

Use of Crossbows Overview January 10, 2014

Background

The Oregon Department of Fish and Wildlife (Department) has been asked by hunters with physical limitations to allow the use of crossbows for hunting game animals.

During July 2010 an Archery Equipment Technology Advisory Committee Meeting was held to provide input to the Department regarding the use of various equipment/technologies, including crossbows during archery seasons. The meeting was attended by Oregon Fish and Wildlife Commissioner Carter Kerns, department biologists, Oregon State Police, representatives of sporting groups, an archery equipment retailer, and a hunter at large. As a group the Committee did not support allowing the use of crossbows.

At the September 30, 2010 Oregon Fish and Wildlife Commission (Commission) Meeting the Department proposed to implement a pilot program allowing hunters with an Oregon Disabilities Hunting and Fishing permit that have a permanent physical impairment that prevents them from holding or shooting a firearm or bow and a "Special Use Permit" to use a crossbow for archery hunting. Public testimony by hunters to the Commission at the September 2010 meeting was strongly opposed to allowing the use of crossbow, some of the testimony was by hunters with disabilities. The Commission decision was not to change archery equipment regulations which means crossbows continue to be illegal for hunting game animals.

However, there is continued interest, including by some pioneer hunters and hunters with disabilities, in allowing limited use of crossbows for hunting big game in Oregon. In 2013 crossbows were a topic of discussion at the June Commission meeting and in August the Commission toured an archery manufacturing facility and was provided a crossbow shooting demonstration. Crossbows were to be discussed at the October 2013 Commission Meeting but the subject was postponed because federal employees were on furlough so not available to provide information and answer questions from the Commission.

The use of crossbows for hunting game animals, particularly during archery seasons continues to receive a high level of interest from hunters and is controversial. Generally there is a concern amongst many archery hunters that any technology that increases hunting effectiveness, such as increasing hunter success, could result in reduced hunting opportunity during future archery seasons. Because they are generally easier to shoot than a standard hunting bow it is believed crossbows would be an advantage for hunting effectiveness.

Following are some of the concerns related to the use of crossbows.

- A hunting bow is recognized as a compound, recurve or longbow that is hand-drawn and has no mechanical device to enable the hunter to lock the bow at full or partial draw. Most hunting bows have a draw weight of 40 to 70 pounds. A crossbow's characteristics are so different from those of conventional bows that many bowhunting organizations have opposed the inclusion of crossbows in bowhunting seasons or in archery-only areas.

- Crossbows are:
 - locked at full draw by a trigger
 - utilize a rifle-like stock
 - can readily be shot from a rest
 - typically use a telescopic sight
 - Many have draw weights of 150 to 225 pounds

The Oregon State Police have enforcement concerns, because of a crossbow's relative silence and effective range they could be effective poaching weapons. If it were legal to use crossbows determining who is legal and who is not would become more difficult.

Discussion

Crossbows for Hunters with Disabilities: In response to continued requests from disabled hunters, the Department is revisiting the concept of allowing crossbows during bow seasons for some hunters with disabilities. In the information provided to districts for the public meetings held throughout the state during May to discuss regulation proposals, hunters were also asked what they thought about allowing crossbows during rifle seasons as a lesser weapon type.

At the May Regulation Meetings, collectively, crossbows were a major topic of discussion. Because of varying formats of the meetings it is not simple to tally "votes" from each meeting; however, most comments were in opposition to allowing the use of crossbows. Comments on the use of crossbows were received from 16 Wildlife Districts, three comments supported use of crossbows for disabled hunters and three supported use during rifle seasons (a fourth if you include "if legalized, hunters using crossbows should be confined to rifle seasons). Recurring concerns were that if crossbows were allowed at all, use would be expanded in the future; and the ability, or inability, to restrict disability permits to hunters who truly qualified.

After discussions with the USFWS Americans with Disabilities Act (ADA) specialist the Department considered implementing a pilot program allowing hunters with a category "d" Oregon Disabilities Hunting and Fishing permit and a "Special Use Permit" to use a crossbow for archery hunting. Category "d" is described below:

ORS 496.018 Person with disability under wildlife laws: "d) Has a permanent, physical impairment that prevents the person from holding or shooting a firearm or bow or from holding a fishing rod in hand".

The program considered would require additional information from a physician including a statement describing specifically why the hunter is unable to use "adaptive archery equipment" such as draw locks, mechanisms released by mouth, chin, etc., and devices that support the bow. As of December 13, 2013, there were 7,168 individuals with an Oregon Disabilities Hunting and Fishing Permit, of these 994 (14%) had a disability described in category "d". Recently, the Department has issued approximately 20 permits per year for individuals to use a draw lock to hold a bow at full draw.

The Department has developed draft administrative rules to establish the criteria for legal crossbow equipment if the Commission should decide to further consider allowing the use of a crossbow.

635-065-0723

Crossbows

Hunters shall use:

(1) Arrows and equipment described in 635-065-0720 except that crossbows

(a) Shall have a minimum peak draw weight of 150 pounds and a maximum peak draw weight of 200 pounds.

(b) Shall have a working safety.

(c) Shall be used with bolts or arrows of not less than 16 inches in length (not including point).

635-065-0725

Crossbows and Other Weapons

It is *unlawful* to hunt game mammals with a crossbow **unless the hunter possesses a Crossbow Special Use Permit issued by the Oregon Department of Fish and Wildlife** or any weapon other than those rifles, handguns, shotguns, muzzleloaders, and bows authorized.

The Washington Department of Fish and Wildlife ADA specialist was contacted in development of these rules including discussing the development of a Crossbow Special Use Permit that includes an application form and information to provide to doctors regarding assessing a hunter applying for a permit. Washington's disability criteria are generally less restrictive than Oregon's resulting in more individuals qualifying. Washington Department of Fish and Wildlife recognizes ~74,000 individuals with disability status; approximately 33,000 are veterans, in Washington a 30% veterans disability is required to qualify, compared to 65% in Oregon. At this time 3,179 individuals have the exception to use crossbows, an estimated 2,000 are active. As noted above, in Oregon less than 900 individuals with current disabilities permits would qualify to be considered for a Crossbow Special Use Permit.

Washington is in the process of revising their crossbow regulations to allow the use of "red-dot" sights and scopes because almost all new crossbows are sold with some type of optical sight. Replacing the factory sighting equipment with a non-electronic option may cost over \$200 and void the crossbow warrantee. Currently, for hunting game animals in Oregon standard scopes are legal on bows but electronic devices such as red-dot and scopes with lighted reticles are not legal. If crossbows were to become legal a decision would need to be made regarding which sights to allow.