



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

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[MASS.GOV/MASSWILDLIFE](https://www.mass.gov/masswildlife)

COMMONWEALTH OF MASSACHUSETTS
DIVISION OF FISHERIES AND WILDLIFE
PUBLIC HEARING NOTICE
321 CMR 3.02(4)

In accordance with the Massachusetts General Laws, Chapter 131, Sections 4 and 5, and Chapter 30A, Section 2, NOTICE is hereby given that the Division of Fisheries and Wildlife will hold a public hearing on **Monday, February 23, 2026, 6:00 p.m.**, on the emergency regulatory amendments to 321 CMR 3.02(4) Hunting and Tagging of Deer Regulations that were filed December 19, 2025, in Massachusetts via a Zoom video webinar with the Hearing Officer and MassWildlife staff, with the public joining via computer or phone line. The emergency regulations a) Removed the on-island deer check requirement; b) Removed the visibility requirement for unchecked harvested deer; c) Extended the Winter Season on WMZs 13 and 14 an additional two weeks; and d) Created an additional primitive and archery deer hunting season for 10 days prior to the Youth Deer Hunt day on WMZs 13 and 14. For the convenience of the public, the proposed regulations will be presented and an oral comment period will be offered.

[Click to join from PC, Mac, iPad, or Android](#)

Passcode:123123

Join via audio: [\(929\) 205-6099](tel:9292056099)

Webinar ID: 845 9649 5260

Passcode: 123123

The proposed regulatory amendments relative to 321 CMR 3.02(4) and the link to join the Zoom webinar are also posted at [Mass.gov/MassWildlife/Hearings](https://www.mass.gov/MassWildlife/Hearings), so that interested persons can review the proposed regulations and provide written comments prior to the hearing or oral comments during the virtual hearing.

Written public comments will be accepted before the hearing and after it closes, until Monday, March 9, 2026, 5:00 p.m., via an [online comment form](#); a link to the form can also be found in the notice on the public hearings page. Written comments may also be submitted by mail, to MassWildlife, Attn: Susan Sacco, 1 Rabbit Hill Road, Westborough, MA 01581.

Reasonable accommodation for people with disabilities is available upon request. To submit a request for an accommodation, please email eadiversity@mass.gov or call [617-626-1282](tel:6176261282); an

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ADA Coordinator will receive your request. Please include a description of the request in as much detail as possible and a way we can contact you if we need more information. Please allow at least 2 weeks' (14 days) advance notice. Last-minute requests will be accepted but we may be unable to fulfill the request.

MassWildlife is committed to providing equitable access to its public meetings, hearings, and events. We will make every effort to provide American Sign Language (ASL) and Communication Access Realtime Translation (CART) captioning, as well as live interpretation, including in Español, Português, 中文, Kreyòl Ayisyen, or Tiếng Việt, automatically for attendees who wish to use it. We will also make every effort to provide other languages as requested. Please contact Susan Sacco at susan.sacco@mass.gov to request another language by 5:00 p.m. on Tuesday, February 17, 2026.

Everose Schlüter, Ph.D.
Acting Director

321 CMR 3.00: HUNTING

Section

3.02: Hunting, Particular Game

3.02: Hunting, Particular Game

(4) Hunting and Tagging of Deer. In accordance with the authority vested in me by M.G.L. c. 131, §§ 5 and 72, I hereby declare an open season for the hunting of deer in Massachusetts, subject to the following rules and regulations:

(a) Definitions: For the purposes of 321 CMR 3.02(4) and unless the context requires otherwise, the following words or phrases shall have the following meanings:

Antlerless Deer means a deer without antlers, or with antlers the longer of which is less than three inches in length measured on a straight line from the center of the anterior base of the antler burr to the antler tip.

Bait means any natural or artificial substance, including but not restricted to, shucked or unshucked corn, wheat or other grains, hay, silage, apples or other fruits or vegetables, and salt or other chemical compounds of a like nature which may be fed upon, ingested by or which otherwise constitute a nutritive attractant for deer.

Baited Area means any area where baiting has taken place and such area shall remain a baited area for the period from ten days prior to the opening of the exclusive archery season as provided in 321 CMR 3.02(4)(b)2. to 12:00 P.M. on the day following the close of the exclusive primitive firearms season as provided in 321 CMR 3.02(4)(b)4.

Baiting means the deliberate placing, depositing, distributing, or scattering of bait so as to constitute for deer a lure, attraction, or enticement to or on any area where hunters are attempting to take them. Food sources deposited by natural vegetation, from agricultural or gardening practices, or standing crops planted and left as wildlife food plots do not constitute baiting.

Barrel Length means that portion of a firearm through which shot is driven, guided, or stabilized.

Bow and Arrow means a bow and arrows of the type and design specified for the hunting of deer, bear, and wild turkey pursuant to 321 CMR 3.01(3).

Caplock means only a type of gunlock that ignites the charge by means of a spark produced by a spring-actuated external cock or hammer directly striking a percussion cap which is placed over a nipple which transmits the flame of the percussion cap to the powder.

Decoy means an artificial or natural replica or silhouette of a deer, including taxidermy mounts and preparations of a like nature as well as live deer held under restraint.

Director means the Director of the Division of Fisheries and Wildlife or their agent.

Flintlock means only a type of gunlock that ignites the charge by means of a spark produced by a spring-actuated cock or hammer striking a piece of flint against a vertical, pivoted striking plate.

Grunt Tube means a breath-powered, mouth-operated, non-electronic calling device which mimics deer vocalizations, the purpose of which is to attract deer pursuant to the lawful hunting thereof.

Lead Projectile means a round ball, Minie or Maxi bullet, or other spherical or conical projectile composed of lead, lead-antimony, or similar alloys. Notwithstanding the foregoing, sabot projectiles are lawful, regardless of the composition of the sabots.

Loaded from the Muzzle or Muzzle-loading means, with respect to a primitive firearm, that all the powder, any wadding, and the projectile are placed in the muzzle and forced to the other end of the barrel with the aid of a ramrod.

Loaded Primitive Firearm means a primitive firearm which contains a ball or shot in the muzzle and which, in the case of a flintlock, contains powder in the flash pan, and, in the case of a caplock, has a percussion cap on the nipple.

Online means a Division of Fisheries and Wildlife licensing and game harvest reporting system accessible at the MassWildlife website that allows for automated licensing and game harvest reporting, including issuance of an official seal via the internet.

