

VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

CHAPTER 118

An Act to amend and reenact §§ 29.1-300.1 and 29.1-301 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 29.1-303.3, relating to establishing a youth hunting license.

[S 143]

Approved March 7, 1996

Be it enacted by the General Assembly of Virginia:

1. That §§ 29.1-300.1 and 29.1-301 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 29.1-303.3 as follows:

§ 29.1-300.1. Certification of competence in hunter education.

A. Except as provided in subsection B of this section, no hunting license shall be issued to (i) a person who has never obtained a license to hunt in any state or country, or (ii) a person who is under the age of sixteen, unless such a person presents to the Board of Game and Inland Fisheries or one of its authorized license vendors, a certificate of completion in hunter education issued or authorized by the Board under the hunter education program, or proof that he holds the equivalent certificate obtained from an authorized agency or association of another state or country.

B. ~~Except as provided in subsection A of § 29.1-301~~ *Although a resident under the age of twelve is not required to obtain a license to hunt*, any person under the age of twelve may purchase a Virginia hunting license, except a special lifetime hunting and fishing license issued pursuant to § 29.1-302.1, without completing a hunter education program as required in subsection A of this section, provided that no person under the age of twelve shall hunt unless accompanied and directly supervised by an adult who has, on his person, a valid Virginia hunting license.

The adult shall be responsible for such supervision. For the purposes of this section, "adult" means the parent or legal guardian of the person under age twelve, or such person over the age of eighteen designated by the parent or legal guardian.

"Accompanied and directly supervised" means that the adult is within sight of the person under the age of twelve.

C. This section shall not apply to persons while on horseback hunting foxes with hounds but without firearms.

§ 29.1-301. Exemptions from license requirements.

A. No license shall be required of landowners, their spouses, or their children and minor grandchildren, resident or nonresident, to hunt, trap and fish within the boundaries of their own lands and inland waters or while within such boundaries or upon any private permanent extension therefrom, to fish in any abutting public waters.

B. No license shall be required of any stockholder owning fifty percent or more of the stock of any domestic corporation owning land in this Commonwealth, his or her spouse and children and minor grandchildren, resident or nonresident, to hunt, trap and fish within the boundaries of lands and inland waters owned by the domestic corporation.

C. No license shall be required of bona fide tenants, renters or lessees to hunt, trap or fish within the boundaries of the lands or waters on which they reside or while within such boundaries or upon any private permanent extension therefrom, to fish in any abutting public waters if such individuals have the written consent of the landlord upon their person. A guest of the owner of a private fish pond shall not be required to have a fishing license to fish in such pond.

D. No license shall be required of resident persons under sixteen years old to fish.

D1. No license shall be required of resident persons under twelve years old to hunt, provided such person is accompanied and directly supervised by an adult who has, on his person, a valid Virginia hunting license as described in subsection B of § 29.1-300.1.

E. No license shall be required of a resident person sixty-five years of age or over to hunt or trap on private property in the county or city in which he resides. An annual license at a fee of one dollar shall be required of a resident person sixty-five years of age or older to fish in any inland waters of the Commonwealth which shall be in addition to a license to fish for trout as specified in subsection B of § 29.1-310. A resident sixty-five years of age or older may, upon proof of age satisfactory to the Department and the payment of a one-dollar fee, apply for and receive from any authorized agent of the Department a nontransferable annual license permitting such person to hunt or an annual license permitting such person to trap in all cities and counties of the Commonwealth. Any lifetime license issued pursuant to this article prior to July 1, 1988, shall remain valid for the lifetime of the person to whom it was issued. Any license issued pursuant to this section includes any damage stamp required pursuant to Article 3 (§ 29.1-352 et seq.) of this chapter.

F. No license to fish, except for trout as provided in subsection B of § 29.1-310, shall be required of nonresident persons under twelve years of age when accompanied by a person possessing a valid license to fish in Virginia.

G. No license shall be required to trap rabbits with box traps.

H. No license shall be required of resident persons under sixteen years of age to trap when accompanied by any person eighteen years of age or older who possesses a valid state license to trap in this Commonwealth.

I. No license to hunt, trap or fish shall be required of any Indian who habitually resides on an Indian reservation; however, such Indian must have on his person an identification card or paper signed by the chief of his reservation, setting forth that the person named is an actual resident upon such reservation. Such card or paper shall create a presumption of residence, which may be rebutted by proof of actual residence elsewhere.

J. No license to fish shall be required of legally blind persons.

K. No fishing license shall be required in any inland waters of the Commonwealth, except those stocked with trout by the Department or other public body, on free fishing days. The Board shall designate no more than two free fishing days in any calendar year.

L. No license to fish, except for trout as provided in subsection B of § 29.1-310, in Laurel Lake and Beaver Pond at Breaks Interstate Park shall be required of a resident of the State of Kentucky who (i) possesses a valid license to fish in Kentucky or (ii) is exempt under Kentucky law from the requirement of possessing a valid fishing license.

§ 29.1-303.3. *Youth resident combination hunting license established; fee.*

There is hereby established a state youth resident combination hunting license, which may be obtained by any resident under the age of sixteen to hunt in all counties and cities of the Commonwealth, and to hunt (i) bear, deer and turkey, (ii) with a bow and arrow during the special archery seasons, and (iii) with a muzzleloader during the special muzzleloading seasons. The fee for this license shall be fifteen dollars. The license shall serve in lieu of the state junior resident hunting license, the special license for hunting bear, deer and turkey, the special archery license and the special muzzleloading license.