

No. 1996-48

AN ACT

HB 1944

Amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for permits for disabled persons and for a fee for a temporary permit.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 2904 of Title 34 of the Pennsylvania Consolidated Statutes is amended by adding a paragraph to read:

§ 2904. Permit fees.

The annual fee for permits provided for in this chapter shall be as follows:

* * *

(3.1) Temporary permit for disabled person - \$5 for the license year.

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Section 2. Section 2923 of Title 34 is amended to read:

§ 2923. Disabled person permits.

(a) Use of vehicle as a blind.—

(1) Unless further restricted by commission regulation, a permit to hunt from a stationary vehicle may be issued to a person with permanent disabilities who qualified for a hunting license pursuant to Chapter 27 (relating to hunting and furtaking licenses) and who meets any of the following requirements:

[(1)] (i) Has paraplegia and has permanent paralysis of both legs and lower parts of the body.

[(2)] (ii) Has hemiplegia and has permanent paralysis of one leg and one arm on either side of the body.

[(3)] (iii) Has both feet or one hand and one foot amputated.

[(4)] (iv) Is permanently confined to a wheelchair or must use crutches or [other similar] a walker as a means of support to pursue daily activities. [Applicants for this permit shall submit a doctor's statement certifying the disabilities are permanent.]

(v) Presents an affidavit and doctor's certificate stating the applicant is physically unable to walk 25 yards off the roadway.

(2) Unless further restricted by commission regulation, a permit to hunt from a stationary vehicle may be issued to a person who qualified for a hunting license pursuant to Chapter 27 and presents an affidavit and doctor's certificate stating the applicant is unable to walk 25 yards off the roadway due to a temporary injury or condition and may require an external means of support to ambulate. This permit is only valid for the license year in which issued.

(3) Permittees shall carry the permit upon their person while hunting. Any person named on this permit may hunt while using an automobile or other vehicle as a blind. **[Holders of this permit]** *The permittee* shall not use the vehicle to flush or locate game. The vehicle may be used only as a blind or platform from which to shoot. The firearm shall be unloaded at all times while the vehicle is in motion.

(b) Regulated hunting grounds.—A permit may be issued to hunt on a regulated hunting ground to any person who presents a doctor's certificate showing that the person is physically unable to walk for an extended period of time, authorizing him to hunt for, pursue and kill from an automobile or other vehicle on regulated hunting grounds those species of game authorized for release on such areas, subject to rules and regulations prescribed by the commission. The permittee shall carry the permit while hunting on regulated hunting grounds.

(c) Bow and arrow or crossbow.—A permit shall be issued to any person who presents a doctor's certificate showing that the person is, because of a permanent physical condition, unable to hunt with a conventional bow and arrow, authorizing that person to hunt by the use of:

(1) A bow and arrow which is held in place by a brace secured around the body of the hunter or is triggered with the aid of a mechanical device.

(2) A crossbow subject to the following restrictions:

(i) When hunting deer, bear or turkey, the crossbow must have a draw weight of not less than 125 pounds nor more than 200 pounds.

(ii) The arrows for the crossbow must be tipped with a broadhead of not less than seven-eighths of an inch wide and have a minimum of two nonmoving, exposed cutting edges.

The permittee shall carry the permit upon his person at all times while hunting.

(d) Penalty.—A violation of this section is a summary offense of the fifth degree.

Section 3. This act shall take effect immediately.

APPROVED—The 22nd day of May, A.D. 1996.

THOMAS J. RIDGE