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CO-CHAIR, JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

41<sup>st</sup> ASSEMBLY DISTRICT

**Assembly Bill 239: Placing, possessing, or transporting a bow or crossbow in or on a motorboat, vehicle, all-terrain vehicle, or utility terrain vehicle**

**Committee on Sporting Heritage  
Testimony of Representative Joan Ballweg**

Thank you, Chairman Stafsholt and members of the Committee on Sporting Heritage, for holding this hearing on Assembly Bill 239. Last year, I heard from a constituent about an issue with the laws surrounding the transportation of crossbows and placing them on vehicles. After hearing his concerns and seeing injuries others had received due to uncocking crossbows, it was clear that the current laws are not up to par with modern crossbow technology and may cause individuals to be more prone to injury than they would otherwise be with these proposed changes. Unfortunately, my constituent, Mr. Schrank, was only able to make it to the Senate companion hearing for SB 231 on October 1<sup>st</sup>. I hope he is enjoying his hunting trip out west right now. He brought this to my attention by pointing to a citizen resolution, #360518, that passed in the Conservation Congress, 55 to 32, that was approved by the Legislative Advisory Committee on September 8, 2018. AB 239 would align the statutes for firearms, bows and crossbows and create consistency and simplicity for all Wisconsinites wanting to follow the law.

Crossbow users need more options for safely transporting their weapon. Current law forces crossbow users to either discharge the weapon or unload and release the string. Discharging the weapon means the user must carry extra equipment with them, such as targets or dummy bolts made for discharging into the ground. These items can be expensive and therefore restrictive options. The other option is to remove the bolt from the crossbow and then release the string, a dangerous process. A crossbow's string contains a hefty amount of potential energy. As you may know, during standard operation once the crossbow is discharged, the string is released by the latch, the limbs rapidly pull the string forward and the bolt is launched. The kinetic energy of the string upon release is enough to cause bodily injury to any appendage in its path. By forcing the user to release the string, they risk substantial injury while they attempt to slowly release the string's energy. Many modern crossbows will not allow the string, when cocked, to be released at all. This safety feature lowers the risk of a dry fire while traveling with the string cocked. Giving users another choice, to simply unload the crossbow, allows for flexibility to do what is most appropriate in each user's individual situation.

This bill allows the operator of a vehicle to possess a crossbow, as long as the crossbow is not cocked or is unloaded, and the crossbow will no longer be required to be in a case. Under this bill, the restrictions for having a crossbow not cocked or unloaded will not apply if the vehicle is stationary. Vehicles covered under this bill are ATVs and UTVs, motorboats, snowmobiles and automobiles. By passing this legislation, crossbows will not be differentiated from firearms and bows by the law, meaning there will be less confusion about what rules apply to those who transport weapons.

Improper use and transport of weapons can be dangerous when not done responsibly. AB 239 gives individuals more choices for safe transportation of crossbows. Thank you for considering this bill. I am happy to answer any questions you may have and I urge you to support this legislation.



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**Luther S. Olsen**  
State Senator  
14th District

**TO:** Assembly Committee on Sporting Heritage  
**FROM:** Senator Olsen  
**DATE:** October 23<sup>rd</sup>, 2019  
**SUBJECT:** Testimony for Assembly Bill 239

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Thank you Chairman Stafsholt and members of the Assembly Committee on Sporting Heritage for holding a hearing and allowing me to testify in support of Assembly Bill 239 (AB 239). The idea for this legislation was brought to Representative Ballweg and me from a constituent of our district. This suggestion is also in response to action taken by the Wisconsin Conservation Congress (WCC).

Under current law, a person operating an all-terrain vehicle (ATV) or utility terrain vehicle (UTV), may not possess a bow or a cross-bow unless the bow does not have an arrow nocked or if the crossbow is not cocked or is unloaded and enclosed in a carrying case.

AB 239 will align crossbow laws with current bow and firearm laws, by streamlining the statutes. This legislation clarifies that the restrictions on possessing a crossbow while operating an ATV or UTV do not apply when the ATV or UTV is not moving. Also under this bill, a cocked but unloaded crossbow may be outside a carrying case. To clarify, cocking a bow means to set a bow string back in a position that it is ready to use. Uncocking a crossbow is the task of slowly and carefully releasing the string from its ready position and releasing the stored energy, which can be dangerous, due to the amount of power the string is holding. This brings safety concerns for those who use crossbows, because uncocking a crossbow can cause thumb injuries. AB 239 addresses these safety concerns and provides consistent encasing requirements across the board.

Streamlining the crossbow laws with current bow and firearm laws will make it easier for law-abiding citizens follow the law, no matter what they decide to use to hunt.