Permanent Tree Stand means that type of hunting platform or structure (emplaced for any period of time) which is fastened to a tree by nails, bolts, wire, or other fasteners which intrude through the bark into the wood of the tree, or, which is fastened or erected in any manner and is emplaced for a period exceeding 30 days.

Primitive Firearm means a flintlock or caplock firearm, either rifled or smoothbore, fired from the shoulder and loaded from the muzzle, and which has limited range and firepower.

Scent means an odoriferous substance, natural or artificial, which replicates or mimics the natural odor or bodily secretions of deer or other wild animals, the purpose of which is to attract deer pursuant to the hunting thereof or to mask the body odor or scent of humans hunting deer.

Shotgun Deer Season means that portion of the open season prescribed in 321 CMR 3.02(4)(b)3.

Unloaded Primitive Firearm means a primitive firearm which lacks one or more of the components of a loaded primitive firearm.

Winter Deer Permit means a permit issued by the Director which allows the harvest of one additional antlered or antlerless deer in Wildlife Management Zone 13 or 14 during the winter season.

Youth Deer Hunt means the season, which is to occur on the fourth Saturday following Labor Day, when minors 12 to 17 years of age may hunt deer as provided in M.G.L. 131 Section 14 and CMR 3.02(4) (b)5.

Youth Deer Hunt Permit means a special permit issued by the Director exclusively to minors 12 to 17 years of age which allows them to hunt for deer during the Youth Deer Hunt and harvest either an antlered or antlerless deer on Youth Deer Hunt Day or during any open deer season.

Zone or Zones means the Massachusetts wildlife management zones as described in 321 CMR 3.02(4)(o).

(b) Open Season. The open season shall be in the following periods:

1. Beginning the last Monday in October and ending the following Saturday, any three days of which may be selected by the Director, there shall be a special season for paraplegics exclusively, who may hunt deer by means of a shotgun not larger than ten gauge, including shotguns with a rifled bore, by means of a muzzle-loading firearm, fired from the shoulder, .44 to .775 caliber, or by means of a bow and arrow. Such hunting shall be limited to those specified areas designated by the Director. During this special season, nothing shall prevent the otherwise lawful hunting of birds and mammals in accordance with established statutes and regulations.
2. In all zones, beginning on the eighth Monday prior to Thanksgiving and ending on the first Saturday after Thanksgiving, all days inclusive, there shall be a special season for archers exclusively and during this period deer maybe hunted only by means of a bow and arrow.
3. Beginning the first Monday after Thanksgiving and ending the second Saturday thereafter, all days inclusive except Sunday, deer may be hunted throughout Massachusetts by means of a shotgun not larger than ten gauge, including shotguns with a rifled bore, by means of a muzzle-loading firearm, fired from the shoulder, .44 to .775 caliber, or by means of a bow and arrow.
4. The primitive firearms period of the open season is intended to provide an opportunity to hunt deer in a manner similar to the way our forefathers hunted in the mid-1800's. The primary consideration is to limit the weapons to a type similar to those in common use during that period of history. Basically, that means a single shot, muzzle-loading firearm with limited range and firepower. Secondly, the hunter participating in this season should have a relative degree of solitude significantly different from the hunting pressure which is characteristic of the shotgun deer season.

Beginning the third Monday after Thanksgiving and ending on December 31, all days inclusive, deer may be hunted only by means of a primitive firearm using a single lead projectile, or by means of a bow and arrow. Black powder (or synthetic substances such as "pyrodex" which are approved for competitive muzzle-loading meets by the National Muzzle Loading Rifle Association) is the only powder to be used during this season. Primitive firearms may have smooth or rifled bores and shall not contain more than one usable barrel. In the case of primitive firearms with double bore barrels, one barrel shall be made inoperative by removal of the nipple and hammer. The caliber of a primitive firearm shall be not less than .44 nor more than .775 and only those primitive firearms having a barrel length of 18 inches or longer shall be permitted. A person shall not, except during the paraplegic and shotgun deer seasons, have in his or her possession a shotgun shell loaded with a rifled slug, single ball, buckshot of any size, BB shot or air rifle shot in any place where birds or mammals might be found, except on a skeet, trap or target range between sunrise and sunset, and except for the hunting of waterfowl, or coyote as provided in 321 CMR 2.03. During the primitive firearm season, nothing in 321 CMR 3.02(4) shall prevent the otherwise lawful hunting of birds and mammals in accordance with established statutes and regulations.

5. On the fourth Saturday following Labor Day, which shall be the day of the Youth Deer Hunt, minors 12 to 17 years of age who have been issued a Youth Deer Hunt Permit by the Director may hunt for deer by means of a shotgun, not larger than ten gauge, including shotguns with a rifled bore, by means of a muzzle-loading firearm, fired from the shoulder,

.44 to .775 caliber, or by means of a bow and arrow. A Youth Deer Hunt Permit must be obtained by the hunter allowing for the harvest of one antlered or antlerless deer in any Wildlife Management Zone, valid on Youth Deer Hunt Day and any day during open deer season provided the relevant season stamps have been obtained by either the holder of the Youth Deer Hunt Permit or accompanying adult. Minors 12 to 14 years of age taking part in the Youth Deer Hunt must possess a Youth Deer Hunt Permit, and be accompanied by a duly licensed adult as required by M. G.L. c. 131 § 14. All minors 15 to 17 years of age taking part in the Youth Deer Hunt shall possess both a Massachusetts hunting or sporting license, and a Youth Deer Hunt Permit. All minors, and the adults who accompany said minors during the Youth Deer Hunt, must comply with all applicable law and regulations of the Division, including the provisions of M.G.L. c. 131 §§ 14, 71, 72 and 321 CMR 3.02(4). During the Youth Deer Hunt, it is prohibited to hunt deer in an area where baiting has occurred up to ten days prior to the Youth Deer Hunt season. Nothing in 321 CMR 3.02(4) shall preclude the otherwise lawful hunting of birds and mammals in accordance with the applicable law and regulations of the Division during the Youth Deer Hunt season.

