

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 573

Short Title: Rutherford Road/Impaired Hunting.

(Local)

Sponsors: Senators Marvin; Rauch and Harris.

Referred to: Marine Resources and Wildlife.

March 22, 1989

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT HUNTING FROM THE RIGHTS-OF-WAY AND
HUNTING WHILE IMPAIRED IN RUTHERFORD COUNTY.

The General Assembly of North Carolina enacts:

Section 1. It is unlawful to hunt, take, or kill or to attempt to hunt, take, or kill any wild animal or wild bird on, from, or across the right-of-way of any public road, street, highway, or thoroughfare.

Sec. 2. No person shall hunt, take, or kill, or attempt to hunt, take, or kill any wild animal or wild bird:

(1) While under the influence of any impairing substance; or

(2) After having consumed sufficient alcohol that he has, at any relevant time after the hunting, taking, or killing, or attempted hunting, taking, or killing, an alcohol concentration of 0.10 or more.

The fact that a person charged with violating this subsection is or has been legally entitled to use alcohol or a drug is not a defense to a charge under this subsection. The relevant definitions contained in G.S. 20-4.01 shall apply to this subsection.

Sec. 3. Violation of this act is a misdemeanor punishable for a first conviction by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) or by imprisonment not to exceed 30 days, and punishable for a second or subsequent conviction within three years by a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00), by imprisonment not to exceed 90 days, or both.

1 Sec. 4. This act is enforceable by law enforcement officers of the Wildlife
2 Resources Commission, by sheriffs and deputy sheriffs, and by peace officers with
3 general subject matter jurisdiction.

4 Sec. 5. This act applies only to Rutherford County.

5 Sec. 6. This act shall become effective October 1, 1989.