

TRANSPORTATION OF BOW, CROSSBOW, OR SLINGSHOT

Phone: (517) 373-8080
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House Bill 5417 as enacted
Public Act 272 of 2018
Sponsor: Rep. Steven Johnson
House Committee: Judiciary
Senate Committee: Outdoor Recreation and Tourism
Complete to 9-17-18

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

BRIEF SUMMARY: House Bill 5417 would amend the Natural Resources and Environmental Protection Act to allow for the open transportation of bows, crossbows, and slingshots that are not unstrung but are unloaded and uncocked.

FISCAL IMPACT: House Bill 5417 is unlikely to affect costs or revenues for the Department of Natural Resources or local units of government. The bill would likely have a nominal fiscal impact on state and local law enforcement agencies, the extent of which would be determined by forgone citation revenues resulting from any decline in citations issued for improperly transporting a bow, crossbow, or slingshot.

THE APPARENT PROBLEM:

According to the bill's sponsor, bows and crossbows are too large and awkward to carry in a case on a small personal vehicle, such as an ATV, while hunting in the woods. As a result, many hunters transport their weapons uncased. However, current law mandates that bows and crossbows be in a case during any transporting, and violations are a misdemeanor punishable by up to 90 days in jail. As part of the initiative for criminal justice reform, the sponsor of the bill would like hunters to be able to traverse the woods unencumbered by large cases while still remaining safe.

THE CONTENT OF THE BILL:

Currently, bows and crossbows must be unstrung, enclosed in a case, or carried in the trunk of a vehicle when being transported on public land or roads in Michigan. Also, when being carried or transported by an individual without a hunting license, slingshots, bows, and crossbows must be unstrung, enclosed in a case, or carried in a vehicle in a location that is not readily accessible to any occupant of the vehicle.

The bill would amend both of these provisions to remove the requirement that the applicable weapon must be unstrung, and instead would allow them to be possessed or transported in a vehicle as long as they are **unloaded** and **uncocked**, enclosed in a case, or carried in the trunk of the vehicle (or, in the case of the second provision, in a location in the vehicle that is not readily accessible to any occupant of the vehicle).

The bill would define **uncocked** to mean that a *bow* is not in the drawn position and that a *crossbow* is not in the cocked position. The bill would not change the definition of **unloaded** for a firearm, but would add that a *bow* is unloaded when an arrow is not nocked (that is, when

the string of the bow is not inserted in the notch at the end of the arrow, which is called a nock) and that a *crossbow* is unloaded when a bolt is not in the flight groove. [The bill would not specifically define ***unloaded and uncocked*** with regard to a slingshot.]

The bill's effective date is September 27, 2018.

MCL 324.40111 and 324.43513

BACKGROUND INFORMATION:

The House Judiciary Committee adopted an H-1 substitute for the bill and reported it with recommendation on February 20, 2018. The House did not adopt the H-1 substitute and instead adopted an H-2 substitute on March 1, 2018.

ARGUMENTS:

For:

Supporters of the bill argued that crossbows, bows, and slingshots should be treated like a firearm, which can be carried on a person's hip even in a traveling vehicle with a concealed carry permit. Likewise, bows, crossbows, and slingshots should be allowed to be carried uncased and not confined to the trunk of a vehicle.

Proponents also argued that the bill would help persons with disabilities who cannot traverse woods with cased weapons. The bill would allow those persons flexibility to be able to hunt in various locations while transporting their bows, crossbows, or slingshots more easily.

Against:

Opponents of the bill raised public safety concerns, arguing that transporting an uncased weapon that is not stored out of reach would make it easier for anyone to load up a weapon and use it while traveling. With uncased bows, crossbows, and slingshots being allowed to be within reach in a vehicle, critics said, opportunists would be more likely to engage in illegal poaching from a vehicle.

Opponents also argued that firearms still have to be cased during transport, so bows, crossbows, and slingshots should be held to the same standards. No matter the weapon, some felt, it should be cased, unloaded, and out of reach during transport in a vehicle.

Legislative Analyst: Emily S. Smith
Fiscal Analysts: Austin Scott
Kent Dell

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