6. Beginning on January 1 and ending on ~~January 31~~ February 14, inclusive, deer may be hunted in there shall be a winter primitive season in Wildlife Management Zones 13 and 14. ~~Deer may be hunted only~~ by means of a primitive firearm, ~~or by means of a bow and arrow, by persons with a valid Winter Deer Permit and the new year primitive stamp.~~ Hunters with a valid ~~either sex~~ Winter Deer Permit may harvest an additional antlered or ~~an~~ antlerless deer in Wildlife Management Zones 13 or 14 during the winter season. ~~The Winter Deer Permit is valid only for the winter primitive season.~~

7. Beginning on the second Monday before the Youth Deer Hunt and ending on the Thursday before the Youth Deer Hunt in Wildlife Management Zones 13 and 14, deer may be hunted only by means of a primitive firearm, or bow and arrow.

(c) A person shall not hunt a deer during any period of the season except between ½ hour before sunrise and ½ hour after sunset Eastern Standard Time.

(d) Bag Limit:

1. In all zones a person shall not kill nor possess more than two antlered deer, except a minor 12-17 years of age with a valid Youth Deer Permit may kill and possess one additional antlered deer as specified in 321 CMR 3.02(4)(b)(5), and a person with a valid Winter Deer Permit for exclusive use in Wildlife Management Zone 13 or 14 as specified in 321 CMR 3.02(4)(b)(6) may kill and possess one additional antlered deer. .

2. In all zones a person's bag limit of antlerless deer shall be determined by the number of valid antlerless deer permits and attached deer tags that are possessed by such person. Such antlerless deer shall be in addition to the bag limit of antlered deer specified in 321 CMR 3.02(4)(d)1.

3. For the purposes of 321 CMR 3.02(4)(d), antlerless deer may be killed or possessed only in accordance with 321 CMR 3.02(4)(e).

(e) Antlerless Deer Permit. A person shall not hunt, kill, or possess an antlerless deer in any county, area, or zone unless he or she possesses on their person a valid permit from the Director to do so. However, nothing in 321 CMR 3.02(4)(e) shall prevent a person from killing an antlerless deer during the exclusive season for paraplegics, when so authorized by the Director.

(f) A person shall not make, set, or use any bait, decoy, torchlight or spotlight, trap, or other like device for the purpose of attracting, ensnaring, taking, injuring, or killing a deer, nor hunt by baiting or within any baited area, nor hunt, drive, worry, or disturb any deer with or by the aid of any noise-making device, provided that nothing in 321 CMR 3.02(4)(f) shall be deemed to prohibit the use of scents or of deer antlers or replicas thereof or of grunt tubes as callers or attractants by persons otherwise lawfully hunting deer, and further provided that, notwithstanding the above prohibition, deer decoys may be used for hunting during archery only deer season.

(g) No person, except on land owned or leased by him or her or except with the express written permission of the landowner or his or her authorized agent, shall construct, maintain, occupy, or use a permanent tree stand.

(h) A person killing a deer shall immediately, before transporting or removing the carcass in any manner from where it was killed, complete and attach to the carcass in a conspicuous manner a deer tag supplied with the person's hunting or sporting license or a legally authorized deer permit. The deer tag when affixed to the deer shall be detached from the license or permit. Said deer tag shall remain attached to the deer until the deer is presented to a duly authorized person or deer checking station, at which time said deer tag shall be surrendered upon request to the official agent in charge thereof, or shall remain attached to the deer after being reported online. The provisions of 321 CMR 3.02(4)(h) relative to tagging requirements shall not apply to a person lawfully hunting without a license.

~~(i) Reserved. A person shall not have in his or her possession or under his or her control in any motor vehicle or transport the carcass of a deer unless said carcass or part thereof is open to view, provided that after the deer is tagged with an official seal or a confirmation number having been issued after being reported online is written or printed on the attached tag as provided in 321 CMR 3.02(4)(j), the deer may be concealed.~~

(j) Harvest Reporting: Within 48 hours after killing a deer its harvest shall be reported to the Division of Fisheries and Wildlife by one of the following means:

1. Checking Station: The entire carcass shall be presented by the person who killed the deer to a duly authorized person, or at a deer checking station designated by the Director for the purpose of being recorded and examined for research purposes and to have affixed thereto an official seal in such manner as prescribed by the Director; or
2. Online Reporting: The person who killed the deer shall access the Online system to report the harvest of the deer. The person shall receive an Online system confirmation number, which shall be the official seal issued by the Division of Fisheries and Wildlife, and record the confirmation number on the tag affixed to the deer as an

prescribed in 321 CMR 3.02(4)(h).

3. The official seal shall remain affixed to the deer until the animal is skinned, cut up, or otherwise prepared for food purposes or for mounting by a taxidermist. The official seal is non-transferable and shall be valid only for the deer or carcass to which it is applied.
4. Any violation of the requirements of 321 CMR 3.02(4)(j) shall be heard in the District Court for the location where the violation occurred.

~~The following additional requirements shall apply to Dukes and Nantucket counties:~~

- ~~a. any deer taken in Nantucket county shall be checked only on Nantucket island and only at such checking station or by such person as shall be designated by the Director or shall be reported online, but shall not be transported to or from Nantucket island without bearing an official Division;~~
- ~~b. any deer taken in Dukes county, except as provided for in 321 CMR 3.02(4)(j)4.c., shall be checked only on Martha's Vineyard island and only at such checking station or by such person as shall be designated by the Director or shall be reported online, but shall not be transported to or from Martha's Vineyard island without bearing an official Division seal;~~
- ~~c. any deer taken on Cuttyhunk island in the Town of Gosnold shall be checked only on Cuttyhunk island and only at such checking station or by such person as shall be designated by the Director or shall be reported online, but shall not be transported to or from Cuttyhunk island without bearing an official Division seal;~~
- ~~d. any deer taken in the Town of Gosnold (exclusive of the island of Cuttyhunk) shall be checked at such checking station or by such person as shall be designated by the Director or shall be reported online, but shall not be transported to or from the Town of Gosnold without bearing an official Division seal.~~

(k) A person killing an antlerless deer by authority of a valid permit issued by the Director shall surrender said antlerless deer tag upon request at the time the deer is checked by a duly authorized person or deer checking station designated by the Director or the antlerless deer tag shall remain on the deer after being reported online.

