

**ADOPTED REGULATION OF
THE BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R024-25

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

AUTHORITY: § 1, NRS 501.105, 501.181 and 501.1818.

A REGULATION relating to wildlife; revising the wildlife violations for which a person who is convicted of such violations will be assessed demerit points; assessing a demerit point penalty for such conduct; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Board of Wildlife Commissioners to adopt regulations relating to wildlife and the means of hunting, fishing and taking wildlife. (NRS 501.105, 510.181) Existing regulations prohibit any person from possessing or using certain equipment or devices while locating, hunting or taking any game mammal or game bird. (Section 1 of LCB File No. R035-20) **Section 1** of this regulation expands the existing demerit schedule to assess 12 demerit points against any person who unlawfully possesses or uses electronic night-vision, electronically enhanced light-gathering, thermal imaging, infrared night-vision or any comparable devices or equipment for such a purpose.

Existing regulations prohibit, with limited exceptions, a person from placing, using or maintaining a trail camera or similar device during certain periods of the year and under certain circumstances. (NAC 503.1485) **Section 1** of this regulation expands the existing demerit schedule to include the unlawful placement, maintenance or use of trail cameras or similar devices capable of transmitting images, video or wildlife location data. In addition, any person who unlawfully places, maintains or uses a trail camera or similar device from August 1 through December 31, regardless of transmission capability of such a camera or similar device, is subject to the assessment of 12 demerit points.

Section 1. NAC 501.200 is hereby amended to read as follows:

501.200 1. A person who is convicted of a wildlife violation will be assessed demerit points pursuant to the following schedule:

HUNTING AND TAKING

| | NRS | NAC | |
|--|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Unlawfully shooting at a game mammal or game bird from an aircraft, helicopter or motor- driven vehicle or using such a vehicle to molest, rally, stir up or drive game mammals or game birds..... | 503.010 | ----- | 12 |
| Spotting or locating game mammals or game birds from an aircraft or helicopter and communicating that information to a person on the ground for the purpose of hunting..... | 503.010 | ----- | 12 |
| Unlawfully using information obtained in violation of subsection 3 of NRS 503.010 to hunt or kill game mammals or game birds..... | 503.010 | ----- | 12 |
| Unlawfully using a helicopter to transport game, hunters or hunting equipment..... | 503.010 | ----- | 12 |
| Unlawfully killing or attempting to kill birds or animals from an aircraft | 503.005 | ----- | 12 |

HUNTING AND TAKING

| | NRS | NAC | |
|--|----------------|--|-----------|
| Classification of Violations | Section | Section | Demerits |
| Unlawfully using an aircraft, balloon, unmanned aerial vehicle or satellite to locate or observe big game mammals, game birds or fur-bearing mammals for the purpose of hunting | 501.385 | 503.148 | 12 |
| Hunting or taking an endangered species without a special permit | 503.585 | 503.093 | 12 |
| Unlawfully killing, destroying, wounding, trapping or injuring bald eagles or golden eagles..... | 503.610 | ----- | 12 |
| Unlawfully taking bald eagles or golden eagles | 503.620 | ----- | 12 |
| Taking twice the legal limit or more of big game mammals | 501.385 | ----- | 12 |
| <i>Unlawfully using or possessing thermal imaging, infrared or electronic night-vision, or electronically enhanced light-gathering or comparable night-vision devices or equipment</i> | <i>501.385</i> | <i>Section 1 of LCB File No. R035-20</i> | <i>12</i> |
| Hunting or taking a threatened species | 501.385 | 503.093 | 9 |

HUNTING AND TAKING

| | NRS | NAC | |
|--|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Unlawfully killing a fur-bearing mammal during the closed season | 503.440 | ----- | 9 |
| Unlawfully hunting migratory waterfowl by aid of baiting..... | 501.385 | 503.180 | 6 |
| Hunting big game mammals during the closed season | 503.090 | ----- | 6 |
| Hunting fur-bearing mammals during the closed season | 501.015 | ----- | 6 |
| Hunting big game mammals in closed areas..... | 501.385 | 504.340 | 6 |
| Hunting fur-bearing mammals in closed areas | 501.385 | 504.340 | 6 |
| Unlawfully hunting in a privately owned wildlife management area..... | 504.140 | ----- | 6 |
| Unlawfully hunting in a state-owned wildlife management area..... | 504.143 | ----- | 6 |
| Hunting big game mammals or migratory waterfowl during prohibited hours..... | 503.140 | ----- | 6 |
| Unlawfully hunting game birds or game mammals with the aid of artificial light..... | 503.150 | ----- | 6 |

