

No. 49

AN ACT

To further amend section eight hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1225), entitled "An act *concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the provision making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped, and also eliminating the provision making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in unbroken original cartons or securely wrapped.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: "The Game Law."

Section 1. Section eight hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," as amended by the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (Pamphlet Laws 386), is hereby further amended to read as follows:

Section 806, act of June 3, 1937, P. L. 1225, as amended by act of May 31, 1947, P. L. 386, further amended.

Section 806. Possession of Loaded Firearms [and Certain Ammunition Restricted].—(a) Except as otherwise provided by law, it is unlawful for any person to have in his possession a loaded rifle or loaded shotgun, or a rifle or shotgun from the magazine of which all shells and cartridges have not been removed, in or on any vehicle or conveyance, or its attachments, while standing upon or along, or being driven upon or along, any public highway, or a highway open to use or used by the public, within this Commonwealth [: Provided, however, That, except as hereafter provided, between five o'clock postmeridian of one day and seven o'clock antemeridian, eastern standard time, of the day following, any unloaded rifle or shotgun, being lawfully carried in accordance with the foregoing provisions, shall be so carried only when in a case or taken apart and securely wrapped; but this requirement relative to carrying rifles and shotguns in cases or securely wrapped shall not apply during the period extending from the day before the regular small game hunting season which normally opens on the first day of November, to the thirty-first day of December, next following, both dates inclusive].

* "concerning" in original.

[(b) Except during the period enumerated in subsection (A) of this section, it is unlawful for any person to have in possession, in or on any vehicle, conveyance, or its attachments, while standing upon or along, or being driven upon or along any public highway or a highway open to use by the public, within this Commonwealth, except as hereinafter provided, between five o'clock postmeridian of one day and seven o'clock antemeridian, eastern standard time, of the day following, any rifle cartridge (larger than a .22 caliber long rifle), or any shotgun shell containing either a single bullet or pellets larger than a BB, unless all such cartridges or shells are carried in unbroken original cartons, or securely wrapped.

(c) Provided, however, (a) that during the period from July first to September thirtieth, inclusive, of each year, the foregoing requirements relative to carrying certain unloaded firearms and ammunition shall be applicable only from eight-thirty o'clock postmeridian to five o'clock antemeridian, eastern standard time, and (b) that the commission may by resolution change the daily hours stipulated in subsections (a), (b) and (c) of this section to make adjustment for time changes or time designations established by Federal law, or by any regulations promulgated under Federal law.]

[(d)] (b) The provisions of this section shall not be construed to apply to a public police officer engaged in the performance of his official duty, or to an officer whose duty it is to enforce the game law and engaged in the performance of his official duty.

[(e)] (c) Any person violating any of the provisions of this section while the vehicle is in motion, or is being used as a blind from which to kill or attempt to kill game, while the vehicle is not in motion, shall, upon conviction, be sentenced to pay a fine of twenty-five dollars and costs of prosecution. Any other violation of the provisions of this section shall, upon conviction, subject the person responsible therefor to a fine of ten dollars and costs of prosecution.

Section 2. This act shall become effective immediately upon final enactment.

Act effective
immediately.

APPROVED—The 10th day of May, A. D. 1951.

JOHN S. FINE