(l) During the shotgun deer season a person shall not hunt any bird or mammal or enter the fields or woodlands of the state with any firearm, ammunition, bow and arrow, or other device intended or adapted for the taking of birds and mammals, except for the hunting of deer or for the hunting of migratory game birds in accordance with 321 CMR 3.02(2) or for the hunting of coyote in accordance with 321 CMR 3.02(3). After having killed the season limit of deer applicable to the county, zone or area where hunting, a person shall not, during the remainder or duration of the shotgun deer season, hunt any bird or mammal or enter the fields or woodlands of the state with any firearm, ammunition, bow and arrow, or other device intended or adapted for the taking of birds and mammals, except for the hunting of migratory game birds in accordance with 321 CMR 3.02(2) or for the hunting of coyote in accordance with 321 CMR 3.02(3). Nothing in 321 CMR 3.02(4)(l) shall be construed to prohibit the otherwise lawful setting and tending of traps in accordance with the provisions of 321 CMR 3.02(5).

(m) During the shotgun deer season, a person shall not hunt a bird or mammal with a rifle, revolver, or pistol or by the aid of a dog, or have in their possession or under their control in any wood or field a rifle, revolver or pistol or a dog adapted to the hunting or pursuing of birds or mammals, except that this shall not prohibit the use of dogs while hunting waterfowl on coastal waters. Notwithstanding the above, shotguns with a rifled bore may be used for hunting in accordance with 321 CMR 3.02(4)(b). During the exclusive archery period of the open season a person hunting or in pursuit of deer shall not use, have in their possession or under their control in any field or woodland a dog, a rifle, a shotgun, or a firearm of any kind, nor shall he or she have in his or her possession any shotgun shells loaded with a single ball or slug or buckshot in any place where birds or mammals might be found. During the exclusive primitive firearms season a person hunting deer shall not use, have in their possession or under their control in any field or woodland, a dog or firearm, except a primitive firearm.

(n) During the shotgun deer season, a person hunting deer, migratory game birds or coyote or entering the fields, woodlands, or wetlands of the state for the purpose of hunting deer, migratory game birds or coyote shall wear in a conspicuous manner on his or her chest, back and head, a minimum of 500 square inches of clothing or material of a hunter orange color as defined by the Director pursuant to 321 CMR 3.01(2), except for persons hunting waterfowl from within a blind or a boat. During the special seasons for paraplegics and primitive firearms, a person hunting deer or entering the fields or woodlands of the state with the intent to hunt deer, including a person hunting deer by means of a bow and arrow, shall wear on his or her head, chest, and back a minimum of 500 square inches of clothing or material of a hunter orange color as defined in 321 CMR 3.01(2).

(o) The Massachusetts wildlife management zones are described as follows:

1. Zone 01 is bounded as follows: northerly by the Vermont border; westerly by the New York border; southerly by a line running along Rt. 20 to the junction with Rt. 7 in Pittsfield, north on Rt. 7 to Rt. 9, and east on Rt. 9 to the junction with the Housatonic River; and easterly by a line running from the Vermont border south along Route 8 to Rt. 9 in Pittsfield.
2. Zone 02 is bounded as follows: northerly by the Vermont border; westerly by Zone 01 and 03; southerly by the Massachusetts Turnpike (I-90) from the intersection with the Housatonic River in the Town of Lee east to the intersection (dead end) with Bonny Rigg Hill Road in the Town of Becket; and easterly by a line running from the Vermont border south along Rt. 112 to Rt. 143 in the Town of Worthington, along Rt. 143 west to the intersection with the Middle Branch of the Westfield River, then south along the Middle Branch of the Westfield River to the intersection with the East Branch of the Westfield River, south along the East Branch of the Westfield River to Rt. 20 in the Town of Huntington, west along Rt. 20 to Bonny Rigg Hill Road in the Town of Becket, south on Bonny Rigg Hill Road to the intersection with the Massachusetts Turnpike.

3. Zone 03 is bounded as follows: northerly by Zone 01; westerly by the New York border; southerly by the New York and Connecticut border; and easterly by a line running south along the Housatonic River from the junction with Rt. 9 in Pittsfield to the junction with Rt. 20 in Lee, east along Rt. 20 to the junction with Rt. 8 in West Becket, and south along Rt. 8 to the Connecticut border.
4. Zone 04 North (04N) is bounded as follows: northerly by the Vermont border; westerly by Zone 02; southerly by a line running north from the intersection of Route 20 and the East Branch of the Westfield River in Huntington along the East Branch of the Westfield River to the intersection with Route 66, along Rt. 66 to the intersection with Rt. 9 in Northampton, to the intersection with the Connecticut River at the Northampton/Hadley town line; and easterly by the Connecticut River. Zone 04 South (04S) is bounded as follows: northerly by Zones 02 and 04N; westerly by Zone 03; southerly by the Connecticut border; and easterly by the Connecticut River.
5. Zone 05 is bounded as follows: northerly by the New Hampshire border; westerly by the Connecticut River; southerly by a line running from the intersection of the Connecticut River and Rt. 9 at the Northampton/Hadley line east along Rt. 9 to Rt. 116 in the Town of Hadley, north along Rt. 116 to Rt. 63 in North Amherst, east along Rt. 63 and Pine Street to State Street, northeast along State Street and East Leverett Road to Cushman Road, along Cushman Road to Shutesbury Road in East Leverett, east on Shutesbury Road and Leverett Road to Wendell Road in Shutesbury Center, north along Wendell Road to Locks Pond Road, north on Locks Pond Road to Lake View Road, northeast on Lake View Road to Locks Village Road, north along Locks Village Road to Depot Road in the Town of Wendell, north on Depot Road to Rt. 2A in Wendell Depot, east on Rt. 2A to Rt. 32 in the Town of Athol, south on Rt. 32 to Rt. 62 in the Town of Barre, and east on Rt. 62 to the intersection with Rt. 31 in the Town of Princeton; and easterly by a line running north on Rte. 31 to the New Hampshire border.
6. Zone 06 is bounded as follows: northerly by Zone 05; westerly by Zone 05; southerly by a line running from the intersection of Rt. 9 and Rt. 116 in the Town of Hadley east along Rt. 9 to the intersection with Rt. 32 in the Town of Ware; and easterly by a line running from the intersection of Rt. 32 and Rt. 62 in the Town of Barre south along Rt. 32 to the intersection with Rt. 9 in the Town of Ware.
7. Zone 07 is bounded as follows: northerly by Zones 05 and 06; westerly by Zone 04S; southerly by the Connecticut border; and easterly by a line running from the intersection of Rt. 9 and Rt. 32 in the Town of Ware east along Rt. 9 to the intersection with Rt. 67, southwest along Rt. 67 to the intersection with Rt. 19 in the Town of Warren, and south along Rt. 19 to the Connecticut border.
8. Zone 08 is bounded as follows: northerly by Zone 05; westerly by Zones 06 and 07; southerly by the Connecticut and Rhode Island borders; and easterly by a line running from the intersection of Rt. 62 and Rt. 32 in the Town of Princeton south to Rt. 56 in the Town of Paxton, south on Rt. 56 to Rt. 9 in the Town of Leicester, east on Rt. 9 to Cambridge Street in the City of Worcester, east on Cambridge Street to Rt. 146, and southeast on Rt. 146 to the Rhode Island border.
9. Zone 09 is bounded as follows: northerly by the New Hampshire border; westerly by Zones 05 and 08; southerly by the Rhode Island border; and easterly by a line running from the New Hampshire border southeast on Rt. 3 to the intersection with Rt. I-495 in the Town of Chelmsford, south on Rt. I-495 to the intersection with Rt. 121 in the Town of Wrentham, and southwest on Rt. 121 to the Rhode Island border.
10. Zone 10 is bounded as follows: northerly by the New Hampshire border; westerly by Zone 09; southerly by a line running from the intersection of Rt. 1A and Rt. 27 in the Town of Walpole northeast along Rt. 1A to the intersection with Rt. 128 in the Town of Dedham, east on Rt. 128 to the intersection with Rt. 3 in the Town of Braintree, east on Rt. 3 to the intersection with Rt. 228 in the Town of Rockland, and north on Rt. 228 to the Atlantic Ocean at the intersection of Rt. 228 and Nantasket Avenue in the Town of Hull.
11. Zone 11 is bounded as follows: northerly by Zones 09 and 10; westerly by the Rhode Island border; southerly by Buzzards Bay and the Cape Cod Canal; and easterly by the Atlantic Ocean.
12. Zone 12 is bounded as follows: northerly by the Atlantic Ocean (Cape Cod Bay); westerly by Zone 11; southerly by the Atlantic Ocean (Vineyard Sound); and easterly by the Atlantic Ocean.
13. Zone 13 shall consist of Dukes County.
14. Zone 14 shall consist of Nantucket County.

