

## LAWS & RULES

- Statute denoted by MCA.
- Commission Rule denoted by CR.

These regulations contain information to safely and lawfully participate in Montana's Antelope, Deer, and Elk hunting opportunities.



Hunters who hunt lawfully and responsibly keep Montana's hunting traditions alive.



Don't risk losing the privilege of hunting in Montana.

**Be Safe**  
**Be Lawful**  
**Be Responsible!**

### Aerial Spotting (MCA 87-6-208)

- It is unlawful for a person to shoot a game animal from an aircraft.
- It is unlawful for a person to use an aircraft for the purpose of concentrating, pursuing, driving, rallying, or stirring up any game animal.
- Aircraft may not be used to locate game animals for the purpose of
  - hunting those animals during the same hunting day after a person has been airborne or
  - providing information for another person for the purpose of hunting those animals within the same hunting day after being airborne.

### Antler/Horn/Skull Possession (MCA 87-6-202, CR)

Individuals may possess, transport, sell, or purchase naturally shed antlers, or the antlers with a skull or portion of a skull attached from a game animal that has died from natural causes and that has not been unlawfully killed. Carcasses and parts of elk, deer, antelope and moose killed in vehicular collisions may be taken and possessed but only with a Vehicle-Killed Wildlife Salvage Permit. No other game animals may be salvaged by this permit. **It is unlawful to possess a bighorn sheep head/horn picked up in the wild.**

### Archery Equipment (MCA 87-6-401, CR)

- It is unlawful to use any chemical or explosive device attached to an arrow to aid in the taking of game animals.
- The following criteria define Archery Equipment. It is unlawful to possess, while hunting game during any Archery Only Season and in Archery Equipment Only areas, archery equipment that does not meet the following criteria:

**Hunting Bow:** A hunting bow for game animals shall be a longbow, flatbow, recurve bow, compound bow, or any combination of these designs.

- The bow must be a device for launching an arrow, which derives its propulsive energy solely from the bending and recovery of two limbs (includes bows with split limbs).
- The bow must be hand-drawn by a single and direct uninterrupted pulling action of the shooter. The bowstring must be moved from brace height to the full draw position by the muscle power of the shooter's body. The energy used to propel the arrow shall not be derived from any other source such as hydraulic, pneumatic, mechanical, or similar devices. These limitations shall not exclude the mechanical leverage advantage provided by eccentric wheels or cams, so long as the available energy stored in the bent limbs of the bow is the sole result of a single, continuous, and direct pulling effort by the shooter.
- The bow must be hand-held. One hand shall hold the bow, and the other hand draw the bowstring. The bowstring must be moved and/or held at all points in the draw cycle entirely by muscle power of the shooter until release. The bowstring must be released as a direct and conscious action of the shooter, either relaxing the tension of the fingers or triggering the release action of a hand-held release aid.

**Exception:** Physically disabled bowhunters certified by FWP with the Permit To Modify Archery Equipment (PTMAE) are exempted from the requirement of holding or shooting the bow with their hands.

> A bow is considered lawful if it is at least 28 inches in total length.

> The nominal percent of let-off for hunting bows shall be a maximum of 80 percent as advertised by the manufacturer.

**Arrow:** An arrow is a projectile at least 20 inches in overall length. The length of the arrow is measured from the rearward point of the nock to the tip of the broadhead.

- A broadhead is mounted on the fore end.
- The arrow shall weigh no less than 300 grains with the broadhead attached.

- Arrows must have broadheads with at least two cutting edges and be at least 7/8 inches at the widest point. Expandable broadheads are lawful as long as when expanded they are at least 7/8 inches at the widest point, and weigh no less than 70 grains.

**The following are not considered a hunting bow or lawful archery equipment during the Archery Only Season or in an Archery Equipment Only area or hunting district:**

- Crossbow.
- Any device with a gun-type stock or incorporating any device or mechanism that holds the bowstring at partial or full draw without the shooter's muscle power.
- Any bow for which a portion of the bow's riser (handle) or any track, trough, channel, or other device that attaches directly to the bow's riser contacts, supports, and/or guides the arrow from a point rearward of the bow's brace height. This is not intended to restrict the use of standard overdraw systems.
- Electronic or battery-powered devices attached to a hunting bow or arrow.
- A bow sight or arrow that uses artificial light, luminous chemicals such as tritium, or electronics. **Exception:** Lighted nocks are allowed. Camera devices attached to bows for the sole purpose of filming is allowed.

### Artificial Light (MCA 87-6-401)

It is unlawful for anyone to take or attempt to take any game animal or game bird with the aid of projected artificial light. Use of rifle scopes that project an artificial light to illuminate the target or project infra-red light visible only with specialized optics to illuminate the target are unlawful for the taking of game animals.

