

**PROPOSED TEMPORARY REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. T002-13

COMMISSION GENERAL REGULATION 424

NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Hearing for The (Adoption/Amendment/Repeal) of Regulations of The
Nevada Board of Wildlife Commissioners**

The Board of Wildlife Commissioners will hold a public hearing on TBD at Nevada Department of Wildlife, 1100 Valley Road, Reno, NV 89512. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation Commission General Regulation 424 (LCB File No. T002-13) pertaining to Chapter 502 of the Nevada Administrative Code.

1. The need for and purpose of the proposed regulation: (Description of regulation)
The regulation allows an easier means to the hunter and transporter to obtain a transportation permit.
2. Text of the proposed regulation: See attached.
- 3A. The estimated economic effect of the regulation on the business which it is to regulate:
 - (a) Adverse effect - There's no advance affect anticipated.
 - (b) Beneficial effect – The regulation should save hunters fuel used to locate a license agent for purposes of obtaining a transportation permit.
 - (c) Immediate effect – The regulation should save hunters fuel used to locate a license agent for purposes of obtaining a transportation permit.
 - (d) Long-term effect – The regulation should save hunters fuel used to locate a license agent for purposes of obtaining a transportation permit.
- 3B. The estimated economic effect of the regulation on the public which it is to regulate:
No economic effect is anticipated due to this regulation.
 - (a) Adverse effect – License agents may experience reduced sales if hunters do not need to visit them for a transportation permit.
 - (b) Beneficial effect – There is no beneficial effect for businesses.
 - (c) Immediate effect – License agents may experience reduced sales if hunters do not need to visit them for a transportation permit.
 - (d) Long-term effect - License agents may experience reduced sales if hunters do not need to visit them for a transportation permit.

4. Estimated cost to the Department of Wildlife for enforcement of the proposed regulation: No additional enforcement cost is anticipated.
5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates N/A, the duplication or overlapping is necessary because N/A . If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency: This regulation does not duplicate any other federal regulation.
6. If the regulation is required pursuant to federal law, a citation and description of the federal law
The regulation is not required by federal law.
7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions: This regulation does not have a companion federal regulation.
8. The proposed regulation establishes a new fee or increases an existing fee: XNo __Yes

Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Secretary, Board of Wildlife Commissioners, 1100 Valley Road, Reno, Nevada 89512. Written submissions must be received by the Secretary, Board of Wildlife Commissioners, at least five days before the scheduled public hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the regulations to be adopted will be available for inspection and may be copied at the following locations:

Nevada Division of Wildlife
1100 Valley Road
Reno, Nevada
(775) 688-1500

Western Region
380 W. "B" Street
Fallon, NV 89406
(775) 423-3171

Eastern Region
60 Youth Center Road
Elko, NV 89801
(775) 777-2300

Southern Region
4747 Vegas Drive
Las Vegas, NV 89108
(702) 486-5127

The regulations will be available for inspection at all county main public libraries. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations are prepared and published monthly by the Legislative Council

Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the above locations.

Chapter 502 of NAC

PROPOSED TEMPORARY REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS

LCB File No. T002-13

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 501.105, 501.181, 502.219, 502.222, 502.225

A REGULATION relating to adding a transportation permit to the game tag, and other matters relating thereto.

NAC 502.403 Transportation of animal legally harvested ~~to taxidermist~~: Use of taxidermy record stub as transportation permit; *use of game tag transportation permit; restrictions.* (NRS 501.105, 501.181, 502.370)

1. Except as otherwise provided in this section, a person to whom a game tag has been lawfully issued may ~~in lieu of obtaining a transportation permit as described in NRS 503.040~~, use that portion of his or her game tag designated as the taxidermy record stub in the following manner:

(a) The person may ship by commercial carrier any nonedible game parts taken from the animal lawfully harvested under the authority of the tag to a commercial or noncommercial taxidermist licensed and located in this State. If such parts are placed for shipment, the taxidermy record stub must accompany the shipment.

(b) If the person reaches his or her place of residence with an animal which has been lawfully harvested under the authority of the tag or delivers the animal to a commercial processor for processing, the person may authorize another person to transport any nonedible game parts taken from the animal to a commercial or noncommercial taxidermist licensed and located in this State. The person shall, at the time of making the authorization, print in ink on the taxidermy record stub both the name of the authorized transporter and the date of the authorization. The taxidermy record stub must accompany the transportation of the parts.

(c) The person who is specified on the tag may deliver any nonedible game parts taken from the animal lawfully harvested under the authority of the tag to a commercial or noncommercial taxidermist licensed in any state.