REGULATORY AUTHORITY 321 CMR 3.00:

M.G.L. c. 131, § 5.

NON-TEXT PAGE

321 CMR 3.00: HUNTING

Section

3.02: Hunting, Particular Game

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(4) Hunting and Tagging of Deer. In accordance with the authority vested in me by M.G.L. c. 131, §§ 5 and 72, I hereby declare an open season for the hunting of deer in Massachusetts, subject to the following rules and regulations:

(a) Definitions: For the purposes of 321 CMR 3.02(4) and unless the context requires otherwise, the following words or phrases shall have the following meanings:

Antlerless Deer means a deer without antlers, or with antlers the longer of which is less than three inches in length measured on a straight line from the center of the anterior base of the antler burr to the antler tip.

Bait means any natural or artificial substance, including but not restricted to, shucked or unshucked corn, wheat or other grains, hay, silage, apples or other fruits or vegetables, and salt or other chemical compounds of a like nature which may be fed upon, ingested by or which otherwise constitute a nutritive attractant for deer.

Baited Area means any area where baiting has taken place and such area shall remain a baited area for the period from ten days prior to the opening of the exclusive archery season as provided in 321 CMR 3.02(4)(b)2. to 12:00 P.M. on the day following the close of the exclusive primitive firearms season as provided in 321 CMR 3.02(4)(b)4.

Baiting means the deliberate placing, depositing, distributing, or scattering of bait so as to constitute for deer a lure, attraction, or enticement to or on any area where hunters are attempting to take them. Food sources deposited by natural vegetation, from agricultural or gardening practices, or standing crops planted and left as wildlife food plots do not constitute baiting.

Barrel Length means that portion of a firearm through which shot is driven, guided, or stabilized.

Bow and Arrow means a bow and arrows of the type and design specified for the hunting of deer, bear, and wild turkey pursuant to 321 CMR 3.01(3).

Caplock means only a type of gunlock that ignites the charge by means of a spark produced by a spring-actuated external cock or hammer directly striking a percussion cap which is placed over a nipple which transmits the flame of the percussion cap to the powder.

Decoy means an artificial or natural replica or silhouette of a deer, including taxidermy mounts and preparations of a like nature as well as live deer held under restraint.

Director means the Director of the Division of Fisheries and Wildlife or their agent.

Flintlock means only a type of gunlock that ignites the charge by means of a spark produced by a spring-actuated cock or hammer striking a piece of flint against a vertical, pivoted striking plate.

Grunt Tube means a breath-powered, mouth-operated, non-electronic calling device which mimics deer vocalizations, the purpose of which is to attract deer pursuant to the lawful hunting thereof.

Lead Projectile means a round ball, Minie or Maxi bullet, or other spherical or conical projectile composed of lead, lead-antimony, or similar alloys. Notwithstanding the foregoing, sabot projectiles are lawful, regardless of the composition of the sabots.

Loaded from the Muzzle or Muzzle-loading means, with respect to a primitive firearm, that all the powder, any wadding, and the projectile are placed in the muzzle and forced to the other end of the barrel with the aid of a ramrod.

Loaded Primitive Firearm means a primitive firearm which contains a ball or shot in the muzzle and which, in the case of a flintlock, contains powder in the flash pan, and, in the case of a caplock, has a percussion cap on the nipple.

Online means a Division of Fisheries and Wildlife licensing and game harvest reporting system accessible at the MassWildlife website that allows for automated licensing and game harvest reporting, including issuance of an official seal via the internet.

Permanent Tree Stand means that type of hunting platform or structure (emplaced for any period of time) which is fastened to a tree by nails, bolts, wire, or other fasteners which intrude through the bark into the wood of the tree, or, which is fastened or erected in any manner and is emplaced for a period exceeding 30 days.

Primitive Firearm means a flintlock or caplock firearm, either rifled or smoothbore, fired from the shoulder and loaded from the muzzle, and which has limited range and firepower.

Scent means an odoriferous substance, natural or artificial, which replicates or mimics the natural odor or bodily secretions of deer or other wild animals, the purpose of which is to attract deer pursuant to the hunting thereof or to mask the body odor or scent of humans hunting deer.

