§ 11-0931. Prohibitions on the use and possession of firearms.

1. No person except a law enforcement officer in the performance of his official duties shall use in hunting or possess in the fields or forests or on the waters of the state for any purpose:

a. the apparatus known as a silencer;

b. any automatic firearm, or any firearm which has been converted to an automatic type, or any firearm which has a built-in mechanical adjustment which will permit it to function as an automatic arm; or

c. any auto-loading firearm of a construction to contain more than six shells in the magazine and chamber combined, except

(1) such a firearm using twenty-two caliber rim-fire ammunition, or

(2) such a firearm which has been altered so as to reduce its capacity to not more than six shells at one time in the magazine and chamber combined, or

(3) an auto-loading pistol having a barrel less than eight inches in length.

d. An automatic firearm is defined as one which will continue to fire as long as the trigger is held back. An auto-loading firearm is defined as one which reloads itself after each shot and requires that the trigger be pulled back for each shot.

* 2. a. No crossbow or firearm except a pistol or revolver shall be carried or possessed in or on a motor vehicle unless it is uncocked, for a crossbow or unloaded, for a firearm in both the chamber and the magazine, except that a loaded firearm which may be legally used for taking migratory game birds may be carried or possessed in a motorboat while being legally used in hunting migratory game birds, and b. no person except a law enforcement officer in the performance of his official duties or a nuisance wildlife specialist with a permit issued pursuant to section 11-0522-a of this article, provided that such activities are in furtherance of the site-specific deer management plan, shall, while in or on a motor vehicle, use a jacklight, spotlight or other artificial light upon lands inhabited by deer if he or she is in

possession or is accompanied by a person who is in possession, at the time of such use, of a longbow, crossbow or a firearm of any kind except a pistol or revolver, unless such longbow or crossbow is unstrung or such firearm or crossbow is taken down or securely fastened in a case or locked in the trunk of the vehicle. For purposes of this subdivision, motor vehicle shall mean every vehicle or other device operated by any power other than muscle power, and which shall include but not be limited to automobiles, trucks, motorcycles, tractors, trailers and motorboats, snowmobiles and snowtravelers, whether operated on or off public highways. Notwithstanding the provisions of this subdivision, the department may issue a permit to any person who is non-ambulatory, except with the use of a mechanized aid, to possess a loaded firearm in or on a motor vehicle as defined in this section, subject to such restrictions as the department may deem necessary in the interest of public safety. Nothing in this section permits the possession of a pistol or a revolver contrary to the penal law.

* NB Effective until January 1, 2030

* 2. No crossbow or firearm except a pistol or revolver shall be carried or possessed in or on a motor vehicle unless it is uncocked, for a crossbow or unloaded, for a firearm in both the chamber and the magazine, except that a loaded firearm which may be legally used for taking migratory game birds may be carried or possessed in a motorboat while being legally used in hunting migratory game birds, and no person except a law enforcement officer in the performance of his official duties shall, while in or on a motor vehicle, use a jacklight, spotlight or other artificial light upon lands inhabited by deer if he or she is in possession or is accompanied by a person who is in possession, at the time of such use, of a longbow, crossbow or a firearm of any kind except a pistol or revolver, unless such longbow or crossbow is unstrung or such firearm or crossbow is taken down or securely fastened in a case or locked in the trunk of the vehicle. For purposes of this subdivision, motor vehicle shall mean every vehicle or other device operated by any power other than muscle power, and which shall include but not be limited to automobiles, trucks, motorcycles, tractors, trailers and motorboats, snowmobiles and snowtravelers, whether operated on or off public highways. Notwithstanding the provisions of this subdivision, the department may issue a permit to any person who is non-ambulatory,

except with the use of a mechanized aid, to possess a loaded firearm in or on a motor vehicle as defined in this section, subject to such restrictions as the department may deem necessary in the interest of public safety. Nothing in this section permits the possession of a pistol or a revolver contrary to the penal law.

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3. No person shall discharge a firearm in a "restricted area" established pursuant to section 11-0321, contrary to the terms of the restriction prohibiting or restricting such discharge.

4. a. No person shall:

(1) discharge a firearm, crossbow or long bow in such a way as will result in the load, bolt, or arrow thereof passing over a public highway or any part thereof;

(2) discharge a firearm within five hundred feet, a long bow within one hundred fifty feet, or a crossbow within two hundred fifty feet from a dwelling house, farm building or farm structure actually occupied or used, school building, school playground, public structure, or occupied factory or church;

(3) use a firearm or a long bow for the hunting of migratory game birds in Larchmont Harbor, specifically those portions bounded by the following points of land:

BEGINNING AT A POINT KNOWN AS UMBRELLA POINT ON THE EAST SHORE OF LARCHMONT HARBOR THEN PROCEEDING IN A NORTHERLY DIRECTION TO CEDAR ISLAND; THENCE NORTHWESTERLY TO MONROE INLET; THENCE NORTHEASTERLY TO DELANCY COVE BEING IN THE TOWN OF MAMARONECK; THENCE IN A SOUTHWESTERLY DIRECTION FROM DELANCY COVE TO GREACEN POINT; THENCE RUNNING THE AREA BETWEEN DELANCY COVE AND THE WEST SHORE OF SATANS TOE NORTHEAST; THENCE SOUTHEAST THEN ALONG THE WEST SHORE OF SATANS TOE SOUTHWEST AND THEN SOUTH TO THE SOUTHERLY POINT OF SATANS TOE TO EDGEWATER POINT.