### Baiting (MCA 87-6-401, CR)

- It is unlawful for anyone to hunt or attempt to hunt by the aid of or with the use of any bait, salt lick, trap, snare or set gun.
- Baiting shall mean the placing, exposing, depositing, distributing, or scattering of food sources or salt so as to constitute a lure or attraction.

### Check Stations (MCA 87-6-218)

All hunters are required by law to stop as directed at all designated check stations on their way to and from hunting areas, even if they have no game to be checked.

### Dogs (MCA 87-6-404)

It is unlawful for a person to use dogs to chase game animals. Dogs may be utilized to recover or locate wounded game animals but handlers shall maintain physical control of the dog at all times by means of a maximum 50-foot lead attached to the dog's collar or harness.

## Evidence Required of Game Animal's Sex (MCA 87-6-406)

- It is unlawful to destroy evidence of the sex of a game animal so as to make the determination of the sex of the game animal uncertain.
- FWP recommends proof of sex accompany the carcass from the field to the point of processing.

## Firearms

- Firearms, including rifles, handguns, shotguns with 0, 00, or slugs, and muzzleloaders; archery equipment; and crossbows are lawful for taking game animals. All other methods of take are prohibited.
- There is no rifle or handgun caliber limitation or magazine/round capacity restrictions for the taking of game animals.
- Rifle scopes with illuminated reticles, built-in range finding capabilities, and "red dot" scopes are lawful for the taking of game animals.

## Furbearer Traps (MCA 87-6-601)

It is unlawful to disturb traps or trapped animals. Traps and trapped animals are the property of the trap owner.

- Hunters may not shoot trapped animals.

## Glandular Scents (CR)

- Natural or artificial glandular scents may be used by licensed hunters to attract game animals by spraying or pouring the scent on the ground or other objects.  
**Exception:** Natural or artificial glandular scents may not be used to hunt black bears.
- Hunters may not create a scent station where the scent continues to be dispensed without the hunter's direct action, such as an automatic device, which drips or otherwise continues to dispense scent.
- No scents other than glandular may be used for attracting game animals, but other scents may be used to mask human odor.

## Hunter Harassment (MCA 87-6-215)

It is unlawful to:

- Intentionally interfere with the lawful taking of a wild animal.
- Disturb an individual engaged in the lawful taking of a wild animal with intent to prevent the taking of the animal.

## Hunter Orange Requirement (MCA 87-6-414)

### Firearm Hunters

Any person hunting or accompanying a hunter as an outfitter or guide must wear a minimum of 400 square inches of hunter orange (fluorescent) material above the waist, visible at all times (see the following exception).

### Archery Hunters

A licensed bowhunter pursuing deer, elk and/or antelope during the Archery Only Season or in an archery only hunting district is not required to meet the hunter orange requirement, even if there is a concurrent firearm season in that hunting district or portion of district. However, bowhunters hunting during any portion of the general (firearm) season for deer, elk, antelope, moose, bighorn sheep, mountain goat, black bear, and/or mountain lion must always wear a minimum of 400 square inches of hunter orange (fluorescent) above the waist, visible at all times.

## Hunting Hours (CR)

Authorized hunting hours for the taking of game animals begin one-half hour before sunrise and end one-half hour after sunset each day of the hunting season. See the official Sunrise-Sunset Tables listed on page 117.

## Incidental Harvest Resulting in an Unlawfully Taken Animal

If you or a member of your hunting party shoots an animal that results in an unlawfully taken animal, you should notify an FWP game warden or 1-800-TIP-MONT (1-800-847-6668) immediately and follow their instructions.

**> Hunters should field dress the animal but DO NOT transport the animal until you've received instructions.**

## Inspection of Wildlife (MCA 87-1-502)

Wildlife taken must be shown to FWP Enforcement personnel for inspection when requested.

## Interstate Wildlife Violator Compact (IWVC)

Montana is a member of the IWVC. Under the compact, member states recognize suspensions of hunting, fishing or trapping privileges. It is unlawful for a violator whose privilege to hunt, fish or trap is suspended to obtain or attempt to obtain a license, tag or permit in a member state. For more information, call 406-444-2452.

## Kill Site Verification (CR)

As a condition of hunting in Montana, if requested to do so by an FWP warden, you are required to return to the kill site.

