

## **CHAPTER 20.1-05 BIG GAME ANIMALS, REGULATIONS**

### **20.1-05-01. General penalty.**

Any person violating a provision of this chapter for which a penalty is not specifically provided is guilty of a class A misdemeanor.

### **20.1-05-02. Big game animals protected.**

Except as otherwise provided in section 20.1-02-28, a person may not hunt, harass, chase, pursue, take, attempt to take, possess, transport, ship, convey by common or private carrier, sell, barter, or exchange a big game animal except as provided in carrying out practices to alleviate depredations under the private land habitat and access improvement program and elsewhere in this title.

#### **20.1-05-02.1. Unattended dogs harassing or killing big game animals.**

Any district game warden may kill any unattended dog harassing or killing big game. No action for damages may be maintained against the person for the killing.

### **20.1-05-03. Season for taking and transporting big game - Bag limit.**

A person having a big game hunting license as prescribed in this title may take, kill, and transport, during the open or lawful season, one big game animal in this state. The open or lawful season on deer and antelope begins at twelve noon central standard time and on elk, moose, and bighorn sheep begins one-half hour before sunrise on any designated Friday as established by gubernatorial proclamation in accordance with this title. This section does not prohibit the transportation, shipment, or possession within this state of properly tagged big game legally taken in other states or taken on Indian land.

### **20.1-05-04. Using certain animals and artificial lights in taking big game unlawful.**

No person, to hunt, pursue, kill, take, or attempt to take, or to aid in the hunting or taking of, any big game animal, may:

1. Use any animal except horses or mules.
2. Use any artificial light, including spotlights and automobile and motorcycle headlights.
3. Engage in the practice commonly known as shining for deer. An individual who shines any area commonly frequented by big game animals with any artificial light, between the hours of sunset and sunrise, is in violation of this section. However, an individual may use a flashlight with a power source of not over six volts to take raccoon or beaver.

### **20.1-05-05. Prima facie proof of hunting or attempting to hunt big game animals unlawfully.**

Proof that a person possessing a rifle, shotgun, trap, snare, artificial light, or other implement or equipment useful in the taking or hunting of big game animals was found, between sunset and sunrise, in and about territory where big game animals are frequently and usually found, is prima facie evidence that the person was hunting big game animals contrary to law.

### **20.1-05-06. Big game hunters to wear daylight fluorescent orange garments - Exception - Penalty.**

Every person, while hunting big game, shall wear a head covering and an outer garment above the waistline, both of daylight fluorescent orange color, totaling four hundred square inches [2580.64 square centimeters] or more of solid fluorescent orange color, and both to be worn conspicuously on the person. This section does not apply to any person hunting big game with bow and arrow during special bow hunting seasons. Any person who violates this section is guilty of a class 2 noncriminal offense.

**20.1-05-07. When seals to be attached to carcasses of big game animals - Director to furnish seals.**

Each person having a big game hunting license, immediately after killing a big game animal, shall affix to the animal's carcass a locking seal bearing that person's big game hunting license number. The director shall furnish the locking seal with each big game hunting license issued. The seal must be attached and sealed in a manner prescribed by the director.

**20.1-05-08. Taking of big game by blind persons.**

Any individual who is totally or partially blind and who holds a valid big game hunting license may be accompanied by and have a person designated on the license, who is otherwise qualified, to hunt big game for that individual except as provided by section 20.1-01-12.