

HB 4487S

FILED

2006 APR -3 P 3: 29

OFFICE OF THE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

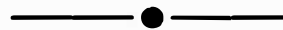
SECOND REGULAR SESSION, 2006



# ENROLLED

## House Bill No. 4487

(By Delegates Stemple, Varner, Poling and Pethtel)



Passed March 11, 2006

In Effect Ninety Days from Passage

FILED

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**E N R O L L E D**

**H. B. 4487**

(BY DELEGATES STEMPLE, VARNER, POLING AND PETHTEL)

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[Passed March 11, 2006; in effect ninety days from passage.]

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AN ACT to amend and reenact §20-2-46e of the Code of West Virginia, 1931, as amended, relating to allowing an individual, who is at least sixteen years of age, to be in the vehicle to assist the Class Q permittee.

*Be it enacted by the Legislature of West Virginia:*

That §20-2-46e of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 2. WILDLIFE RESOURCES.**

**§20-2-46e. Class Q special hunting permit for disabled persons.**

1       (a) A Class Q permit is a special statewide hunting permit  
2       entitling the permittee to hunt all legal species of game during  
3       the designated hunting seasons from a motor vehicle in accor-  
4       dance with the provisions of this section.

5       (b) A permit form shall be furnished by the director to an  
6       applicant who meets the following requirements:

7 (1) He or she is permanently disabled in the lower extremi-  
8 ties; and

9 (2) He or she holds a valid resident or nonresident statewide  
10 hunting license, a senior citizens license or is otherwise exempt  
11 from the license requirement.

12 (c) A licensed physician must certify the applicant's  
13 permanent disability by completing the permit form. When  
14 completed, the permit form constitutes a Class Q permit. The  
15 Class Q permit and a completed license application shall be  
16 submitted to the division, which will issue a wallet sized card  
17 to the permittee. The card and all other documents and identifi-  
18 cation required to be carried by this article shall be in the  
19 permittee's possession when hunting.

20 (d) A Class Q permit entitles the holder to hunt from a  
21 motor vehicle and, notwithstanding the provisions of subdivi-  
22 sion (9), section five of this article, to possess a loaded firearm  
23 in a motor vehicle, but only under the following circumstances:

24 (1) The motor vehicle is stationary;

25 (2) The engine of the motor vehicle is not operating;

26 (3) The permittee and one individual, who is at least sixteen  
27 years of age, to assist the permittee are the only occupants of  
28 the vehicle;

29 (4) The individual assisting the permittee may not hunt with  
30 a firearm, bow or cross-bow while assisting the permittee;

31 (5) The vehicle is not parked on the right-of-way of any  
32 public road or highway; and

33 (6) The permittee observes all other pertinent laws and  
34 regulations.

35       (e) The director may propose rules for legislative approval  
36 in accordance with the provisions of article three, chapter  
37 twenty-nine-a of this code setting forth the qualifications of  
38 applicants and the permitting process.


That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

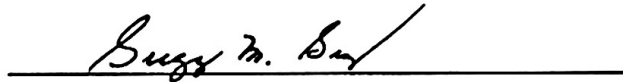
  
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Chairman Senate Committee

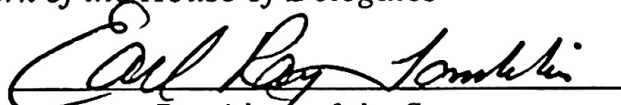
  
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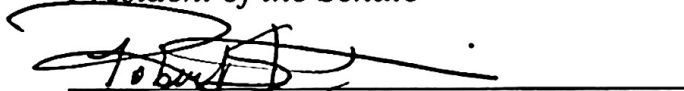
Originating in the House.

In effect ninety days from passage.

  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
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President of the Senate

  
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Speaker of the House of Delegates

The within is approved this the 3rd  
day of April, 2006.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 3 0 2006

Time 2:55pm