Shotgun Deer Season means that portion of the open season prescribed in 321 CMR 3.02(4)(b)3.

Unloaded Primitive Firearm means a primitive firearm which lacks one or more of the components of a loaded primitive firearm.

Winter Deer Permit means a permit issued by the Director which allows the harvest of one additional antlered or antlerless deer in Wildlife Management Zone 13 or 14 during the winter season.

Youth Deer Hunt means the season, which is to occur on the fourth Saturday following Labor Day, when minors 12 to 17 years of age may hunt deer as provided in M.G.L. 131 Section 14 and CMR 3.02(4) (b)5.

Youth Deer Hunt Permit means a special permit issued by the Director exclusively to minors 12 to 17 years of age which allows them to hunt for deer during the Youth Deer Hunt and harvest either an antlered or antlerless deer on Youth Deer Hunt Day or during any open deer season.

Zone or Zones means the Massachusetts wildlife management zones as described in 321 CMR 3.02(4)(o).

(b) Open Season. The open season shall be in the following periods:

1. Beginning the last Monday in October and ending the following Saturday, any three days of which may be selected by the Director, there shall be a special season for paraplegics exclusively, who may hunt deer by means of a shotgun not larger than ten gauge, including shotguns with a rifled bore, by means of a muzzle-loading firearm, fired from the shoulder, .44 to .775 caliber, or by means of a bow and arrow. Such hunting shall be limited to those specified areas designated by the Director. During this special season, nothing shall prevent the otherwise lawful hunting of birds and mammals in accordance with established statutes and regulations.
2. In all zones, beginning on the eighth Monday prior to Thanksgiving and ending on the first Saturday after Thanksgiving, all days inclusive, there shall be a special season for archers exclusively and during this period deer maybe hunted only by means of a bow and arrow.
3. Beginning the first Monday after Thanksgiving and ending the second Saturday thereafter, all days inclusive except Sunday, deer may be hunted throughout Massachusetts by means of a shotgun not larger than ten gauge, including shotguns with a rifled bore, by means of a muzzle-loading firearm, fired from the shoulder, .44 to .775 caliber, or by means of a bow and arrow.
4. The primitive firearms period of the open season is intended to provide an opportunity to hunt deer in a manner similar to the way our forefathers hunted in the mid-1800's. The primary consideration is to limit the weapons to a type similar to those in common use during that period of history. Basically, that means a single shot, muzzle-loading firearm with limited range and firepower. Secondly, the hunter participating in this season should have a relative degree of solitude significantly different from the hunting pressure which is characteristic of the shotgun deer season.

Beginning the third Monday after Thanksgiving and ending on December 31, all days inclusive, deer may be hunted only by means of a primitive firearm using a single lead projectile, or by means of a bow and arrow. Black powder (or synthetic substances such as "pyrodex" which are approved for competitive muzzle-loading meets by the National Muzzle Loading Rifle Association) is the only powder to be used during this season. Primitive firearms may have smooth or rifled bores and shall not contain more than one usable barrel. In the case of primitive firearms with double bore barrels, one barrel shall be made inoperative by removal of the nipple and hammer. The caliber of a primitive firearm shall be not less than .44 nor more than .775 and only those primitive firearms having a barrel length of 18 inches or longer shall be permitted. A person shall not, except during the paraplegic and shotgun deer seasons, have in his or her possession a shotgun shell loaded with a rifled slug, single ball, buckshot of any size, BB shot or air rifle shot in any place where birds or mammals might be found, except on a skeet, trap or target range between sunrise and sunset, and except for the hunting of waterfowl, or coyote as provided in 321 CMR 2.03. During the primitive firearm season, nothing in 321 CMR 3.02(4) shall prevent the otherwise lawful hunting of birds and mammals in accordance with established statutes and regulations.

5. On the fourth Saturday following Labor Day, which shall be the day of the Youth Deer Hunt, minors 12 to 17 years of age who have been issued a Youth Deer Hunt Permit by the Director may hunt for deer by means of a shotgun, not larger than ten gauge, including shotguns with a rifled bore, by means of a muzzle-loading firearm, fired from the shoulder,

.44 to .775 caliber, or by means of a bow and arrow. A Youth Deer Hunt Permit must be obtained by the hunter allowing for the harvest of one antlered or antlerless deer in any Wildlife Management Zone, valid on Youth Deer Hunt Day and any day during open deer season provided the relevant season stamps have been obtained by either the holder of the Youth Deer Hunt Permit or accompanying adult. Minors 12 to 14 years of age taking part in the Youth Deer Hunt must possess a Youth Deer Hunt Permit, and be accompanied by a duly licensed adult as required by M.G.L. c. 131 § 14. All minors 15 to 17 years of age taking part in the Youth Deer Hunt shall possess both a Massachusetts hunting or sporting license, and a Youth Deer Hunt Permit. All minors, and the adults who accompany said minors during the Youth Deer Hunt, must comply with all applicable law and regulations of the Division, including the provisions of M.G.L. c. 131 §§ 14, 71, 72 and 321 CMR 3.02(4). During the Youth Deer Hunt, it is prohibited to hunt deer in an area where baiting has occurred up to ten days prior to the Youth Deer Hunt season. Nothing in 321 CMR 3.02(4) shall preclude the otherwise lawful hunting of birds and mammals in accordance with the applicable law and regulations of the Division during the Youth Deer Hunt season.

6. Beginning on January 1 and ending on February 14, inclusive, deer may be hunted in Wildlife Management Zones 13 and 14 by means of a primitive firearm or bow and arrow. Hunters with a valid Winter Deer Permit may harvest an additional antlered or antlerless deer in Wildlife Management Zones 13 or 14 during the winter season.

7. Beginning on the second Monday before the Youth Deer Hunt and ending on the Thursday before the Youth Deer Hunt in Wildlife Management Zones 13 and 14, deer may be hunted only by means of a primitive firearm, or bow and arrow.

(c) A person shall not hunt a deer during any period of the season except between ½ hour before sunrise and ½ hour after sunset Eastern Standard Time.

(d) Bag Limit:

1. In all zones a person shall not kill nor possess more than two antlered deer, except a minor 12-17 years of age with a valid Youth Deer Permit may kill and possess one additional antlered deer as specified in 321 CMR 3.02(4)(b)(5), and a person with a valid Winter Deer Permit for exclusive use in Wildlife Management Zone 13 or 14 as specified in 321 CMR 3.02(4)(b)(6) may kill and possess one additional antlered deer. .

