

**§11206. Night hunting**

**1. Prohibition.** Except as otherwise provided in this Part, a person may not:

A. Hunt wild birds or wild animals from 30 minutes after sunset to 30 minutes before sunrise of the following day; or [PL 2003, c. 592, §3 (RPR); PL 2003, c. 592, §5 (AFF); PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

B. [PL 2003, c. 592, §3 (RP); PL 2003, c. 592, §5 (AFF); PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

C. Possess any wild animal or wild bird taken in violation of paragraph A. [PL 2003, c. 592, §3 (RPR); PL 2003, c. 592, §5 (AFF); PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

[PL 2003, c. 592, §3 (RPR); PL 2003, c. 592, §5 (AFF); PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

**2. Penalty.** The following penalties apply to violations of this section.

A. A person who violates subsection 1 commits a Class D crime for which the court shall impose a sentencing alternative of not less than 3 days for the first offense, none of which may be suspended, and of not less than 10 days for each succeeding offense, none of which may be suspended; the court also shall impose a fine of not less than \$1,000, none of which may be suspended. [PL 2003, c. 592, §3 (NEW); PL 2003, c. 592, §5 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

B. A person who violates subsection 1 and is in possession of night vision equipment commits a Class D crime for which the court shall impose a sentencing alternative of not less than 3 days for the first offense, none of which may be suspended; the court also shall impose a fine of not less than \$2,000, none of which may be suspended. [PL 2003, c. 592, §3 (NEW); PL 2003, c. 592, §5 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

C. A person who violates subsection 1, is in possession of night vision equipment and has been convicted of a Class D crime within the past 10 years under Title 12, Part 13 commits a Class D crime for which the court shall impose a sentencing alternative of not less than 6 days for the first offense, none of which may be suspended, and of not less than 10 days for each succeeding offense, none of which may be suspended; the court also shall impose a fine of not less than \$2,000, none of which may be suspended. [PL 2003, c. 592, §3 (NEW); PL 2003, c. 592, §5 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

For purposes of this subsection, "night vision equipment" means a light amplification or thermal imaging device.

[PL 2003, c. 592, §3 (NEW); PL 2003, c. 592, §5 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

**SECTION HISTORY**

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 592, §3 (RPR). PL 2003, c. 592, §5 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §§C5,6 (AFF).

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