



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
 PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
 PATRICIA L. BODDY, INTERIM DIRECTOR

RE: Iowa hunting laws and weapons permit applicability

The Department has received questions about the scope of new regulations regarding non-professional weapons permits under Iowa Code § 724.7 which becomes effective January 1, 2011. The questions have been whether or not some of Iowa’s hunting laws are still enforceable against someone who has a valid permit. Part of the new 724.7 reads: “[the permit] shall be valid throughout the state except where the possession or carrying of a firearm is prohibited by state or federal law.” This sentence allows the department to continue to enforce most of the hunting laws related to gun possession the same as they are currently being enforced. The one exception to this is Iowa Code § 483A.36, which is discussed, along with other relevant laws, below.

Statute or Administrative Rule	Relevant Statute/Rule Language	How 724.7 Applies
Iowa Code § 321G.13(2)	A person shall not operate or ride a snowmobile with a firearm in the person's possession unless it is unloaded and enclosed in a carrying case. However, a nonambulatory person may carry an uncased and unloaded firearm while operating or riding a snowmobile.	Section 724.7 does not alter the application of this section. A firearm must still be unloaded and enclosed in a carrying case to be transported on a snowmobile, unless a person meets the nonambulatory exception.
Iowa Code § 321I.14(2)	A person shall not operate or ride an all-terrain vehicle with a firearm in the person's possession unless it is unloaded and enclosed in a carrying case. However, a nonambulatory person may carry an uncased and unloaded firearm while operating or riding an all-terrain vehicle.	Section 724.7 does not alter the application of this section. A firearm must still be unloaded and enclosed in a carrying case to be transported on an all-terrain vehicle, unless a person meets the nonambulatory exception.
Iowa Code § 481A.93(1)	1. A person shall not throw or cast the rays of a spotlight, headlight, or other	Section 724.7 does not alter the application of this section. Therefore, unless

	<p>artificial light on a highway, or in a field, woodland, or forest for the purpose of spotting, locating, or taking or attempting to take or hunt a bird or animal, except raccoons or other fur-bearing animals when treed with the aid of dogs, while having in possession or control, either singly or as one of a group of persons, any firearm, bow, or other implement or device whereby a bird or animal could be killed or taken.</p>	<p>you are using dogs to tree raccoons and other fur-bearing animals, possession of a firearm is prohibited while throwing or casting rays of a spotlight, headlight, or other artificial light.</p>
Iowa Code § 483A.36	<p>A person, except as permitted by law, shall not have or carry a gun in or on a vehicle on a public highway, unless the gun is taken down or totally contained in a securely fastened case, and its barrels and attached magazines are unloaded.</p>	<p>A person who has a valid permit is not restricted to carry a firearm in a carrying case and unloaded.*</p>
Iowa Code § 461A.42	<p>The use of firearms, explosives, and weapons of all kinds by a person is prohibited in all state parks and preserve</p>	<p>The Department's position on state parks, preserves, and refuges is as follows: A person with a valid permit may carry their firearm; however the use of that firearm is prohibited. Use would be brandishing, displaying, bartering, striking with, and, most obviously, firing or attempting to fire the weapon.</p>
Iowa Code § 481A.7	<p>"It shall be unlawful to hunt, pursue, kill, trap or take any wild animal, bird, or game on any state game refuge so established at any time of the year, and no one shall carry firearms thereon, providing, however, that predatory birds and animals may be killed or trapped under the authority and direction of the director..."</p>	

571 I.A.C. § 106.7(6)	“while hunting deer, to carry or have in possession a rifle except as provided in 106.7(3) and 106.7(5). It shall be unlawful for a person hunting with a bow license to carry a handgun unless that person also has a valid deer hunting license and an unfilled transportation tag that permits a handgun to be used to take deer.”	Section 724.7 does not alter the application of this section. Thus, a person still cannot possess a handgun while bowhunting “unless that person also has a valid deer hunting license and an unfilled transportation tag that permits a handgun to be used to take deer.”
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While a person with a valid permit under Iowa Code § 724.7 may carry their firearm uncased and loaded in the vehicle, the Department **strongly urges persons with a permit to continue to transport their firearms in a carrying case and unloaded for safety purposes.*

Also keep in mind the discharge of a firearm statute Iowa Code § 481A.54, and its accompanying rule, which reads as follows:

571 Iowa Administrative Code 106.7(7) Discharge of firearms from roadway. No person shall discharge a rifle, including a muzzleloading rifle or musket, or a handgun from a highway while deer hunting. In addition, no person shall discharge a shotgun shooting slugs from a highway north of U.S. Highway 30. A “highway” means the way between property lines open to the public for vehicle traffic, including the road ditch, as defined in [Iowa Code section 321.1\(78\)](#).

This means a rifle, muzzleloading rifle or musket, or handgun **cannot be discharged** while deer hunting from a “highway” which generally means fence line to fence line, anywhere in Iowa. Additionally, a shotgun shooting slugs cannot be discharged from a highway north of U.S. Highway 30; however, south of U.S. Highway 30, a shotgun can be discharged from the ditch, but not the actual travel portion of the road.