

**ADOPTED REGULATION OF
THE BOARD OF WILDLIFE COMMISSIONERS
LCB File No. R109-24**

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

AUTHORITY: §§ 1, 2 and 4-8, NRS 501.105, 501.181 and 502.160; § 3, NRS 501.105, 501.181 and 502.210; § 9, NRS 501.105, 501.181, 502.160 and 503.040; § 10, NRS 501.105, 501.181, 502.160 and 502.370.

A REGULATION relating to wildlife; providing that a duplicate tag must be issued in the same format as the original tag; requiring a hunter with an electronic tag who has killed an animal to obtain a validation code and attach the validation code to the animal; authorizing, under certain circumstances, a supervising adult to possess the tag or permit of a holder of a tag or permit who is under 18 years of age; revising provisions relating to the use of a tag as a transportation permit; revising provisions relating to the transportation of a legally harvested animal to a taxidermist; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires that a tag be attached to a species of wildlife before the holder of a tag takes possession of the species. (NRS 502.150) Existing law requires the Department of Wildlife to designate the electronic and paper forms of the tag, requiring such numbering or other manner of identification as is necessary to designate the name or hunting license number of the person to whom it is issued. (NRS 502.160) Existing law requires the Board of Wildlife Commissioners to adopt any regulations necessary relating to the manner of using, attaching, filling out, punching, inspecting, validating or reporting tags. (NRS 501.181)

Existing regulations provide that, with certain exceptions, 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. (NAC 502.390) **Section 7** of this regulation provides that if the tag or permit is an electronic tag or permit, the person is required to validate the electronic tag or permit by submitting the requested information through the Department's designated electronic system and receiving a validation code upon submission.

Existing regulations provide that, with certain exceptions, the owner of a tag or permit must firmly attach the tag or permit to the carcass of an animal killed by the owner, at or before

the time he or she first reaches his or her means of transportation or camp. (NAC 502.400) **Section 8** of this regulation provides instead that the owner of a tag or permit must securely attach the paper tag or permit or the legible validation code, as applicable, to the carcass of an animal killed by the owner, at or before the time he or she first reaches his or her means of transportation or camp.

Sections 4 and 5 of this regulation make conforming changes to require the validation of an electronic tag and the secure attachment of a legible validation code on a wild turkey or swan that is killed by a hunter.

Existing regulations set forth the circumstances in which a person may use his or her game tag as a transportation permit. (NAC 502.401) **Section 9** of this regulation provides the circumstances in which a person may use the validation code related to an electronic game tag as a transportation permit.

Existing regulations provide that, under certain circumstances, a person to whom a game tag has been lawfully issued may use that portion of his or her game tag designated as the taxidermy record stub to transport an animal lawfully harvested to a taxidermist. (NAC 502.403) **Section 10** of this regulation provides that, under certain circumstances, a person may use the validation code to transport an animal lawfully harvested to a taxidermist.

Section 1 of this regulation defines the term “validation code.” **Section 2** of this regulation makes a conforming change to indicate the proper placement of **section 1** in the Nevada Administrative Code.

Existing law provides that a duplicate tag may not be issued except in certain circumstances. (NRS 502.210) Existing regulations provide that upon submission of a completed application for a duplicate tag, a duplicate tag may be purchased from the Department or certain license agents. (NAC 502.314) **Section 3** of this regulation provides that: (1) a duplicate tag must be issued in the same format as the original tag; and (2) for purposes of obtaining a duplicate tag, the term “tag” includes a swan hunt permit.

Existing regulations provide that the tag or permit must be carried by the holder of the tag or permit at all times while the holder is hunting or trapping or while he or she is fishing for wildlife for which a tag or permit is required. (NAC 502.385) **Section 6** of this regulation creates an exception to this requirement and provides that if the holder of a tag or permit is under 18 years of age, a supervising adult who is physically present with the holder may possess the tag or permit while the holder is hunting, trapping or fishing.

Section 1. Chapter 502 of NAC is hereby amended by adding thereto a new section to read as follows:

“Validation code” means a code that is electronically issued by the Department at the time that the holder of an electronic tag or permit validates the electronic tag or permit, as required by NAC 502.390.

Sec. 2. NAC 502.001 is hereby amended to read as follows:

502.001 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 502.0015 to 502.115, inclusive, *and section 1 of this regulation* have the meanings ascribed to them in those sections.

Sec. 3. NAC 502.314 is hereby amended to read as follows:

502.314 1. An application for a duplicate tag must be made as provided in NRS 502.210 on a form provided by the Department.

2. Upon submission of a completed application for a duplicate tag, a duplicate tag may be purchased from the Department or a license agent who issues duplicate tags.

3. A duplicate tag issued by the Department or a license agent must be in the same format as the original tag.

4. For purposes of this section and NRS 502.210, the Department shall interpret the term “tag” to include a swan hunt permit issued pursuant to NAC 502.380.

