WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2006

ENROLLED

House Bill No. 4487
(By Delegates Stemple, Varner, Poling and Pethel)

Passed March 11, 2006
In Effect Ninety Days from Passage
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 entitling the permittee to hunt all legal species of game during the designated hunting seasons from a motor vehicle in accordance with the provisions of this section.

2 (b) A permit form shall be furnished by the director to an applicant who meets the following requirements:
(1) He or she is permanently disabled in the lower extremities; and

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

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

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

(1) The motor vehicle is stationary;

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

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

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

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

(6) The permittee observes all other pertinent laws and regulations.
(e) The director may propose rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code setting forth the qualifications of applicants and the permitting process.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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\text{Randy White} \\
\text{Chairman Senate Committee}
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\text{Chairman House Committee}
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Originating in the House.

In effect ninety days from passage.

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\text{Darrell Eledge} \\
\text{Clerk of the Senate}
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\text{Busby} \\
\text{Clerk of the House of Delegates}
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\text{Earl Ray Tomblin} \\
\text{President of the Senate}
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\text{Carl Tonelli} \\
\text{Speaker of the House of Delegates}
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The within was approved this the 3rd day of April, 2006.

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\text{Governor}
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