

**SENATE BILL NO. 2229**

Introduced by

Senators Erbele, Heitkamp

Representatives Brandenburg, Headland

1 A BILL for an Act to amend and reenact section 20.1-01-07 and subsection 10 of section  
2 20.1-02-05 of the North Dakota Century Code, relating to driving offroad for hunting purposes.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 20.1-01-07 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **20.1-01-07. Hunting big game or small game ~~other than waterfowl or cranes with~~**  
7 **motor-driven vehicles prohibited - Exception - Motor-driven vehicle use in transporting**  
8 **big game restricted.** Except as provided in subsection 10 of section 20.1-02-05 and as  
9 otherwise provided in this section, a person, other than the landowner, without the written  
10 permission of the landowner or a lessee who actively farms or ranches that land, while hunting  
11 big game or small game, ~~other than waterfowl or cranes, statewide,~~ may not use a motor-driven  
12 vehicle on any land other than an established road or trail, unless that person has reduced a big  
13 game animal to possession and cannot easily retrieve the big game animal, in which case a  
14 motor-driven vehicle may be used to retrieve the big game animal, but after retrieval, the  
15 motor-driven vehicle must be returned to the established road or trail along the same route it  
16 originally departed. ~~A person may not use a motor-driven vehicle on any land other than an~~  
17 ~~established road or trail to hunt upland game during the deer gun season.~~ For purposes of  
18 safety and allowing normal travel, a motor-driven vehicle may be parked on the roadside or  
19 directly adjacent to ~~said~~ the road or trail. ~~No~~ A person may not, while hunting big game or  
20 small game, statewide, ~~may~~ drive or attempt to drive, run or attempt to run, molest or attempt to  
21 molest, flush or attempt to flush, or harass or attempt to harass any ~~such~~ game with the use or  
22 aid of ~~any~~ a motor-driven vehicle. ~~A person, other than the landowner, without the written~~  
23 ~~permission of the landowner or a lessee who actively farms or ranches that land, while hunting~~  
24 ~~big game or small game, other than waterfowl or cranes, statewide, may not drive through any~~

1 ~~retired cropland, brush area, slough area, timber area, open prairie, or unharvested or~~  
2 ~~harvested cropland, except upon an established road or trail. The provisions of this section~~  
3 ~~relating to hunting big game or small game while using a motor driven vehicle on any land other~~  
4 ~~than an established road or trail without the written permission of the landowner or a lessee~~  
5 ~~who actually farms or ranches that land do not apply to the hunting of big game during an open~~  
6 ~~and lawful season for small game.~~

7       **SECTION 2. AMENDMENT.** Subsection 10 of section 20.1-02-05 of the North Dakota  
8 Century Code, as effective after June 30, 2007, is amended and reenacted as follows:

9       10. Issue special permits to shoot wildlife from a stationary motor vehicle upon  
10 application from individuals who are physically unable to walk for purposes of  
11 hunting or taking wildlife or who have lost the use of an arm at or below the elbow.  
12 The application must be accompanied by a physician's statement verifying the  
13 person's condition, and if used to hunt on lands controlled by the board of  
14 university and school lands, must designate the land on which the individual  
15 intends to hunt. The permittee must have written permission from the lessee and  
16 the commissioner of university and school lands to hunt on lands controlled by the  
17 board of university and school lands. A permit issued under this subsection allows  
18 the permittee to drive, or to be driven, onto any land for the purposes of hunting  
19 wildlife, except that neither any other passenger within the vehicle nor the driver, if  
20 someone other than the permittee, may be a hunter, unless the other person is  
21 also a permittee. Provided, however, that if the land is privately owned and if the  
22 permittee is not going to drive or be driven along an established road or trail, the  
23 permittee must first obtain the ~~consent~~ written permission of the owner or lessee to  
24 hunt on the land in the manner provided in this title.