

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 395

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1 RELATING TO FISH AND GAME; AMENDING SECTION 36-1201, IDAHO CODE, TO PROVIDE
2 MINIMUM STANDARDS FOR THE OPERATION OF SAFE CHECK STATIONS AND TO PRO-
3 VIDE CONDITIONS UNDER WHICH CERTAIN VEHICLES MAY BE STOPPED.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 36-1201, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 36-1201. PRODUCTION OF WILDLIFE FOR INSPECTION -- STOP AT CHECKING
9 STATIONS -- MINIMUM STANDARDS FOR OPERATION OF SAFE CHECK STATIONS -- LI-
10 CENSE MUST BE ON PERSON. No fisherman, hunter or trapper shall refuse or fail
11 to:

12 (a~~1~~) Inspection of Wildlife. Upon request of the director, produce for
13 inspection any wildlife in his possession.

14 (b~~2~~) Check Stations. Stop and report at a wildlife check station en-
15 countered on his route of travel when directed to do so by personnel on duty.
16 Such direction may be accomplished by signs prominently displayed along the
17 route of travel indicating those persons required to stop.

18 (c~~3~~) Minimum Standards for Operation of Safe Check Stations. Check
19 stations shall be operated within clearly visible line of sight on both ma-
20 ajor and secondary roads and have clear visibility for a minimum of fifteen
21 hundred (1,500) feet in both directions. Operation of check stations shall
22 be clearly marked with signage at a minimum of fifteen hundred (1,500) feet,
23 one thousand (1,000) feet, and five hundred (500) feet, before the check
24 stations that plainly state that a fish and game check station is ahead, with
25 clear instruction as to what vehicles are required to stop. Fish and game
26 check stations are only authorized to stop licensed hunters and fishermen.
27 Check stations shall not be used to conduct any other criminal or traffic
28 compliance checks that are not provided for in this title 36, Idaho Code.
29 Traffic control devices and warning signs used in connection with the oper-
30 ation of check stations shall meet specifications pursuant to the manual on
31 uniform traffic control devices (MUTCD), the national cooperative highway
32 research program (NCHRP), and the Idaho transportation department traffic
33 manual, appropriate for all weather conditions and daylight and darkness or
34 poor visibility conditions. All officers directing traffic shall wear high
35 visibility clothing and shall be fully trained in directing traffic to en-
36 sure the check station is conducted safely. These are minimum standards, and
37 in all cases where higher standards by law or safety are required the higher
38 standards shall be applied.

39 (4) License to be Carried and Exhibited on Request. Have the proper re-
40 quired license, temporary license, authorization number or other informa-
41 tion required by rule, on his person at all times when hunting, fishing or
42 trapping and produce the same for inspection upon request of a conservation

1 officer or any other person authorized to enforce fish and game laws. How-
2 ever, no person charged with violating this subsection shall be convicted if
3 he produces in court a license, theretofore issued to him and valid at the
4 time of his arrest.