2. In all zones a person's bag limit of antlerless deer shall be determined by the number of valid antlerless deer permits and attached deer tags that are possessed by such person. Such antlerless deer shall be in addition to the bag limit of antlered deer specified in 321 CMR 3.02(4)(d)1.

3. For the purposes of 321 CMR 3.02(4)(d), antlerless deer may be killed or possessed only in accordance with 321 CMR 3.02(4)(e).

(e) Antlerless Deer Permit. A person shall not hunt, kill, or possess an antlerless deer in any county, area, or zone unless he or she possesses on their person a valid permit from the Director to do so. However, nothing in 321 CMR 3.02(4)(e) shall prevent a person from killing an antlerless deer during the exclusive season for paraplegics, when so authorized by the Director.

(f) A person shall not make, set, or use any bait, decoy, torchlight or spotlight, trap, or other like device for the purpose of attracting, ensnaring, taking, injuring, or killing a deer, nor hunt by baiting or within any baited area, nor hunt, drive, worry, or disturb any deer with or by the aid of any noise-making device, provided that nothing in 321 CMR 3.02(4)(f) shall be deemed to prohibit the use of scents or of deer antlers or replicas thereof or of grunt tubes as callers or attractants by persons otherwise lawfully hunting deer, and further provided that, notwithstanding the above prohibition, deer decoys may be used for hunting during archery only deer season.

(g) No person, except on land owned or leased by him or her or except with the express written permission of the landowner or his or her authorized agent, shall construct, maintain, occupy, or use a permanent tree stand.

(h) A person killing a deer shall immediately, before transporting or removing the carcass in any manner from where it was killed, complete and attach to the carcass in a conspicuous manner a deer tag supplied with the person's hunting or sporting license or a legally authorized deer permit. The deer tag when affixed to the deer shall be detached from the license or permit. Said deer tag shall remain attached to the deer until the deer is presented to a duly authorized person or deer checking station, at which time said deer tag shall be surrendered upon request to the official agent in charge thereof, or shall remain attached to the deer after being reported online. The provisions of 321 CMR 3.02(4)(h) relative to tagging requirements shall not apply to a person lawfully hunting without a license.

(i) Reserved.

(j) Harvest Reporting: Within 48 hours after killing a deer its harvest shall be reported to the Division of Fisheries and Wildlife by one of the following means:

1. Checking Station: The entire carcass shall be presented by the person who killed the deer to a duly authorized person, or at a deer checking station designated by the Director for the purpose of being recorded and examined for research purposes and to have affixed thereto an official seal in such manner as prescribed by the Director; or
2. Online Reporting: The person who killed the deer shall access the Online system to report the harvest of the deer. The person shall receive an Online system confirmation number, which shall be the official seal issued by the Division of Fisheries and Wildlife, and record the confirmation number on the tag affixed to the deer as prescribed in 321 CMR 3.02(4)(h).
3. The official seal shall remain affixed to the deer until the animal is skinned, cut up, or otherwise prepared for food purposes or for mounting by a taxidermist. The official seal is non-transferable and shall be valid only for the deer or carcass to which it is applied.
4. Any violation of the requirements of 321 CMR 3.02(4)(j) shall be heard in the District Court for the location where the violation occurred.

(k) A person killing an antlerless deer by authority of a valid permit issued by the Director shall surrender said antlerless deer tag upon request at the time the deer is checked by a duly authorized person or deer checking station designated by the Director or the antlerless deer tag shall remain on the deer after being reported online.

(l) During the shotgun deer season a person shall not hunt any bird or mammal or enter the fields or woodlands of the state with any firearm, ammunition, bow and arrow, or other device intended or adapted for the taking of birds and mammals, except for the hunting of deer or for the hunting of migratory game birds in accordance with 321 CMR 3.02(2) or for the hunting of coyote in accordance with 321 CMR 3.02(3). After having killed the season limit of deer applicable to the county, zone or area where hunting, a person shall not, during the remainder or duration of the shotgun deer season, hunt any bird or mammal or enter the fields or woodlands of the state with any firearm, ammunition, bow and arrow, or other device intended or adapted for the taking of birds and mammals, except for the hunting of migratory game birds in accordance with 321 CMR 3.02(2) or for the hunting of coyote in accordance with 321 CMR 3.02(3). Nothing in 321 CMR 3.02(4)(l) shall be construed to prohibit the otherwise lawful setting and tending of traps in accordance with the provisions of 321 CMR 3.02(5).

(m) During the shotgun deer season, a person shall not hunt a bird or mammal with a rifle, revolver, or pistol or by the aid of a dog, or have in their possession or under their control in any wood or field a rifle, revolver or pistol or a dog adapted to the hunting or pursuing of birds or mammals, except that this shall not prohibit the use of dogs while hunting waterfowl on coastal waters. Notwithstanding the above, shotguns with a rifled bore may be used for hunting in accordance with 321 CMR 3.02(4)(b). During the exclusive archery period of the open season a person hunting or in pursuit of deer shall not use, have in their possession or under their control in any field or woodland a dog, a rifle, a shotgun, or a firearm of any kind, nor shall he or she have in his or her possession any shotgun shells loaded with a single ball or slug or buckshot in any place where birds or mammals might be found. During the exclusive primitive firearms season a person hunting deer shall not use, have in their possession or under their control in any field or woodland, a dog or firearm, except a primitive firearm.

(n) During the shotgun deer season, a person hunting deer, migratory game birds or coyote or entering the fields, woodlands, or wetlands of the state for the purpose of hunting deer, migratory game birds or coyote shall wear in a conspicuous manner on his or her chest, back and head, a minimum of 500 square inches of clothing or material of a hunter orange color as defined by the Director pursuant to 321 CMR 3.01(2), except for persons hunting waterfowl from within a blind or a boat. During the special seasons for paraplegics and primitive firearms, a person hunting deer or entering the fields or woodlands of the state with the intent to hunt deer, including a person hunting deer by means of a bow and arrow, shall wear on his or her head, chest, and back a minimum of 500 square inches of clothing or material of a hunter orange color as defined in 321 CMR 3.01(2).