## License and Permit Possession/Use (MCA 87-6-304)

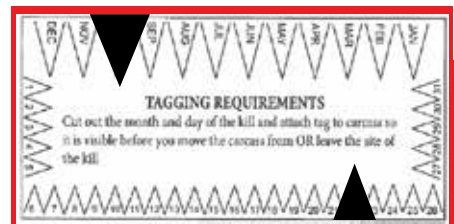
### It is unlawful to:

- Hunt or attempt to hunt for any game animal unless the person is carrying the required license or permit at the time.
- Refuse to produce a license or permit and the identification used in purchasing a license or permit for inspection to a game warden.

- Alter or change a license in any material manner.
- Loan or transfer any license to another person.
- Use a license issued to another person.
- Attach the person's license to a game animal killed by another person.
- Have physical control over a valid and unused hunting license or permit issued to another person while in any location that the species to be hunted may inhabit. This prohibition does not apply to a person who is carrying or has physical control over a license or permit issued to that person's spouse or to any minor when the spouse or minor is hunting with that person.

## License Validation/Tagging (MCA 87-6-411)

- A hunter must cut out the proper month and day of the kill from the appropriate license and attach it to the animal before the carcass is removed from the site of the kill, or before the hunter leaves the site of the kill.
- To properly validate a license (sometimes referred to as a tag):
  - The triangles denoting the month and day the animal was killed must be completely cut out and removed.
  - The properly validated license must remain with the meat (including cold storage) until consumed.



## Littering (MCA 75-10-212)

A holder of a Montana resident or nonresident hunting license or camping permit convicted of littering campgrounds, public or private lands, streams, or lakes, while hunting, fishing, or camping shall forfeit any current Montana hunting, fishing, or trapping license and the privilege to hunt, fish, camp, or trap in Montana for a period of one year.

## Marked or Radio-Collared Animals (CR)

It is lawful to shoot game animals that have radio collars, neck bands, ear tags and/or other markers, but markers and radio collars must be returned to FWP. Please report the killing of a marked animal to the local FWP Office.

## Motion-Tracking Devices (MCA 87-6-401)

It is unlawful for a person, while hunting, to possess any electronic motion-tracking device or mechanism that is designed to track the motion of a game animal and relay information on the animal's movement to the hunter.

A radio-tracking collar attached to a dog that is used by a hunter engaged in lawful hunting activities is not considered an unlawful motion-tracking device.

Motion tracking devices are defined by F&W Commission as remote operated camera or video devices capable of transmitting real time information, pictures or videos; seismic devices; thermal imaging devices; and satellite and radio telemetry devices.

## Motorized Vehicles (MCA 87-6-405)

It is unlawful for anyone to:

- Hunt or attempt to hunt any game animal from any self-propelled (motorized) or drawn vehicle. To be lawful, a hunter must have two feet on the ground and his/her body outside of the vehicle. Holders of the Permit To Hunt From A Vehicle (PTHFV) are the exception to this.
- Use a motorized vehicle or aircraft to concentrate, drive, rally, stir-up, corral, or harass game animals.
- Operate, on public lands, a motorized wheeled vehicle off lawful routes (including game retrieval). All federally approved travel plans on public lands in Montana have been adopted by the F&W Commission. Contact the appropriate land management agencies for travel plan information.
- Use a motor-driven vehicle on a road or trail on state land if that road or trail is posted as closed by the land management agency. This restriction applies only to state land and not to federal land.
- Use a motor-driven vehicle other than on a road or trail designated for travel by a landowner unless permission has been given by that landowner.
- Use a powerboat, sailboat, or any boat under sail or any floating device towed by a powerboat, sailboat, or any boat under sail for the purpose of killing, capturing, taking, pursuing, concentrating, driving, or stirring up any game animal.

## Off-Highway Vehicles (OHVs)

**Residents** – OHVs (ATV, UTV, dirtbike) must be registered and display a current Off-Highway decal to be used for off-road recreation on public lands (trails, frozen lakes, reservoirs). To be used on roads (county, Forest Service, etc.), an OHV must have a license plate and street-lawful modifications. Register your OHV with the county treasurer.

**Nonresidents** – OHVs from another state must purchase a nonresident permit to operate (anywhere) in Montana. Idaho and North Dakota residents are exempt. Permits are good for one calendar year, cost \$27, and can be purchased from local vendors ([stateparks.mt.gov/recreation/ohvProgram.html](http://stateparks.mt.gov/recreation/ohvProgram.html), OHV Permits and Laws), at FWP offices or online at [app.mt.gov/als](http://app.mt.gov/als). Contact Montana State Parks OHV Program at 406-444-3753 or [smcarthur@mt.gov](mailto:smcarthur@mt.gov) with questions.

## Outfitters and Guides (MCA 37-47-301)

A person may not act as an outfitter or guide or advertise or otherwise represent to the public that the person is an outfitter or guide without first securing a license.

