazard. The carcass of every deer or bear so killed may be awarded to the owner or lessee by the game warden, who shall give such person a certificate to that effect on forms furnished by the Department. Any person awarded a deer or bear under this section may use the carcass as if he had killed the animal during the hunting season for deer or bear.