

## ALLOW USE OF PNEUMATIC AIRBOW

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**House Bill 5180 as introduced**  
**Sponsor: Rep. Beau Matthew LaFave**  
**Committee: Natural Resources**  
**Complete to 1-16-18**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 5180 would amend the Natural Resources and Environmental Protection Act (NREPA) to allow the use of a pneumatic airbow under certain circumstances.

#### *Pneumatic Airbows*

House Bill 5180 would allow *any individual* to take game with a pneumatic airbow during an open season in which a *firearm* may be used, as long as a proper license is held to take that game and all other laws and rules for taking that game are followed. A “*pneumatic airbow*” would be defined by the bill as a device with compressed air and a triggering mechanism that expels a bolt or arrow using the force of that compressed air.

The bill would also allow *an individual with a disability or physical limitation* to take game with a pneumatic airbow during an open season in which a *bow* may be used for taking game if that individual holds a license to take that game and complies with all other laws and rules for taking that game. The individual would also have to either possess a note from a physician stating that the physician has examined the individual and determined that because of the individual’s disability or physical limitation the individual should be able to take game with the use of a pneumatic airbow, or else obtain such a note within 6 months after taking game with a pneumatic airbow.

Under the bill, an “*individual with a disability or physical limitation*” would mean a disabled person as defined in Section 19a of the Michigan Vehicle Code (MCL 257.19a). That section defines “disabled person” as an individual who is determined by a physician to have 1 or more of the following:

- Blindness (this condition may be determined by an optometrist or a physician assistant as well as by a physician).
- The inability to walk more than 200 feet without having to stop and rest.
- Both the inability to use 1 or both legs or feet and the inability to walk without the assistance of another person or the use of a wheelchair, walker, crutch, brace, prosthetic, or other device.
- A lung disease from which the person’s forced expiratory volume for 1 second, when measured by spirometry, is less than 1 liter, or from which the person’s arterial oxygen tension is less than 60 mm/hg of room air at rest.
- A cardiovascular condition that causes the person to measure between 3 and 4 on the New York heart classification scale, or that renders the person incapable of meeting a minimum standard for cardiovascular health that is established by the American Heart Association and approved by the Department of Health and Human Services.

- An arthritic, neurological, or orthopedic condition that severely limits the person's ability to walk.
- The persistent reliance upon an oxygen source other than ordinary air.

### **Other Amendments**

NREPA currently allows the Department of Natural Resources (DNR) to issue, to an individual who is unable to walk because the individual is a paraplegic, an amputee, or permanently disabled, a permit that authorizes the individual to take game from or upon a standing vehicle, if the game is in season and the individual holds a license for it and complies with all other laws and rules for taking it. HB 5180 would require the DNR to issue such a permit to such an individual, and would further change the qualifying threshold from the inability to walk to the inability to walk *through a dense wooded area*.

NREPA also currently allows the Department of Natural Resources (DNR) to issue, to a disabled individual who has full use of only one arm or less and is unable to hold, aim, and shoot a bow, a permit that authorizes the individual to take game using a modified bow that may be held, aimed, and shot with one arm, if the game is in season and the individual holds a license for it and complies with all other laws and rules for taking it. HB 5180 would require the DNR to issue such a permit to such an individual. The bill would also remove a provision that now authorizes the Commission of Natural Resources to issue an order regarding bows that are modified as described above.

MCL 324.40102 et al.

### **FISCAL IMPACT:**

House Bill 5180 would have an indeterminate fiscal impact on the Department of Natural Resources. It is unclear whether the addition of pneumatic airbow to NREPA or the expansion of hunting opportunities for persons with disabilities would result in an increase in permit revenue for the department. It is also unclear whether these new provisions, as well as the mandate for the DNR to issue a permit to a person unable to walk through a dense wooded area due to disability, would affect departmental costs. These changes would be unlikely to affect local government revenues or costs.

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