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Amending 62-12-13, Colorado Revised Statutes 1963, as Amended, Concerning the Use of Aircraft and Other Motor Vehicles While Engaged in Activities Involving Fish and Wildlife

Colorado General Assembly

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Recommended Citation

Colorado General Assembly, "Amending 62-12-13, Colorado Revised Statutes 1963, as Amended, Concerning the Use of Aircraft and Other Motor Vehicles While Engaged in Activities Involving Fish and Wildlife" (1971). *Session Laws 1951-2000*. 5305.

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CHAPTER 150

GAME, FISH, AND PARKS

LAW ENFORCEMENT AND PENALTIES

House Bill No. 1489. By Representatives Porter, Bishop, DeMoulin, Hinman, P. Massari, Sonnenberg, Sooter, and Strang; also Senators H. Fowler, L. Fowler, Schiefelino, and Stockton.

A N A C T

AMENDING 62-12-13, COLORADO REVISED STATUTES 1963, AS AMENDED, CONCERNING THE USE OF AIRCRAFT AND OTHER MOTOR VEHICLES WHILE ENGAGED IN ACTIVITIES INVOLVING FISH AND WILDLIFE.

Be it enacted by the General Assembly of the State of Colorado:

Section 1. 62-12-13, Colorado Revised Statutes 1963 (1969 Supp.), is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

62-12-13. Use of aircraft and motor vehicles in hunting. (1) Unless permitted by the division, it shall be unlawful to take, kill, capture, wound, injure, or harass, from any aircraft, including a helicopter, or motor vehicle, any fish or wildlife, and it shall be unlawful to operate any aircraft, including a helicopter, in a manner intended to injure, frighten, disturb, harass, drive, or rally any wildlife.

(2) It shall be unlawful to discharge any firearm or release any arrow from any aircraft, including a helicopter, or motor vehicle, with the intent to hunt, take, kill, capture, wound, injure, or harass any fish or wildlife.

(3) It shall be unlawful for any person airborne in any aircraft, including a helicopter, to spot or locate any wildlife, and communicate the location thereof to any person on the ground by means of any air-to-ground communication signal or device whatsoever. It shall be unlawful for such person to pursue or hunt game on the same day or the day following such flight.

(4) Unless permitted by the division, it shall be unlawful to use any aircraft, including a helicopter, for transporting hunters, hunting equipment, or wildlife, except when such persons or cargo are unloaded at airports, aircraft landing fields, or heliports which have been established on private property, or which have been established by any federal, state, county, or municipal governmental body. The provisions of this subsection (4) shall not apply during emergency situations or when search and rescue operations are being conducted.

(5) A violation of the provisions of this section shall be deemed a misdemeanor, and, upon conviction thereof, shall be punishable as provided in section 62-12-28.

Section 2. **Effective date.** This act shall take effect July 1, 1971.

Section 3. **Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 22, 1971