2. Whenever antlers are shipped, transported or delivered in the manner provided in subsection 1, the holder of the game tag shall indicate in ink on the taxidermy record stub the number of both the left and right antler points.

3. If a person who holds a game tag delivers any nonedible game parts of a game animal which he or she has lawfully harvested under the authority of the tag to a taxidermist before the carcass of the animal is delivered for processing to a commercial processing plant or before the carcass of the animal is taken to or left at the holder's place of residence, the holder shall obtain from the taxidermist, and the taxidermist shall provide to the holder, an itemized receipt which includes the following printed information:

(a) The date on which the nonedible game parts were received;

- (b) The species of game from which the nonedible game parts were taken;
 - (c) A brief description of each of the nonedible game parts received; and
 - (d) The number of antler points, both left and right, if any, of the animal.
- Both the holder of the tag and the taxidermist shall sign the receipt. The holder of the tag shall retain possession of the receipt until he or she acquires physical possession of the nonedible game parts specified in the receipt from the taxidermist to whom the parts were delivered.
4. Except as otherwise provided in this section, a taxidermy record stub may not be used or possessed by any person other than the person to whom the game tag to which the stub is attached was issued.
5. A taxidermy record stub is valid only for the type of hunt, season and animal specified on the tag and may only be used as authorized in this section.
6. Nonedible game parts taken from a harvested game animal which is required to be presented to a representative of the Department for inspection and branding or sealing may not be shipped, transported or delivered pursuant to the provisions of this section until the animal has been properly inspected and branded or sealed by the Department.
7. The provisions of NAC 503.173 do not apply to a person who ships, transports or delivers nonedible game parts in compliance with the provisions of this section.
8. As used in this section, “nonedible game parts” means the hide, head, skull, antlers, horns, paws, hooves or claws of any game animal. The term does not include the carcass of the animal.
- 9. Except as otherwise provided in this section, a person to whom a game tag has been lawfully issued and the tag has been lawfully validated per NAC 502.390 may use that portion of his or her game tag designated as the transportation permit in the following manner:***
- (a) The person may, after having lawfully harvested their animal and in the company of a witness and the transporter, sign, date, write the time of transfer, his or her state DMV (Department of motor vehicle) number and destination of wildlife on both portions of the wildlife transportation permit: the tag holder’s portion and the transporters portion. The tag holder’s signature is attesting to the transfer of game animal under perjury of law.***
 - (i) If the tag holder is a juvenile who does not have a state issued DMV number the tag holder needs to sign, date, and write the time of transfer and the destination of wildlife on both portions of the wildlife transportation permit. In the DMV portion, the tag holder must place his or her date of birth with date, month and year.***
 - (b) The transporter, in the company of the tag holder and witness, must sign, date, and write the time of transfer and his or her state DMV number on both portions of the wildlife transportation permit: the tag holder’s portion and the transporters portion. The transporter’s signature is attesting to the transfer of game animal under perjury of law***
 - (c) The witness, in the company of the tag holder and transporter, must sign, date, and write the time he or she witnessed the transfer of the animal and his or her state DMV number on both portions of the wildlife transportation permit: the tag holder’s portion and the transporters portion. The witness’ signature attests to the transfer of game animal under perjury of law,***
 - (d) After all signatures are acquired, the tag hold retains that portion of the transportation permit labeled “tag holder copy” and the transporter retains that portion of the transportation permit labeled “transporter copy” for a minimum of one year after the date written on the transportation tag.***
 - (e) The transportation permit must stay attached to the tag until the transportation permit is used.***

(g) The transportation permit cannot be filled out until the animal is harvested and the transfer of possession goes from the tag holder to the transporter.

(g) The transportation permit on the tag can only be used in conjunction with the tagged animal. It cannot be used for transporting other wildlife.

(h) That portion of the cape or scalp that includes the ears to the base of the muzzle and any antlers or horns must be kept with the carcass until the carcass is frozen, smoked, dried, consumed or accepted by a commercial processing plant for processing.

(i) The person authorized on the transportation permit may deliver any nonedible game parts to a commercial or noncommercial taxidermist licensed in any state or deliver any edible game parts to the location stated on the transportation permit.

NAC 502.390 Validation of tag or permit. (NRS 501.105, 501.181, 502.160) *Before the tag holder can legally hunt he or she must sign, date and write the time of signature on the tag, in the space provided, for the tag to be valid.* When a person reaches any wildlife which the person has killed, he or she must validate his or her tag or permit immediately by clearly punching out the spaces necessary to properly identify the physical description of the animal, including its sex and antler points, where appropriate, and the day and month of the kill.