Again, thank you for holding a hearing today. I ask for your support on AB 239.

Mr. Chairman and committee members, thank you for the opportunity to speak to you today on Assembly Bill 239.

I am speaking for myself in opposition to this bill. For over 30 years, I've owned and operated one of the top archery pro shops in the country. I've sold, serviced, repaired and taught people how to use thousands of crossbows over the last 30 years.

My experience has taught me the potential dangers and safety concerns surrounding crossbows. Generally, there is not a lot of danger with a firearm or regular bow if it is not loaded when being transported.

However, when a crossbow is cocked even though there is no bolt loaded in it, there is a tremendous amount of force and tension on the limbs. If something goes wrong, the crossbow literally explodes with limbs, cables, cams, and miscellaneous parts flying everywhere. People can be severely injured when this happens.

That is why, in 2011 when I introduced Senate Bill 228 relating to transporting firearms, bows and crossbows in or on vehicles or motorboats, I made sure that if a crossbow was cocked while being transported, it has to be in a case. At least the case provides some protection from flying parts if something goes wrong.

There is a clear and present danger in transporting a cocked crossbow outside of a case. Imagine it bouncing around on an ATV or catching the string and tearing it on some brush. Imagine if it was in a car with kids or others who don't understand the danger and they started playing with it.

Yes, crossbows have safeties, but sometimes they fail and if they are dry fired (fired without a bolt), they can explode.

So, my number one reason to oppose Assembly Bill 239 is my concern about the safety of hunters and other people who happen to be around crossbow hunters and not realize the danger of a cocked crossbow.

My second reason for opposing Assembly Bill 239 is the potential for an uncased, cocked crossbow in a vehicle to become a poacher's dream weapon. Unlike a firearm, when a crossbow is fired, there is much less sound. Some of today's crossbows are so compact, they can be shot with one hand. If the crossbow is cocked and ready to go, a person can load a bolt and fire in seconds. At least if it is required to be cased when cocked, it acts as a deterrent because of the time required to uncasing it. Additionally, if a warden stops a vehicle for suspicious activity and spots a cocked crossbow in the vehicle, he may be able to stop some potential poaching.

With all this being said, I do understand the difficulty some disabled people with limited mobility may have casing and uncasing a crossbow. I would support the bill if it were amended to apply only to persons holding a Class A or Class B permit. However, the safest plan is still to have the crossbow that is cocked in a moving vehicle in a case.

Thank you for the opportunity to share my thoughts about Assembly Bill 239. I would be happy to answer any questions you may have.



## Assembly Committee on Sporting Heritage

### 2019 Assembly Bill 239

#### *Placement, possession, and transportation of bows and crossbows in or on vehicles* October 23, 2019

The Wisconsin Department of Natural Resources appreciates the opportunity to provide written testimony on Assembly Bill 239, which relates to the placement, possession, and transportation of bows and crossbows in or on vehicles.

Wisconsin's vehicular weapon transportation restrictions are generally designed to reduce the safety risks—for occupants within the vehicle, as well as the general public outside the vehicle—posed by inadvertent discharge of a weapon while transported. Secondly, these restrictions also serve as a deterrent to engaging in unlawful hunting practices.

Crossbow manufacturers and users understand the incredible energy potential—and associated safety risks—with cocked crossbows. Users failing to strictly adhere to manufacturer warnings regarding cocking, uncocking, loading, and discharge of crossbows can be severely injured, injure others or see their equipment catastrophically destroyed. Not unlike firearms, crossbows are a performance tool to be handled safely at all times to avoid serious injury to the user or others. As such, the Department would encourage all crossbow users to diligently review and comply with their manufacturer instructions—including procedures for safe uncocking and restrictions on transporting cocked crossbows—to reduce the safety risks associated with these devices.

As crossbows have risen in popularity, their use in unlawful activities has also proportionally risen, including hunting from vehicles, hunting while shining, and shooting across roadways. Since crossbows boast ever increasing ranges, terminal effectiveness, and most importantly—comparatively quiet operation—they are slowly replacing firearms as the preferred weapon for unlawful road hunting activities. As such, the Department continues to find the existing cocked crossbow casing requirements as a useful tool to detect and deter wildlife violators.

The other change contained within this proposal, which aligns crossbow treatment with firearms rules as related to placement *on a stationary vehicle*, would generally facilitate consistency and does not present any new enforcement challenges.

Thank you for your consideration of these written comments. Please contact Department of Natural Resources Assistant Legislative Liaison Erin Ruby at 608-266-7566 or [Erin.Ruby@Wisconsin.gov](mailto:Erin.Ruby@Wisconsin.gov) with any questions.