HUNTING AND TAKING

| | NRS | NAC | |
|---|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Hunting or taking a sensitive species..... | 501.385 | 503.093 | 6 |
| Hunting, trapping, possessing or selling birds of prey or raptors without a permit..... | 503.582 | 503.205 | 6 |
| Hunting alternative livestock | 503.242 | ----- | 6 |
| Taking a game mammal of a prohibited age or with prohibited physical characteristics | 501.385 | ----- | 6 |

UNLAWFUL POSSESSION

| | NRS | NAC | |
|---|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Unlawfully possessing big game mammals during the closed season | 503.030 | ----- | 12 |
| Possessing a big game mammal or parts thereof without the correct tag..... | 502.150 | ----- | 9 |

UNLAWFUL POSSESSION

| | NRS | NAC | |
|---|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Possessing twice the legal limit or more of game | | | |
| birds or game mammals, other than big game .. | 501.385 | ----- | 9 |
| Possessing twice the legal limit or more of game | | | |
| fish..... | 501.385 | ----- | 9 |
| Unlawfully possessing a fur-bearing mammal | | | |
| during the closed season | 503.030 | ----- | 9 |
| Possessing game birds or game mammals, other | | | |
| than big game, during the closed season..... | 503.030 | ----- | 6 |
| Possessing fish during the closed season..... | 503.030 | ----- | 6 |
| Possessing game birds or game mammals, other | | | |
| than big game, in excess of the legal limit but | | | |
| less than twice the legal limit..... | 501.385 | ----- | 6 |
| Possessing game fish in excess of the legal limit | | | |
| but less than twice the legal limit..... | 501.385 | ----- | 6 |
| Possessing a species that may not legally be | | | |
| possessed without a license or permit | 501.385 | ----- | 6 |

TAGS AND SEALS

| | NRS | NAC | |
|--|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Hunting big game or wild turkey without a tag | 502.130 | ----- | 9 |
| Unlawfully transferring a tag to another person | 502.140 | 502.385 | 9 |
| Possessing or using a tag legally issued to another person | 502.140 | 502.385 | 9 |
| Obtaining tags in excess of the legal limit | 502.140 | 502.331 | 9 |
| Possessing used tags or tags in excess of the legal limit | 502.150 | ----- | 9 |
| Unlawfully using a tag | 502.200 | ----- | 9 |
| Using a tag in an improper area | 502.160 | 502.385 | 6 |
| Failing to punch a tag properly | 502.160 | 502.390 | 6 |
| Failing to attach a tag to a big game mammal in the manner prescribed by regulation | 502.160 | 502.400 | 6 |
| Hunting by a Native American off an Indian reservation without a tag | 502.280 | ----- | 6 |
| Possessing fur-bearing mammals, other than a bobcat, without a seal | 501.385 | ----- | 6 |
| Possessing the pelt of a bobcat without a seal | 501.385 | 502.347 | 6 |

TAGS AND SEALS

| | NRS | NAC | |
|--|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Possessing the pelt of a mountain lion without a seal | 501.385 | 502.370 | 6 |
| Possessing the horns of a ram bighorn sheep without a seal or brand | 501.385 | 502.345 | 6 |

PERMITS

| | NRS | NAC | |
|--|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Unlawfully importing or transporting a prohibited species of wildlife without a permit or license.. | 503.597 | 503.110 | 12 |
| Collecting unprotected wildlife for commercial purposes without a permit | 501.385 | 503.095 | 12 |
| Collecting live bait fish or live aquatic bait for commercial purposes without a permit | 501.385 | 503.513 | 12 |