- It is unlawful to engage in outfitting/guiding while not licensed.
- It is unlawful to hire an outfitter or guide not licensed by the Department of Labor and Industry. For information, call 406-841-2300.

## Predators and Nongame Hunting

Predators and nongame species can be hunted in Montana year-round without a license by both resident and nonresident hunters. A Conservation License, or a State School Trust lands recreational use license is required to hunt predators and nongame species on State School Trust lands. Permission must be obtained to hunt predators and nongame species on private land.

- **Predators** are classified as coyote, weasel, (striped) skunk, and civet cat (spotted skunk).
- **Nongame species** are defined as any wild animal not otherwise lawfully classified by statute or regulation in Montana. Examples include badger, raccoon, red fox, hares, rabbits, ground squirrels, marmots, tree squirrels, porcupines, and prairie dog.
- **Furbearers** are protected game species that may only be taken by residents with a valid Trapping License during prescribed open seasons. State classified furbearers include beaver, otter, muskrat, mink, marten, fisher, wolverine, bobcat, lynx, and swift fox.
- **Feral swine** cause extensive damage to domestic and native habitats, wildlife, and livestock throughout much of the United States. To prevent the introduction of feral swine into Montana, the 2015 Legislature prohibited the transportation, possession, and hunting of feral swine. If you see or know of any feral swine in Montana, please contact the Montana Department of Livestock at 406-444-2976.

## Private Property (MCA 87-6-415)

A resident or nonresident shall obtain permission of the landowner, the lessee, or their agents before taking or attempting to take game animals, migratory game birds, nongame wildlife, predatory animals, upland game birds, or wolves while hunting on private property.

- Even if the land is not posted, hunters must have permission from the land owner, lessee, or their agent before hunting on private property, regardless of whether the land is posted or not.
- Access to public land through private land requires permission of the private land owner, lessee, or their agent.
- Retrieval of all wildlife through private land requires permission of the private landowner, lessee, or their agent.

## Public Roadways (MCA 87-6-403)

It is unlawful for anyone to hunt or attempt to hunt any game animal: on, from, or across any public highway or the shoulder, berm, barrow pit or right-of-way of any public highway (the entire width between the boundary lines of every publicly maintained way when any part thereof is open to the use of the public for purposes of vehicular travel).

## Recorded Animal Sounds (MCA 87-6-401)

It is unlawful to use any recorded or electrically amplified bird or animal calls or sounds or imitations of bird or animal calls or sounds to assist in the hunting, taking, killing or capturing of any wildlife except predatory animals, wolves, and those birds not protected by state or federal law.

## Restitution for Unlawfully Taken Wildlife (MCA 87-6-906, CR)

Under Montana law, a person convicted, or who was charged and forfeited bond or bail, of unlawfully killing, taking, or possessing game animals shall reimburse the state. The law sets the amount of restitution for a trophy animal under Montana law as:

Bighorn Sheep	\$30,000
Elk	\$8,000
Antlered Deer	\$8,000
Moose	\$6,000
Mountain Goat	\$6,000
Antelope	\$2,000
Grizzly Bear*	\$8,000

\*no authorized hunting season

- The law specifically outlines minimum standards for a trophy under this regulation, but authorizes the F&W Commission to adopt more specific criteria.
- For the purpose of assessing restitution for unlawfully taken trophy wildlife under Montana law, the following are considered "trophy" animals:

- **Antelope:** With at least one horn greater than 14 inches in length, as measured along the outside curve from base to tip.
- **Elk:** Must meet all three criteria:
  - 1) at least six points on one antler, 2) a main beam length on each antler of at least 43 inches, and 3) an inside spread of at least 36 inches.

**OR**

Any elk with at least one six-point antler and having a gross/green Boone & Crockett score of 320 points or greater.

- **Mule Deer:** Must meet all three criteria:
  - 1) at least four points on one antler (excluding brow tine), 2) a main beam length on each side of at least 21 inches, and 3) a greatest inside spread across the main beams of at least 20 inches.

**OR**

Any mule deer with at least one four-point antler and having a gross/green Boone & Crockett score of 160 points or greater.

- **White-tailed Deer:** Must meet all three criteria:
  - 1) at least four points on one antler (excluding brow tine), 2) a main beam length on each side of at least 20 inches, and 3) a greatest inside spread across the main beams of at least 16 inches.

**OR**

Any white-tailed deer with at least one four-point antler and having a gross/green Boone & Crockett score of 140 points or greater.

