

**Department of Legislative Services**  
Maryland General Assembly  
2015 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 844

(Senators Young and Hough)

Education, Health, and Environmental Affairs

Environment and Transportation

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**Frederick County - Deer Management Permit - Use of Rifles**

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This bill authorizes a deer management permittee in Frederick County to use a rifle approved by the Department of Natural Resources (DNR) to harvest deer throughout the year, including during all deer hunting seasons. Additionally, in Frederick County Zone 1, an agent of a deer management permittee may use the approved rifle throughout the year. In Frederick County Zone 2, an agent of a permittee may use the approved rifle only from October 1 to March 31, except during a deer firearms season. During a deer firearms season, an agent of a permittee in Zone 2 may only use the weapon approved for that season. DNR must adopt regulations to implement the bill.

The bill takes effect July 1, 2015.

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**Fiscal Summary**

**State Effect:** Potential minimal operational impact on DNR to the extent that DNR receives an increased number of calls and complaints in Frederick County related to hunting outside of established hunting seasons. DNR's Natural Resources Police can handle any such increase with existing budgeted resources. Revenues are not affected.

**Local Effect:** Potential minimal operational impact to the extent that local police receive an increased number of calls and complaints in Frederick County related to hunting outside of established hunting seasons. It is likely that local police can handle any such increase with existing resources. Revenues are not affected.

**Small Business Effect:** Potential meaningful.

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## Analysis

**Current Law:** Under current law, DNR establishes the open season to hunt forest and upland game birds and mammals by regulation each year. DNR may adopt regulations to enlarge, extend, restrict, or prohibit hunting wildlife. There are three seasons to hunt deer in Maryland: (1) deer bow hunting season; (2) deer firearms season; and (3) deer muzzle loader season.

DNR has traditionally offered deer management permits (DMPs), as established by regulation, to Maryland landowners or agricultural lessees that are experiencing severe economic loss from deer to commercially grown crops (including row crops, truck crops, pasture, nursery stock, orchards, and certain tree plantings). Generally, DMPs allow permittees to remove deer from the designated property outside of the established deer hunting seasons and/or deer bag limits. These permits are issued by DNR's Wildlife and Heritage Service. DNR reviews requests for eligibility and considers the type, extent, and severity of damage; the time of year; and deer populations for a local area when evaluating applications for DMPs. There is no permit fee.

Chapter 574 of 2014 established that a person who holds a DMP in Charles and St. Mary's counties may use a shotgun approved by DNR to (1) hunt deer throughout deer season in the locations and under the conditions set forth in the permit and (2) hunt deer on State agricultural crop land located in Charles and St. Mary's counties to the same extent as the person is authorized under the DMP to hunt on private land in those counties.

Chapter 574 also required DNR to establish a three-year program to train rifle shooters to hunt deer to control the deer population in Charles and St. Mary's counties and added a deer hunting season specific to Charles and St. Mary's counties. Chapter 574 authorized a person to hunt deer with a shotgun approved by DNR from January through March in Charles and St. Mary's counties. To protect public safety and welfare, DNR is authorized to (1) terminate the deer hunting season established under Chapter 574 and (2) restrict the lands on which an individual may hunt deer.

All the provisions of law established under Chapter 574 of 2014, including the special hunting season for Charles and St. Mary's counties, the rifle training program, and the DMP provisions specific to Charles and St. Mary's counties, terminate on June 30, 2017. However, DNR retains its authority to provide DMPs under its general regulatory authority.

Current regulations establish that an individual may not hunt deer with a rifle during the deer firearms season in the portion of Frederick County located south of a line beginning at the Washington-Frederick County line at U.S. Route 40 and continuing on U.S. Route 40 east to Harmony Road, proceeding south on Harmony Road to Interstate 70,

and following Interstate 70 east through Frederick County. However, rifles may be used elsewhere in the county during the firearms season.

For the purposes of deer hunting in general, Frederick County Zone 1 is defined in regulation as the portion of Frederick County that is both north of Interstate 70 and west of U.S. Route 15. Frederick County Zone 2 is defined as the portion of Frederick County south of Interstate 70 and the portion of Frederick County east of U.S. Route 15.

**Background:** Because white-tailed deer thrive in habitat that is composed of woods and openings, and because hunter access in those areas is limited, suburban development has provided excellent deer habitat in the State, resulting in an escalation of deer populations in suburban areas. Higher populations of deer can lead to a greater number of negative interactions with suburban residents such as deer-vehicle collisions and vegetation damage.

According to DNR, regulated hunting is the most cost-effective deer population control mechanism available throughout most of the State. In 2013, DNR issued 1,655 DMPs, and a total of 8,969 deer were killed under those permits, including 518 deer in Frederick County.

**Small Business Impact:** Authorizing additional deer hunting, with rifles, in Frederick County may have a potential meaningful economic impact on certain small businesses by reducing agricultural deer damage and reducing the number of deer-vehicle collisions.

Most farms are small businesses. In 2011, the U.S. Department of Agriculture National Agricultural Statistics Service estimated that Maryland deer caused \$7.7 million in agricultural damage statewide. Based on past estimates of crop damage losses, DNR estimates that an individual deer causes \$33.05 in agricultural damage annually. To the extent that the bill reduces crop damage, farmers benefit.

The bill may also affect vehicle owners and businesses involved in the repair of vehicles. DNR estimates that there were 31,300 deer-vehicle collisions in 2013 and that the average cost per collision is \$3,400. Reducing the deer population in Frederick County likely reduces the number of deer-vehicle collisions, which has a positive impact on vehicle owners and a corresponding negative impact on vehicle repair businesses.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 1181 (Frederick County Delegation) - Rules and Executive Nominations.

**Information Source(s):** Frederick County, Department of Natural Resources, Department of Legislative Services

**Fiscal Note History:** First Reader - March 13, 2015  
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