PERMITS

| | NRS | NAC | |
|--|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Collecting unprotected fish for commercial | | | |
| purposes without a permit | 501.385 | 503.545 | 12 |
| Selling live bait without a permit..... | 501.379 | 503.513 | 6 |
| Conducting a field trial without a permit..... | 503.200 | 503.610 | 6 |
| Conducting a dredging operation without a permit | 503.425 | 503.810 | 6 |
| Possessing a raptor without a permit | 503.582 | 503.205 | 6 |
| Furnishing false information to obtain a permit | 502.060 | ----- | 6 |
| Hunting swan without a swan hunt permit | ----- | 502.380 | 6 |
| Transferring or giving a swan hunt permit to any | | | |
| other person..... | ----- | 502.380 | 6 |
| Using or possessing a swan hunt permit issued to | | | |
| another person | ----- | 502.380 | 6 |
| Commercial taking of crayfish, except in | | | |
| accordance with a permit issued pursuant to | | | |
| NAC 503.540 | 501.385 | 503.540 | 6 |

FISHING

| | NRS | NAC | |
|--|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Fishing at a fish hatchery or other waters used for the purpose of rearing or growing fish..... | 503.360 | ----- | 6 |

MISCELLANEOUS FISH AND GAME

| | NRS | NAC | |
|---|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Obstructing, hindering or otherwise interfering with an officer, employee or agent of the Department..... | 501.385 | ----- | 12 |
| Unlawfully selling big game mammals | 501.379 | ----- | 12 |
| Unlawfully selling an endangered species..... | 501.379 | ----- | 12 |
| Needless waste of big game mammals | 503.050 | ----- | 12 |

MISCELLANEOUS FISH AND GAME

| | NRS | NAC | |
|---|----------------|-----------------|-----------|
| Classification of Violations | Section | Section | Demerits |
| <i>Unlawfully placing, maintaining or using a trail camera or similar device capable of transmitting images, video or wildlife location data at any time during the period beginning July 1 and ending December 31 of each year..</i> | <i>501.385</i> | <i>503.1485</i> | <i>12</i> |
| <i>Unlawfully placing, maintaining or using a trail camera or similar device at any time during the period beginning August 1 and ending December 31 of each year.....</i> | <i>501.385</i> | <i>503.1485</i> | <i>12</i> |
| Hunting, fishing in nonnavigable waters or trapping on private property without permission | 503.240 | ----- | 9 |
| Needless waste of game birds or game mammals, other than big game..... | 503.050 | ----- | 9 |
| Unlawfully selling a threatened species..... | 501.379 | ----- | 9 |
| Taking or gathering shed antlers in certain counties between January 1 and April 30 | 503.655 | 503.172 | 9 |
| Unlawfully selling game other than big game mammals | 501.379 | ----- | 6 |

MISCELLANEOUS FISH AND GAME

| | NRS | NAC | |
|---|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Unlawfully selling a sensitive or protected species | 501.379 | ----- | 6 |
| Unlawfully selling game fish | 501.381 | ----- | 6 |
| Needless waste of game fish | 503.050 | ----- | 6 |
| Unlawfully carrying a loaded rifle or shotgun in vehicle | 503.165 | ----- | 6 |
| Unlawfully discharging a firearm | 503.175 | ----- | 6 |
| Failing to retain the cape or scalp and any antlers or horns of wildlife..... | 501.385 | 503.173 | 6 |
| Destroying or mutilating signs of the Department.. | 501.383 | ----- | 6 |
| Polluting water | 503.430 | ----- | 6 |
| Removing, altering or tampering with a tag placed on wildlife or on seized equipment | 501.377 | ----- | 6 |
| Intentionally interfering with a person lawfully hunting or trapping..... | 503.015 | ----- | 6 |
| Failing to make a reasonable effort to retrieve dead or crippled migratory waterfowl..... | 501.385 | 503.180 | 6 |

MISCELLANEOUS FISH AND GAME

| | NRS | NAC | |
|---|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Taking or gathering shed antlers in certain counties between May 1 and June 30 without a certificate in violation of NAC 503.172..... | 503.655 | 503.172 | 6 |