(o) The Massachusetts wildlife management zones are described as follows:

1. Zone 01 is bounded as follows: northerly by the Vermont border; westerly by the New York border; southerly by a line running along Rt. 20 to the junction with Rt. 7 in Pittsfield, north on Rt. 7 to Rt. 9, and east on Rt. 9 to the junction with the Housatonic River; and easterly by a line running from the Vermont border south along Route 8 to Rt. 9 in Pittsfield.

2. Zone 02 is bounded as follows: northerly by the Vermont border; westerly by Zone 01 and 03; southerly by the Massachusetts Turnpike (I-90) from the intersection with the Housatonic River in the Town of Lee east to the intersection (dead end) with Bonny Rigg Hill Road in the Town of Becket; and easterly by a line running from the Vermont border south along Rt. 112 to Rt. 143 in the Town of Worthington, along Rt. 143 west to the intersection with the Middle Branch of the Westfield River, then south along the Middle Branch of the Westfield River to the intersection with the East Branch of the Westfield River, south along the East Branch of the Westfield River to Rt. 20 in the Town of Huntington, west along Rt. 20 to Bonny Rigg Hill Road in the Town of Becket, south on Bonny Rigg Hill Road to the intersection with the Massachusetts Turnpike.

3. Zone 03 is bounded as follows: northerly by Zone 01; westerly by the New York border; southerly by the New York and Connecticut border; and easterly by a line running south along the Housatonic River from the junction with Rt. 9 in Pittsfield to the junction with Rt. 20 in Lee, east along Rt. 20 to the junction with Rt. 8 in West Becket, and south along Rt. 8 to the Connecticut border.

4. Zone 04 North (04N) is bounded as follows: northerly by the Vermont border; westerly by Zone 02; southerly by a line running north from the intersection of Route 20 and the East Branch of the Westfield River in Huntington along the East Branch of the Westfield River to the intersection with Route 66, along Rt. 66 to the intersection with Rt. 9 in Northampton, to the intersection with the Connecticut River at the Northampton/Hadley town line; and easterly by the Connecticut River. Zone 04 South (04S) is bounded as follows: northerly by Zones 02 and 04N; westerly by Zone 03; southerly by the Connecticut border; and easterly by the Connecticut River.

5. Zone 05 is bounded as follows: northerly by the New Hampshire border; westerly by the Connecticut River; southerly by a line running from the intersection of the Connecticut River and Rt. 9 at the Northampton/Hadley line east along Rt. 9 to Rt. 116 in the Town of Hadley, north along Rt. 116 to Rt. 63 in North Amherst, east along Rt. 63 and Pine Street to State Street, northeast along State Street and East Leverett Road to Cushman Road, along Cushman Road to Shutesbury Road in East Leverett, east on Shutesbury Road and Leverett Road to Wendell Road in Shutesbury Center, north along Wendell Road to Locks Pond Road, north on Locks Pond Road to Lake View Road, northeast on Lake View Road to Locks Village Road, north along Locks Village Road to Depot Road in the Town of Wendell, north on Depot Road to Rt. 2A in Wendell Depot, east on Rt. 2A to Rt. 32 in the Town of Athol, south on Rt. 32 to Rt. 62 in the Town of Barre, and east on Rt. 62 to the intersection with Rt. 31 in the Town of Princeton; and easterly by a line running north on Rte. 31 to the New Hampshire border.

6. Zone 06 is bounded as follows: northerly by Zone 05; westerly by Zone 05; southerly by a line running from the

intersection of Rt. 9 and Rt. 116 in the Town of Hadley east along Rt. 9 to the intersection with Rt. 32 in the Town of Ware; and easterly by a line running from the intersection of Rt. 32 and Rt. 62 in the Town of Barre south along Rt. 32 to the intersection with Rt. 9 in the Town of Ware.

7. Zone 07 is bounded as follows: northerly by Zones 05 and 06; westerly by Zone 04S; southerly by the Connecticut border; and easterly by a line running from the intersection of Rt. 9 and Rt. 32 in the Town of Ware east along Rt. 9 to the intersection with Rt. 67, southwest along Rt. 67 to the intersection with Rt. 19 in the Town of Warren, and south along Rt. 19 to the Connecticut border.

8. Zone 08 is bounded as follows: northerly by Zone 05; westerly by Zones 06 and 07; southerly by the Connecticut and Rhode Island borders; and easterly by a line running from the intersection of Rt. 62 and Rt. 32 in the Town of Princeton south to Rt. 56 in the Town of Paxton, south on Rt. 56 to Rt. 9 in the Town of Leicester, east on Rt. 9 to Cambridge Street in the City of Worcester, east on Cambridge Street to Rt. 146, and southeast on Rt. 146 to the Rhode Island border.

9. Zone 09 is bounded as follows: northerly by the New Hampshire border; westerly by Zones 05 and 08; southerly by the Rhode Island border; and easterly by a line running from the New Hampshire border southeast on Rt. 3 to the intersection with Rt. I-495 in the Town of Chelmsford, south on Rt. I-495 to the intersection with Rt. 121 in the Town of Wrentham, and southwest on Rt. 121 to the Rhode Island border.

10. Zone 10 is bounded as follows: northerly by the New Hampshire border; westerly by Zone 09; southerly by a line running from the intersection of Rt. 1A and Rt. 27 in the Town of Walpole northeast along Rt. 1A to the intersection with Rt. 128 in the Town of Dedham, east on Rt. 128 to the intersection with Rt. 3 in the Town of Braintree, east on Rt. 3 to the intersection with Rt. 228 in the Town of Rockland, and north on Rt. 228 to the Atlantic Ocean at the intersection of Rt. 228 and Nantasket Avenue in the Town of Hull.

11. Zone 11 is bounded as follows: northerly by Zones 09 and 10; westerly by the Rhode Island border; southerly by Buzzards Bay and the Cape Cod Canal; and easterly by the Atlantic Ocean.

12. Zone 12 is bounded as follows: northerly by the Atlantic Ocean (Cape Cod Bay); westerly by Zone 11; southerly by the Atlantic Ocean (Vineyard Sound); and easterly by the Atlantic Ocean.

13. Zone 13 shall consist of Dukes County.

14. Zone 14 shall consist of Nantucket County.

REGULATORY AUTHORITY 321 CMR 3.00:

M.G.L. c. 131, § 5.

NON-TEXT PAGE