§ 11-0719. Revocation and suspension of licenses and of right to hunt, fish or trap without license.

1. a. In the circumstances described in paragraph b of this subdivision the department may revoke any license, bowhunting privilege, or muzzle-loading privilege, of any person, to hunt, fish or trap, defined in section 11-0701 of this title or issued pursuant to any provision of the Fish and Wildlife Law, or it may revoke all of such licenses, bowhunting privileges, or muzzle-loading privileges. It may also deny such person, for a period not exceeding five years, the privilege of obtaining such license or licenses, bowhunting privilege, or muzzle-loading privilege, or of hunting, trapping or fishing, anywhere in the state with or without license, bowhunting privilege, or muzzle-loading privilege, except as provided in subdivision 1 of section 11-0707 of this title or in section 11-0523 of this article. It may also require that such person successfully complete a department-sponsored course and obtain a certificate of qualification in responsible hunting including responsible crossbow hunting, responsible bowhunting or responsible trapping practices before being issued another license.

b. This subdivision applies to any person who:

(1) is convicted of a violation of the Fish and Wildlife Law involving the taking of deer or bear with the aid of an artificial light or signs an acknowledgment of such violation of that law for the purpose of effecting a settlement by civil compromise or by stipulation; or

(2) is convicted of a violation of the Fish and Wildlife Law involving the illegal taking of a deer, moose or bear, or signs an acknowledgment of any such violation of that law for the purpose of effecting a settlement by civil compromise or by stipulation; or

(3) is convicted of any violation of the Fish and Wildlife Law or signs an acknowledgment of any violation of that law for the purpose of effecting a settlement by civil compromise or by stipulation, and previously during the five years immediately preceding such conviction or the signing of such acknowledgment has been so convicted or has signed such an acknowledgment; or

(4) is convicted of an offense involving a violation of subdivisions one and two of section 11-0901 of this article relating to taking of

wildlife when the person taking is in or on a motor vehicle while such motor vehicle is on a public highway or an offense involving a violation of subdivision one of section 11-0901 of this article and subparagraph one of paragraph a of subdivision four of section 11-0931 of this article relating to taking wildlife when the person taking is in or on a motor vehicle and discharging a firearm, crossbow or longbow in such a way that the load, bolt or arrow passes over a public highway or a part thereof or signs an acknowledgment of any such violation for the purpose of affecting a settlement by civil compromise or by stipulation.

c. Upon receipt of a court notification of the failure of a person to appear within three months of the return date or new subsequent adjourned date pursuant to an appearance ticket, uniform appearance ticket or uniform appearance ticket and simplified information charging such person with a violation of the Fish and Wildlife Law, or any rule or regulation adopted pursuant thereto, the department may suspend any license of such person to hunt, fish or trap pending receipt of notice from the court that such person has appeared in response to such appearance ticket. Such suspension shall take effect no less than thirty days from the day upon which notice thereof is sent by the department to the person whose license is to be suspended.

2. a. The department may revoke the licenses, tags, bowhunting privileges, or muzzle-loading privileges, which authorize the holder to hunt and/or trap wildlife, and may deny the privilege of obtaining such licenses, tags, bowhunting privileges, or muzzle-loading privileges, and may deny the privileges of hunting and/or trapping with or without a license.

(1) of any person who, while engaged in hunting or trapping,

(i) causes death or injury to any person by discharging a firearm, crossbow or longbow, or

(ii) so negligently discharges a firearm, crossbow or longbow as to endanger the life or safety of another, or

(iii) so negligently and wantonly discharges a firearm, crossbow or longbow as to destroy or damage public or private property; or

(2) of any agent of the department authorized to issue certificates of qualification in responsible hunting including responsible crossbow

hunting, bowhunting, or trapping practices who improperly issues any such certification to a person whom he or she has not trained, or whom he or she knows has not satisfactorily completed all of the requirements necessary for such certification.

b. Action by the department resulting in the revocation of such license or denial of the privilege to hunt and trap as provided in this subdivision shall be only after a hearing held by the department upon notice to the offender, at which proof of facts indicating the violation is established to the satisfaction of the commissioner or of the hearing officer designated by him or her and concurred in by the commissioner. Provided that where a person, while hunting, causes death or injury to any person by discharge of a firearm, crossbow or longbow, the commissioner may, in his or her discretion, suspend such person's license or licenses to hunt and suspend such person's right to hunt without a license for a period of up to sixty days pending a hearing as provided for in this subdivision.

