

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.40116 Hunter orange or other authorized color; exceptions; noncompliance not as evidence of contributory negligence; review and determination by commission; "hunter orange" and "hunter pink" defined.

Sec. 40116. (1) An individual shall not take game during the established daylight shooting hours from August 15 through April 30 unless the individual wears a cap, hat, vest, jacket, or rain gear of hunter orange or a color authorized by the commission under subsection (4). Hunter orange or a color authorized by the commission under subsection (4) includes camouflage that is not less than 50% hunter orange or a color authorized by the commission under subsection (4). The garments that are hunter orange or a color authorized by the commission under subsection (4) must be the hunter's outermost garment and be visible from all sides of the hunter.

(2) Subsection (1) does not apply to an individual engaged in the taking of deer with a bow or crossbow during archery deer season, an individual taking bear with a bow or crossbow, an individual engaged in the taking of turkey or migratory birds other than woodcock, an individual engaged in the sport of falconry, or an individual who is stationary and in the act of hunting bobcat, coyote, or fox.

(3) The failure of an individual to comply with this section is not evidence of contributory negligence in a civil action for injury to the individual or for the individual's wrongful death.

(4) The commission shall review and determine whether hunter pink or any additional colors are effective and safe for individuals to wear while hunting. By October 1, 2017, the commission shall issue an order under section 40113a authorizing what additional garment colors may be worn under subsection (1) based on the determination made by the commission under this subsection.

(5) As used in this section:

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

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

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 154, Imd. Eff. Apr. 3, 1996;—Am. 2004, Act 325, Imd. Eff. Sept. 10, 2004;—Am. 2009, Act 65, Imd. Eff. July 2, 2009;—Am. 2016, Act 377, Imd. Eff. Dec. 22, 2016.

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