(4) Use of a firearm or a long bow for the hunting of migratory game birds in Udall's Cove, specifically those portions of Little Neck Bay within Nassau and Queens counties lying east of a line running north from the foot of Douglaston Parkway to the shore opposite.

b. The prohibitions contained in subparagraph 2 of paragraph a above shall not apply to:

* (1) The owner or lessee of the dwelling house, or members of his immediate family actually residing therein, or a person in his employ, or the guest of the owner or lessee of the dwelling house acting with the consent of said owner or lessee, provided however, that nothing herein shall be deemed to authorize such persons to discharge a firearm within five hundred feet, a long bow within one hundred fifty feet, or a crossbow within two hundred fifty feet of any other dwelling house, or a farm building or farm structure actually occupied or used, or a school building or playground, public structure, or occupied factory or church; provided further, that a nuisance wildlife specialist with a permit issued pursuant to section 11-0522 of this article acting in furtherance of the site specific deer management plan may discharge a firearm within five hundred feet of any dwelling houses, structures, schools or playgrounds, provided that the owners or lessees thereof have been notified by certified mail of the date or dates, and time period of the expected activity, and discharge a firearm within two hundred fifty feet of such dwelling houses, structures, schools or playgrounds provided that all the owners or lessees thereof have provided written consent; provided further, that a nuisance wildlife specialist with a permit issued pursuant to section 11-0522-a of this article acting in furtherance of the site-specific deer management plan may discharge a firearm within five hundred feet of any dwelling houses, structures, schools or playgrounds, provided that the owners or lessees thereof have been notified by certified mail of the date or dates and time period of the expected activity, and discharge a firearm within two hundred fifty feet of such dwelling houses, structures, schools or playgrounds provided that all the owners or lessees thereof have provided written consent;

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* (1) The owner or lessee of the dwelling house, or members of his immediate family actually residing therein, or a person in his employ, or the guest of the owner or lessee of the dwelling house acting with the consent of said owner or lessee, provided however, that nothing herein shall be deemed to authorize such persons to discharge a firearm within five hundred feet, a long bow within one hundred fifty feet, or a

crossbow within two hundred fifty feet of any other dwelling house, or a farm building or farm structure actually occupied or used, or a school building or playground, public structure, or occupied factory or church;

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(2) Programs conducted by public schools offering instruction and training in the use of firearms or long bow;

(3) The authorized use of a pistol, rifle or target range regularly operated and maintained by a police department or other law enforcement agency or by any duly organized membership corporation;

(4) The discharge of a shotgun over water by a person hunting migratory game birds if no dwelling house, farm building or farm structure actually occupied or used, school building, school playground, or public structure, factory or church, livestock or person is situated in the line of discharge less than five hundred feet from the point of discharge.

5. a. No person shall use a rifle for hunting on Long Island or in Westchester County. If a person be found carrying a rifle in the woodlands on Long Island or in Westchester County, that fact shall be presumptive evidence that he is illegally using it for hunting in that area; but this provision does not apply to members of a duly organized target shooting club carrying unloaded rifles to and from the target range.

b. In the counties, or parts of counties, where the use of a rifle other than a muzzle loading firearm is not permitted in the taking of deer, a person afield shall not possess a rifle larger than twenty-two caliber rim-fire other than a muzzle loading firearm during the open season for deer.

c. In the Northern Zone no person, while engaged in hunting with the aid of a dog or while afield accompanied by a dog, shall possess a rifle larger than .22 caliber using rim-fire ammunition or possess a shotgun loaded with a slug, ball or buckshot, or possess a crossbow; but this paragraph does not apply to persons, engaged in coyote hunts with dogs during any open season on coyotes established pursuant to the provisions of section 11-0903 of this title.

6. No person while engaged in hunting deer or bear pursuant to a bowhunting privilege, and no person accompanying him or her or a member of his or her party, while he or she is so engaged during a special longbow season, shall have in his or her possession a firearm of any kind, and no person while engaged in hunting deer or bear pursuant to a muzzle-loading privilege, and no person accompanying him or her or a member of his or her party, while he or she is so engaged during a special muzzle-loading firearm season, shall have in his or her possession a firearm of any kind other than a muzzle-loading firearm.

7. During any open season for deer, a person afield shall not possess shotgun shells loaded with a slug or ball unless he holds a valid license or permit to take deer or bear.

8. a. No person in Westchester, Nassau, or Suffolk county shall discharge a crossbow within five hundred feet of a dwelling house, a farm building or farm structure actually occupied or used, or a school building or playground, public structure, or occupied factory or church.

b. A county not enumerated in paragraph a of this subdivision may opt by local law to be covered by the provisions of such paragraph.