Sec. 4. NAC 502.378 is hereby amended to read as follows:

502.378 1. A tag is required to hunt wild turkey. The fee for a resident tag is \$20. The fee for a nonresident tag is \$50. In addition, a nonrefundable fee in the amount set forth in subsection 3 of NAC 502.331 will be charged for acting upon each application for a tag. Except as otherwise provided in regulations adopted by the Commission, the award of these tags by the

Department will be based on a drawing held after the deadline established by the Commission for the drawing.

2. A person, while hunting wild turkey, shall have in his or her possession:

(a) A valid hunting license; and

(b) A valid tag to hunt wild turkey issued to the person.

3. A hunter who has killed a wild turkey and taken it into his or her possession shall immediately punch the *paper* tag *or validate the electronic tag* and *securely* attach ~~the~~ *the paper tag or legible validation code, as applicable*, to the body of the turkey as required by NAC 502.390 and 502.400.

Sec. 5. NAC 502.380 is hereby amended to read as follows:

502.380 1. A permit is required to hunt swan. The fee for the permit is \$10. A person must apply for the permit on a form provided by the Department. The form must be completed in accordance with regulations adopted by the Commission. Award of the swan hunt permits by the Department will be based on a drawing held after the deadline established in an annual regulation of the Commission.

2. Each person, while hunting swan, shall carry on his or her person a:

(a) Hunting license or permit issued by the Department, unless the person is under the age of 12 years;

(b) Swan hunt permit issued by the Department; and

(c) Federal migratory bird hunting stamp, or any other such documentation as the Federal Government provides as proof that the person has paid to the Federal Government the fee for the federal migratory bird hunting stamp, unless the person is not subject to the payment of the fee.

3. When a hunter has killed a swan and taken it into his or her possession, the hunter shall:
- (a) Immediately punch *the paper permit or validate the electronic permit* and *securely* attach the ~~{swan hunt permit}~~ *paper permit or legible validation code, as applicable*, in the manner required by NAC 502.390 and 502.400; and
 - (b) Except as otherwise provided by an order or regulation of the Commission, not later than 5 days after the hunter has killed and taken the swan into his or her possession, submit the head and neck of the swan to a representative of the Department for inspection at a location designated by the Department. The Department shall provide a list of the locations upon the issuance of the swan hunt permit.
4. ~~{A}~~ *Except as otherwise provided in NAC 502.385*, a person shall not use or possess a swan hunt permit issued to any other person, or transfer or give a swan hunt permit issued to him or her to any other person.

Sec. 6. NAC 502.385 is hereby amended to read as follows:

- 502.385 1. ~~{The}~~ *Except as otherwise provided in this section*, the tag or permit must be carried by the holder at all times while the holder is hunting or trapping or while he or she is fishing for wildlife for which a tag or permit is required.
2. Except as otherwise provided in *this section and* NAC *502.337 and* 502.42905 , ~~{and section 1 of LCB File No. R022-19,}~~ it is unlawful for any person to:
- (a) Use or possess a tag or permit issued to any other person;
 - (b) Transfer or give a tag or permit issued to him or her to any other person;
 - (c) Use any tag or permit in a management area or unit for which it is not intended; or
 - (d) Use a tag or permit at any time other than at the time intended.

3. *If the holder of a tag or permit is under 18 years of age, a supervising adult who is physically present with the holder may possess the tag or permit while the holder is hunting, trapping or fishing.*

4. After it has been issued, a tag or permit may not be exchanged or a refund made except in accordance with the policies and regulations of the Commission.

Sec. 7. NAC 502.390 is hereby amended to read as follows:

502.390 *1.* Except as otherwise provided in NAC 502.42905, when a person reaches any wildlife which the person has killed, he or she must validate his or her tag or permit immediately by :

(a) If the tag or permit is a paper tag or permit, 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.

(b) If the tag or permit is an electronic tag or permit, submitting the requested information through the Department's designated electronic system and receiving a validation code upon such submission.

2. *If a person validates his or her tag or permit pursuant to paragraph (b) of subsection 1, the Department will provide the person with the option to share his or her location data.*

Sec. 8. NAC 502.400 is hereby amended to read as follows:

502.400 1. Except as otherwise provided in subsection 2 and NAC 502.42905, the owner of a tag or permit must ~~firmly~~ *securely* attach ~~it~~ *the paper tag or permit or legible validation code, as applicable,* to the carcass of an animal killed by the owner, at or before the time he or she first reaches his or her means of transportation or camp, whichever he or she reaches first.

The tag , ~~the~~ permit *or validation code* must remain with the major portion of the meat until it is consumed.

2. If the animal killed is a mountain lion or fur-bearing mammal for which a tag or permit is required, the owner of the tag or permit or a designated licensed assistant pursuant to NAC 502.42905 must ~~firmly~~ *securely* attach ~~the~~ *the paper tag or permit or legible validation code* to the hide or pelt of the animal. The tag , ~~the~~ permit *or validation code* must remain attached to the hide or pelt while it is transported and until it is processed.