CATEGORY E FELONIES AND GROSS MISDEMEANORS

| | NRS | NAC | |
|--|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Conviction of a felony for intentionally killing a big game mammal, including aiding and abetting a person in the commission of the killing | 501.376 | ----- | 12 |

CATEGORY E FELONIES AND
GROSS MISDEMEANORS

| | NRS | NAC | |
|---|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Conviction of a gross misdemeanor for | | | |
| intentionally killing a big game mammal, | | | |
| including aiding and abetting a person in the | | | |
| commission of the killing..... | 501.376 | ----- | 12 |
| Conviction of a gross misdemeanor for willfully | | | |
| possessing an unlawfully killed big game | | | |
| mammal..... | 501.376 | ----- | 12 |
| Acting as a master guide or subguide without a | | | |
| license..... | 504.395 | ----- | 12 |
| Furnishing false information to obtain a big game | | | |
| tag..... | 502.060 | ----- | 12 |

TRAPPING

| | NRS | NAC | |
|---|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Unlawfully capturing a raptor with a steel leghold trap placed, set or maintained within 30 feet of exposed bait..... | 501.385 | 503.157 | 6 |
| Trapping in a closed area | 501.385 | 504.340 | 6 |
| Unlawfully removing or disturbing a trap, snare or similar device lawfully being used by another person | 503.454 | ----- | 6 |
| Trapping fur-bearing mammals during closed season | 503.440 | ----- | 6 |
| Trapping birds of prey or raptors without a permit or by unlawful means | 503.582 | 503.205 | 6 |
| Failing to visit traps, snares or similar devices 48 or more hours after the required period for visitation..... | 503.570 | 503.152 | 6 |

LICENSES

| | NRS | NAC | |
|---|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Refusing to exhibit a license, wildlife, weapon, ammunition, device or apparatus | 502.120 | ----- | 12 |
| Hunting without having procured a license | 502.010 | ----- | 6 |
| Fishing without having procured a license | 502.010 | ----- | 6 |
| Hunting without a license in possession | 502.120 | ----- | 6 |
| Fishing without a license in possession | 502.120 | ----- | 6 |
| Furnishing false information to obtain a license..... | 502.060 | ----- | 6 |
| Furnishing of false information by a person serving in the Armed Forces of the United States to obtain a specialty combination hunting and fishing license | 502.290 | 502.220 | 6 |
| Unlawfully transferring a license to another person | 502.100 | ----- | 6 |
| Unlawfully using a license of another person..... | 502.100 | ----- | 6 |
| Obtaining more than one license of each class | 502.110 | ----- | 6 |
| Altering a license | 502.105 | ----- | 6 |
| Practicing falconry without a license..... | 503.583 | 503.235 | 6 |
| Operating as a fur dealer without a license | 505.010 | ----- | 6 |

LICENSES

| | NRS | NAC | |
|---|---------|---------|----------|
| Classification of Violations | Section | Section | Demerits |
| Trapping without having procured a license..... | 502.010 | ----- | 6 |
| Taking fur-bearing mammals, trapping unprotected mammals or selling raw furs for profit without having procured a license..... | 503.454 | ----- | 6 |
| Trapping without a license in possession..... | 502.120 | ----- | 6 |
| Hunting, fishing or trapping using a license that is invalid by reason of expiration or a false statement made to obtain the license..... | 502.060 | ----- | 6 |
| Obtaining a hunting license without obtaining certification as a responsible hunter | 502.360 | ----- | 6 |

2. Except as otherwise provided in this subsection, a person who is convicted of committing a wildlife violation that does not appear in the schedule set forth in subsection 1 will be assessed 3 demerit points. No demerit points will be assessed for a violation of NRS 502.370, 502.390, 503.185, 503.310 or 504.295 to 504.398, inclusive.

3. A person who is convicted of committing a wildlife violation within 60 months after a conviction for the same violation will be assessed double the amount of demerit points listed in the schedule set forth in subsection 1.

4. A person who is convicted of committing any four wildlife violations arising out of separate events within a 60-month period will be assessed an extra 12 demerit points.