

HOUSE BILL No. 5914

May 18, 2004, Introduced by Reps. Rivet, Minore, Adamini, Bradstreet and Accavitti and referred to the Committee on Conservation and Outdoor Recreation.

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. The garment that is** hunter orange shall
9 be the hunter's outermost garment and shall be visible from all
10 sides of the hunter. ~~This section does~~

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

5 (3) Subsections (1) and (2) do not apply to a person engaged
6 in the taking of deer with a bow during archery deer season, a
7 person taking bear with a bow, or a person engaged in the taking
8 of waterfowl, crow, or turkey.

9 (4) ~~—(2)—~~ The failure of a person to comply with this section
10 is not evidence of contributory negligence in a civil action for
11 injury to the person or for the person's wrongful death.

12 (5) As used in this section, "hunter orange" means the highly
13 visible color commonly referred to as hunter orange and includes
14 blaze orange, flame orange, fluorescent blaze orange, and
15 camouflage designs that are at least 50% hunter orange.