Sec. 9. NAC 502.401 is hereby amended to read as follows:

502.401 1. A person to whom a game tag has been lawfully issued may use his or her game tag *or validation code, as applicable*, as a transportation permit in the manner described in this section if:

(a) The game tag includes the *physical or electronic* signature of the holder of the game tag and the date on which and time at which the holder signed the game tag;

(b) The game tag has been validated pursuant to NAC 502.390; ~~and~~

(c) The game tag *or legible validation code, as applicable*, has been *securely* attached to the carcass, hide or pelt of the animal pursuant to NAC 502.400 ~~the~~ ; and

(d) The holder complies with subsections 2 and 3, as applicable.

2. ~~The~~ *If a game tag is a paper tag, the* holder of the game tag ~~the~~ *must provide in a legible manner to* the person who will transport the carcass, hide or pelt of the animal ~~and a witness each shall, at the time~~ :

(a) Proof of the permission to transport the carcass, hide or pelt ~~is transferred~~ from the holder of the game tag to the person who will transport the carcass, hide or pelt ~~the~~

~~—(a) Sign the portion of the game tag designated as the tag holder copy of the transportation permit and the portion of the game tag designated as the transporter copy of the transportation permit; and~~

~~—(b) Include on each portion of the game tag described in paragraph (a):~~

~~—(1) The date and time that the carcass, hide or pelt of the animal is transferred from} *on a form prescribed the Department; or*~~

(b) The following information:

(1) The name and client identification number of the holder of the game tag ~~to the person who will transport the carcass, hide or pelt of the animal; and~~

~~—(2) Except as otherwise provided in subsection 3, his or her driver's license number or the number of any other identification card issued by a governmental agency to the person.~~

~~—3. If the holder of} ;~~

(2) The number of the game tag ~~to} ; and~~

(3) The sex and physical characteristics of the animal.

3. If a game tag is an electronic tag, the holder of the game tag must provide the validation code to the person who will transport the carcass, hide or pelt of the animal . ~~for the witness does not have a driver's license or any other identification card issued by a governmental agency, he or she shall include on each portion of the game tag described in paragraph (a) of subsection 2 his or her date of birth.~~

~~—4. In addition to the requirements of subsections 2 and 3, the holder of the game tag shall include on each portion of the game tag described in paragraph (a) of subsection 2 the destination of the carcass, hide or pelt being transported.~~

~~—5.—A}~~ 4. *If the* person who ~~{provides a signature pursuant to this section}~~ *will transport the carcass, hide or pelt of the animal has obtained the information required by subsection 2 or 3, as applicable, the person* shall be deemed to have attested, under penalty of perjury, to the transfer of the carcass, hide or pelt of the animal from the holder of the game tag . ~~{to the person who will transport the carcass, hide or pelt.}~~

~~—6.—A}~~ 5. *Except as provided in NAC 502.400, a* person shall not remove from the carcass, hide or pelt of an animal ~~{either portion of}~~ the game tag ~~{described in paragraph (a) of subsection 2 until the carcass, hide or pelt has been transferred from the holder of the game tag to the person who will transport the carcass, hide or pelt.}~~

~~—7.—~~ The holder of the game tag shall retain the portion of the game tag designated as the tag holder copy of the transportation permit and the person who transports the carcass, hide or pelt shall retain the portion of the game tag designated as the transporter copy of the transportation permit for at least 1 year after the date that the carcass, hide or pelt of the animal is transferred from the holder of the game tag to the person who transports the carcass, hide or pelt.

~~—8.—~~ *or validation code.*

.6 If the carcass, hide or pelt of an animal is transferred from the holder of a game tag to a person who will transport the carcass, hide or pelt, that portion of the cape or scalp of the animal which includes the ears to the base of the muzzle and any antlers or horns must be kept with the carcass, hide or pelt until the carcass, hide or pelt is frozen, smoked, dried, consumed or accepted by a commercial processing plant for processing.

Sec. 10. NAC 502.403 is hereby amended to read as follows:

502.403 1. Except as otherwise provided in this section, a person to whom a game tag has been lawfully issued may use that portion of his or her game tag designated as the taxidermy record stub *or the validation code* 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 ~~and~~:

(1) The tag is a paper tag, the taxidermy record stub must accompany the shipment ~~and~~;
or

(2) The tag is an electronic tag, a legible copy of the validation code 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~~ *If the tag is a paper tag, 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 *or validation code, as applicable,* 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 :

(a) If the tag is a paper tag, indicate in ink on the taxidermy record stub the number of both the left and right antler points.

(b) If the tag is an electronic tag, provide a legible copy of the validation code.

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 ~~+~~ ; *and*

(e) The validation code obtained by the holder, if applicable.

↪ 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 ~~+~~ *or a person who is transporting an animal in the manner provided in subsection 1.*

5. A taxidermy record stub *or validation code* 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.