

SUBSTITUTE FOR  
HOUSE BILL NO. 5914

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 40116 (MCL 324.40116), as amended by 1996 PA  
154.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 40116. (1) ~~—A Subject to subsection (3), a person~~  
2 shall not take game during the established daylight shooting  
3 hours from August 15 through April 30 unless the person wears a  
4 cap, hat, vest, jacket, or rain gear of ~~—the highly visible color~~  
5 ~~commonly referred to as hunter orange. Hunter orange includes~~  
6 ~~blaze orange, flame orange, or fluorescent blaze orange, and~~  
7 ~~camouflage that is not less than 50% hunter orange. The garments~~  
8 ~~that are~~ hunter orange **or of a camouflage design that is at**  
9 **least 50% hunter orange. The garment that is hunter orange or of**  
10 **a camouflage design that is at least 50% hunter orange shall be**

1 the hunter's outermost garment and shall be visible from all  
2 sides of the hunter. ~~This section does~~

3 (2) Subject to subsection (3), a person shall not make use  
4 of a blind to take game on lands open to public hunting unless  
5 hunter orange is visible on the exterior surface of the blind  
6 from all sides.

7 (3) Subsection (1) does not apply to a person who is making  
8 use of a blind to take game. Subsections (1) and (2) do not  
9 apply to a person engaged in the taking of deer with a bow during  
10 archery deer season, a person taking bear with a bow, or a person  
11 engaged in the taking of waterfowl, crow, or turkey.

12 (4) ~~-(2)-~~ The failure of a person to comply with this section  
13 is not evidence of contributory negligence in a civil action for  
14 injury to the person or for the person's wrongful death.

15 (5) As used in this section:

16 (a) "Blind" means an enclosure used to help conceal or  
17 disguise the occupant for the purpose of taking game. Blind does  
18 not include an enclosure built of dead natural materials found in  
19 nature.

20 (b) "Hunter orange" means the highly visible color commonly  
21 referred to as hunter orange and includes blaze orange, flame  
22 orange, and fluorescent blaze orange.