- A “point” as defined in these regulations is at least four inches long for elk and at least one inch long for deer, measured from base to tip. Boone & Crockett (B&C) measuring procedures or standards are used for criteria measurement. The official measurements for the purpose of this regulation are those that are taken at the time of confiscation or seizure of the trophy. Any B&C measurements will be considered final when taken by an official B&C scorer, regardless of drying time. If the skullcap of antlers or horns is broken in such a manner to render an official B&C score invalid, three official B&C scorers will estimate a score. The three scores will be averaged and the average score used to determine trophy status in accordance with Montana law.

**Sale of Game Animals (MCA 87-6-206)**

A person may not purposely or knowingly sell, purchase, or exchange all or part of any game fish, bird, game animals, or fur-bearing animals, except that a person may sell, purchase, or exchange:

- hides, heads, or mounts of game fish, birds, game animals, or fur-bearing animals that have been lawfully killed,

captured, or taken, except that the sale or purchase of a hide, head, or mount of a grizzly bear is prohibited, except as provided by federal law.

- naturally shed antlers or the antlers with a skull or portion of a skull attached from a game animal that has died from natural causes and that has not been unlawfully killed, captured, or taken or accidentally killed; for additional exceptions, see 87-6-206 MCA. Sale of meat is not allowed.

**Simulated Wildlife (MCA 87-6-217)**

It is unlawful to discharge a firearm or other hunting implement at a simulated wildlife decoy in violation of any state statute, ARM, or F&W Commission rule regulating the hunting of the wildlife being simulated.

**Transport of Wildlife**

- An individual other than the license holder may transport lawfully taken, properly tagged game animals that comply with the “Evidence of Sex Requirements.”
- It is unlawful to ship, possess, transport, or take out of state unlawfully killed game animals.
- It is a violation of the Federal Lacey Act to transport an unlawfully taken game animal across state boundaries.
- If you are transporting lawfully taken wildlife (including parts and/or products of live or dead animals) between the United States and any foreign country, you must complete a U.S. Fish and Wildlife Service declaration form. For further information contact the USFWS wildlife inspector at 406-335-4350 or [www.fws.gov](http://www.fws.gov).
- Questions concerning carcass transport may be directed to FWP Enforcement at 406-444-2452 or to your home state’s wildlife division.

**Two-way Communication (CR)**

Two-way electronic communication (radios, cell phones, text messages, etc.) may not be used to:

- hunt game animals, or
- avoid game checking stations or FWP enforcement personnel, or to facilitate unlawful activity.

The rule does not prohibit the possession or use of two-way communication for safety or other legitimate purposes.

**Unmanned Aerial Vehicles UAV (CR)**

It is unlawful for a person to use an UAV/drone for the purposes of concentrating, pursuing, driving, rallying, or stirring up any game animal. A UAV/drone may not be used to locate game animals for the purposes of; hunting those animals during the same hunting day after a UAV/drone has been airborne, or providing information for another person for the

purposes of hunting those animals within the same hunting day after the UAV/drone has been airborne. UAVs/drones are not allowed to film a hunt.

**Waste of Game (MCA 87-6-205)**

- Hunters, or persons in possession of a game animal or game animal parts, are prohibited from wasting or rendering unfit for human consumption, any part of a game animal that is defined as “suitable for food.”
- For game animals (excluding mountain lions), all of the four quarters above the hock, including loin and backstrap, are considered suitable for food.

**Weapons Restriction Areas (CR)**

Weapons restrictions are in effect in some hunting districts. Such restrictions are stated in the license/permit description and/or with a specific date range.

**The following equipment restrictions apply to Weapons Restriction Areas:**

**Archery**

See lawful archery equipment in the “Law & Rules” section on page 24.

**Crossbows**

Lawful in weapons restriction areas unless exception noted in specific hunting district regulations.

**Traditional Handguns**

- are not capable of being shoulder mounted;
- have a barrel length of less than 10 ½ inches;
- chamber only a straight wall cartridge, not originally developed for rifles.

**Traditional Muzzleloader**

- must not be capable of being loaded from the breech of the barrel;
- may not be loaded with any pre-prepared paper or metallic cartridges;
- must be charged with black powder, pyrodex, or an equivalent;
- must be ignited by a percussion, flintlock, matchlock, or wheellock mechanism;
- must be a minimum of .45 caliber;
- may have no more than two barrels;
- must only use plain lead projectiles;
- sabots or other similar power and range-enhancing manufactured loads that enclose the projectile from the rifling or bore of the firearm are prohibited. “Skirts” or gas checks on the base of a projectile are acceptable.

**Shotgun**

Must be shouldered, breech-loaded, or muzzle-loaded firearm with a smooth bore and/or rifled barrel and/or rifled choke device designed to fire shot or slugs.