

1 Sec. 1. FINDINGS; PURPOSE; TITLE

2 (a) Findings. The General Assembly finds that:

3 (1) Research shows that the majority of gunshots register between 140
4 and 185 decibels.

5 (2) According to the Occupational Safety and Health Administration,
6 exposure to any noise louder than 140 decibels can cause hearing damage.

7 (3) Hunters cannot wear hearing protection devices, such as earmuffs or
8 ear plugs, because they need to maintain the ability to hear their surroundings
9 while hunting.

10 (4) In a 2011 study, the Centers for Disease Control and Prevention
11 stated that “the only potentially effective noise control method to reduce noise
12 exposure from gunfire is through the use of noise suppressors that can be
13 attached to the end of the gun barrel.”

14 (5) In 2014, the National Institute for Occupational Safety and Health
15 recommended that “if feasible and legally permissible,” one should “attach
16 noise suppressors to firearms to reduce peak sound pressure levels.”

17 (6) Noise suppressors on guns do not completely silence the noise of a
18 gunshot, but reduce the noise of a gunshot by approximately 20 to 35 decibels
19 to a safer, more protective level for hearing.

20 (7) Approximately 40 states authorize the use of gun suppressors while
21 hunting.

1 (8) Under current Vermont law, it is illegal for a person engaged in
2 hunting to use, carry, or have in his or her possession a gun suppressor.

3 (9) To protect the hearing safety and health of hunters in Vermont,
4 statute should be amended to allow validly licensed hunters in the State to use
5 gun suppressors while hunting.

6 (b) Purpose. The purpose of this act is to provide persons engaged in
7 hunting with additional alternatives for protecting their hearing from the noise
8 generated by the discharge of a firearm.

9 (c) Title. This act shall be known and cited as the Hearing Protection Act.

10 Sec. 2. 13 V.S.A. § 4010 is amended to read:

11 § 4010. GUN SUPPRESSORS

12 (a) As used in this section:

13 (1) “Gun suppressor” means any device for silencing, muffling, or
14 diminishing the report of a portable firearm, including any combination of
15 parts, designed or redesigned, and intended for use in assembling or fabricating
16 a gun suppressor, and any part intended only for use in such assembly or
17 fabrication.

18 (2) “Sport shooting range” shall have the same meaning as used in 10
19 V.S.A. § 5227(a).

20 (b) A person shall not manufacture, make, or import a gun suppressor,
21 except for:

1 (1) a licensed manufacturer, as defined in 18 U.S.C. § 921, who is
2 registered as a manufacturer pursuant to 26 U.S.C. § 5802;

3 (2) a licensed importer, as defined in 18 U.S.C. § 921, who is registered
4 as an importer pursuant to 26 U.S.C. § 5802; or

5 (3) a person who makes a gun suppressor in compliance with the
6 requirements of 26 U.S.C. § 5822.

7 (c) A person shall not use a gun suppressor in the State, except for use by:

8 (1) a Level III certified law enforcement officer or Department of Fish
9 and Wildlife employee in connection with his or her duties and responsibilities
10 and in accordance with the policies and procedures of that officer's or
11 employee's agency or department;

12 (2) the Vermont National Guard in connection with its duties and
13 responsibilities;

14 (3) a licensed manufacturer or a licensed importer, as defined in 18
15 U.S.C. § 921, who is also registered as a manufacturer or an importer pursuant
16 to 26 U.S.C. § 5802, who in the ordinary course of his or her business as a
17 manufacturer or as an importer tests the operation of the gun suppressor; or

18 (4) a person lawfully using a sport shooting range; or

19 (5) a person taking game as authorized under 10 V.S.A. § 4701.

20 (d)(1) A person who violates subsection (b) of this section shall be fined not
21 less than \$500.00 for each offense.

Sen. Rodgers Proposed Language re Hunting with Firearm Suppressors

1 (2) A person who violates subsection (c) of this section shall be fined \$50.00
2 for each offense.

3 Sec. 3. 10 V.S.A. § 4701 is amended to read:

4 § 4701. USE OF GUN, BOW AND ARROW, AND CROSSBOW; LEGAL
5 DAY; DOGS; GUN SUPPRESSORS

6 (a) Unless otherwise provided by statute, a person shall not take game
7 except with:

8 (1) a gun fired at arm's length;

9 (2) a bow and arrow; or

10 (3) a crossbow as authorized under section 4711 of this title or as
11 authorized by the rules of the Board.

12 (b) A person shall not take game between one-half hour after sunset and
13 one-half hour before sunrise unless otherwise provided by statute or by the
14 rules of the Board.

15 (c) A person may take game and fur-bearing animals during the open
16 season therefor, with the aid of a dog, unless otherwise prohibited by statute or
17 by the rules of the Board.

18 (d) A person taking game with a gun may possess, carry, or use a gun
19 suppressor in the act of taking game.

20 Sec. 4. 10 V.S.A. § 4704 is amended to read:

21 § 4704. USE OF MACHINE GUNS; OR AUTOLOADING RIFLES; ~~AND~~

