

MARYLAND REGISTER

**Proposed Action on Regulations**

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	04/23/2020	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

**1. Desired date of publication in Maryland Register: 6/5/2020**

**2. COMAR Codification**

**Title Subtitle Chapter Regulation**

08 03 04 05

**3. Name of Promulgating Authority**

Department of Natural Resources

**4. Name of Regulations Coordinator Telephone Number**  
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**6. Check applicable items:**

- New Regulations
- Amendments to Existing Regulations  
Date when existing text was downloaded from COMAR online: March 30, 2020.
- Repeal of Existing Regulations
- Recodification



## **Notice of Proposed Action**

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The Secretary of Natural Resources proposes to amend Regulation .05 under COMAR 08.03.04 Forest Wildlife.

### **Statement of Purpose**

The purpose of this action is to clarify the use of certain devices to hunt deer. Regulation .05 is amended to allow the use of straight-walled cartridges for hunting deer with a rifle or handgun in certain counties. Another amendment clarifies that during the days when the deer muzzle loading hunting season and deer archery season overlap, a hunter may possess only one weapon while hunting. A third amendment describes the restrictions for the use of primitive weapons during the February deer muzzle loading and archery seasons.

### **Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

### **Estimate of Economic Impact**

The proposed action has no economic impact.

### **Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

### **Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

### **Opportunity for Public Comment**

Comments may be sent to Karina Stonesifer, Associate Director, Wildlife and Heritage Service, 12512 Pleasant Valley Road, Flintstone, MD 21530, or call 301-777-2136, or email to [karina.stonesifer@maryland.gov](mailto:karina.stonesifer@maryland.gov), or fax to 301-777-2029. Comments will be accepted through July 6, 2020. A public hearing has not been scheduled.

### **Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 21

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used: special (Wildlife Management and Protection Fund)

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly: The regulation changes will not result in any changed in expenditures or revenues to the Department.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

The regulation changes may result in a slight increase in the sale of hunting equipment by sporting goods retailers.

G. Small Business Worksheet:

Attached Document:

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## **Title 08 DEPARTMENT OF NATURAL RESOURCES**

### **Subtitle 03 WILDLIFE**

#### **.04 Forest Wildlife.**

Authority: Natural Resources Article, §10-408, Annotated Code of Maryland

#### **.05 Devices for Hunting Deer and Black Bear.**

A. *Except as provided in §1 of this regulation*, [Only] only the weapons described in §§B and C of this regulation may be used to hunt deer and black bear. All other weapon types are prohibited for hunting deer or black bear.

B. – C. (text unchanged)

D. Firearms — Restrictions. In the counties listed below, an individual may hunt deer with a rifle or handgun[, although an air gun, a muzzle loading shotgun, a muzzle loading handgun, or a muzzle loading revolver may be used] *employing a straight-walled cartridge, a shotgun, an air gun, a muzzle loading rifle, a muzzle loading shotgun, a muzzle loading handgun, or a muzzle loading revolver:*

(1) – (13) (text unchanged)

E. In that portion of Frederick County located west of the Monocacy River beginning where Fingerboard Road crosses the river, then by and with the west side of the Monocacy River to the crossing by Biggs Ford Road, then by and with the south side of Biggs Ford Road to the junction with Route 15, then by and with the west side of Route 15 to the junction with Sundays Lane, then by and with the south side of Sundays Lane to the junction with Bloomfield Road, then by and with the east side of Bloomfield Road to the junction with Opossumtown Pike, then by and with the south side of Opossumtown Pike to the junction with Walter Martz Road, then by and with the east side of Walter Martz Road to the junction with Christopher's Crossing, then by and with the south side of Christopher's Crossing to the junction with Walter Martz Road, then by and with the south side of Walter Martz Road to the junction with Rocky Springs Road, then by and with the south and east side of Rocky Springs Road to the junction with Kemp Lane, then by and with the east side of Kemp Lane to the junction with Shookstown Road, then by and with the north side of Shookstown Road to the junction with Bowers Road, then by and with the east side of Bowers Road to the junction West Patrick Street, then by and with the north side of West Patrick Street to the junction with Blentlinger Road, then by and with the east side of Blentlinger Road to the junction with Old National Pike, then by and with the south side of Old National Pike to the junction with Maryland Interstate 70, then by and with the north side of Maryland Interstate 70 to the junction with Route 15, then by and with the east side of Route 15 to the junction with Mt. Zion Road, then by and with the north side of Mt. Zion Road to the junction with Elmer Derr Road, and then by and with the north side of

Elmer Derr Road to the junction with New Design Road, then by and with the east side of New Design Road to the junction with Manor Woods Road, then by and with the north side of Manor Woods Road to the junction with Buckystown Pike, then by and with the east side of Buckystown Pike to the junction with Fingerboard Road, and then by and with the north side of Fingerboard Road to the crossing over the Monocacy River, an individual may hunt deer with a rifle[, although a handgun, a shotgun, a muzzle loading rifle, a muzzle loading shotgun, a muzzle loading handgun, or a muzzle loading revolver may be used] *employing a straight-walled cartridge, a handgun, a shotgun, a muzzle loading rifle, a muzzle loading shotgun, a muzzle loading handgun, or a muzzle loading revolver.*

F. (text unchanged)

G. *Except as prohibited by §H of this regulation, [An] an individual may hunt deer with [a] muzzle loading [firearm] firearms, bow, or both, during the muzzle loader firearms season.*

H. *An individual may not possess both a muzzle loading firearm and a bow while hunting when muzzle loading season and bow season overlap or during the February deer hunting season dates.*

I. *Primitive Weapon*

(1) *An individual may only use a primitive weapon to hunt deer during the February deer hunting season dates.*

(2) *An individual may not use a primitive weapon equipped with:*

(a) *telescopic or electronic aiming devices; or*

(b) *release aids; or*

(c) *draw lock devices.*

(3) *The use of a crossbow is prohibited during the February deer hunting season dates.*

(4) *A muzzle loading firearm used for deer hunting during the February deer hunting season dates must be of a flintlock or percussion cap sidelock design. Modern inline muzzle loading firearms are prohibited.*