c. In case such discharge of a firearm, crossbow or longbow causes death or injury to any person, the license or licenses, bowhunting privilege, and muzzle-loading privilege shall be revoked and the ability to obtain any such license and of hunting or of trapping anywhere in the state with or without a license denied, for a period not exceeding ten years, except that no revocation shall be made in cases in which facts established at the hearing indicate to the satisfaction of the commissioner that there was no negligence on the part of the shooter or bowhunter. In all other cases the license or licenses, bowhunting privilege, or muzzle-loading privilege, shall be revoked and the privilege of obtaining such license, bowhunting privilege, or muzzle-loading privilege, and of hunting or of trapping anywhere in the state with or without a license denied for a period not exceeding five years. The department may also require that the person causing such death or injury successfully complete a department-sponsored course and obtain a certificate of qualification in responsible hunting including responsible crossbow hunting or bowhunting practices before being issued another hunting license.

d. Every person injuring himself, herself or another person in a hunting related incident, and the investigating law enforcement officer summoned to or arriving at the scene of such incident shall within ten days from the occurrence of such incident file a report of the incident in writing with the department. Every such person or law enforcement officer shall make such other and additional reports as the department shall require. Failure to report such incident as herein provided by the person causing injury or to furnish relevant information required by the department shall be a violation and shall constitute grounds for suspension or revocation of such person's hunting licenses and bowhunting and muzzle-loading privileges and denial of the ability to obtain any such license and of hunting with or without a license following a hearing or opportunity to be heard. In addition, the department may temporarily suspend the license of the person failing to report a hunting related incident within the period prescribed herein until such report has been filed. In the case of a non-resident, the failure to report an incident as herein provided shall constitute grounds for suspension or revocation of his or her privileges of hunting within this state. The report required by this section shall be made in such form and number as the department may prescribe.

3. A hunting license issued to a person who is at least twelve and less than sixteen years of age or a hunting license with bowhunting privilege issued to a person who is between the ages of twelve and sixteen years may be revoked by the department upon proof satisfactory to the department that such person, while under the age of sixteen, has engaged in hunting with a gun, crossbow or longbow, in circumstances in which a license and/or bowhunting or muzzle-loading privilege is required, while not accompanied by his or her parent, guardian or other adult as provided in section 11-0929 of this article. Additionally, the department may revoke the hunting and/or bowhunting or muzzle-loading privilege of any parent, guardian, youth mentor or other adult upon proof satisfactory to the department that such person allowed the holder of a hunting license, bowhunting privilege or muzzle-loading privilege to hunt with a gun, crossbow or longbow in violation of section 11-0929 of this article. If such license or privilege is revoked the department shall fix the period of such revocation, which is not to exceed six

years. The department may require that such person successfully complete a department sponsored course and obtain a certificate of qualification in responsible hunting including responsible crossbow hunting, or responsible bowhunting practices before being issued another hunting or bowhunting license.

4. A person whose license to hunt, trap, or fish has been suspended or revoked as provided in this section is ineligible for such license during the period determined by the department as provided in this section. No such person shall, during such period, procure any license for which he or she is ineligible. No person shall without license hunt, trap, or fish during any period in which the privilege to do so has been denied by the department as provided in this section.

5. When the department has revoked a license, or has denied to any person the ability to obtain a license, or of hunting, trapping or fishing without a license, it shall cause the fact of such revocation or denial, or both, as the case may be, and the terms and extent thereof, to be entered in the minutes of the department, and shall forthwith send a written notice of its action as so entered in the minutes to the person affected, at his last known address, either by registered or certified mail or by delivery personally by a representative of the department. Within five days after service of such notice, such person shall deliver to the department the license or licenses revoked, together with any tags issued in connection with them. If the license was one entitling the holder to a bowhunting or muzzle-loading privilege and the revocation concerned some but not all of such privileges, any license, or tag so delivered shall be returned by the department to the person to whom it was issued, appropriately marked or stamped to show the extent to which it is revoked.