

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

LCB File No. R031-26

July 8, 2026

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

AUTHORITY: §§ 1-6, NRS 501.105, 501.181 and 504.390.

A REGULATION relating to guides; requiring, under certain circumstances, the Department of Wildlife to deny an application for a license as a master guide or subguide; establishing a process for the revocation or suspension of a license as a master guide or subguide; revising the grounds for the denial of an application for or the revocation or suspension of a license as a guide or master guide; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires each person who provides guide service for compensation or provides guide service as an incidental service to customers of any commercial enterprise to obtain a master guide license from the Department of Wildlife. Existing law further requires, with certain exceptions, each person who assists a person who is required to have a master guide license and acts as a guide in the course of that activity to obtain a subguide license from the Department. Finally, existing law authorizes the Board of Wildlife Commissioners to adopt regulations covering the conduct and operation of a guide service. (NRS 504.390) Existing regulations establish requirements for licensure as a master guide and subguide and set forth a list of the grounds for which the Department is authorized to deny applications for or revoke or suspend such licenses. (NAC 504.600-504.681) **Sections 2 and 4** of this regulation revise these grounds and require, instead of authorize, the Department to deny an application for or revoke or suspend the license of a master guide or subguide who meets such grounds. **Sections 2 and 4** additionally establish certain actions the Department must take relating to the denial of applications for and revocation or suspension of such licenses. If the Department determines pursuant to **section 4** that there are grounds for the suspension or revocation of a guide's license, **section 3** of this regulation: (1) requires the Department to provide certain notice to a master guide or subguide before the revocation or suspension of his or her license; and (2) authorizes a person who receives such notice to provide proof to the Department that he or she does not meet the grounds for suspension or revocation set forth in the notice.

Existing regulations require a person who is aggrieved by a decision of the Department to submit a written request for a hearing before the Board of Wildlife Commissioners within 30 calendar days after the person receives a notice from the Department that his or her license or permit will be denied, revoked or suspended and establish procedures for such a hearing. (NAC

501.150-501.190) **Sections 2 and 3** authorize a person who has his or her application denied or his or her license revoked or suspended pursuant to **sections 2 and 4** to appeal the decision of the Department to the Commission in accordance with such procedures.

Existing regulations authorize the permanent denial of an application for a license as a master guide or a subguide if the applicant is a habitual violator who has been convicted of three or more violations of certain provisions of law. (NAC 504.681) **Section 5** of this regulation provides that this authority exists notwithstanding the provisions of **sections 2 and 4**.

Section 6 of this regulation provides that: (1) the requirements for the revocation or suspension of a guide's license set forth in **section 4** do not apply to master guides or subguides who have been issued a guide's license in the year in which this regulation becomes effective; and (2) if such a person commits or is convicted of an act which would be grounds for the denial, suspension or revocation of a guide's license after the effective date of this regulation, any such act or conviction that occurred before the effective date of this regulation will be counted as an offense or conviction for the purpose of any graduated steps established by **section 4**.

Section 1. Chapter 504 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. *The Department may deny an application for a guide's license in accordance with the provisions of subsection 2 upon any of the following grounds:*

(a) Any applicable grounds set forth in subsection 1 of NAC 504.671;

(b) A conviction within:

(1) The 10 years immediately preceding the application for a license to be a guide of any crime involving assault, battery, including, without limitation, battery which constitutes domestic violence pursuant to NRS 33.018, stalking, theft, fraud or an equivalent provision of law of any other state that prohibits the same or substantially similar conduct;

(2) The 5 years immediately preceding the application for a license to be a guide of having violated a regulation of a federal land management agency; or

(3) The 5 years immediately preceding the application for a license to be a guide of any provision of chapter 453 of NRS or an equivalent provision of law of any other state or the Federal Government relating to controlled substances;

(c) Two or more convictions within the 7 years immediately preceding the application for a license to be a guide of any provision of chapters 484A to 484E, inclusive, or chapter 488 of NRS or an equivalent provision of law of any other state or the Federal Government relating to driving a motor vehicle or operating a boat while under the influence of an intoxicating liquor or a controlled substance;

(d) An outstanding warrant for the arrest of the applicant; or

(e) A suspension or revocation of the driver's license or right or privilege of the applicant to drive a motor vehicle in any state.

2. If the Department determines that an applicant has engaged in an act set forth in subsection 1 constituting grounds for denying an application, the Department will take the following actions with respect to his or her application for a guide's license:

(a) Except as otherwise provided in this section, if the Department determines that an applicant has, within the 5 years immediately preceding the date of the application, committed a violation described in subsection 1 for which he or she could be assessed demerit points pursuant to NAC 501.200 or, if the violation occurred in another jurisdiction, could have been assessed demerit points pursuant to NAC 501.200 if it occurred in this State, the Department will deny an application from the applicant for:

(1) If the violation could be subject to an assessment of 3 demerit points, the current licensing year.

(2) If the violation could be subject to an assessment of 6 demerit points, a period of 3 licensing years.

(3) If the violation could be subject to an assessment of 9 or more demerit points, a period of 5 licensing years.

(b) If the applicant has, within the 5 years immediately preceding the date of the application, been convicted of having violated a provision of chapter 488 of NRS as described in subparagraph (1) of paragraph (f) of subsection 1 of NAC 504.671, the Department will:

(1) If the applicant has been convicted of one violation, provide a written warning to the applicant; and

(2) Unless two or more of the convictions relate to driving a motor vehicle or operating a boat while under the influence of an intoxicating liquor or a controlled substance:

(I) If the applicant has been convicted of two violations, deny the application for the current licensing year.

(II) If the applicant has been convicted of three or more violations, deny the application for the current licensing year and deny any application for a guide's license submitted by the applicant for a period of 3 licensing years.

(c) If the applicant has committed a violation described in subsection 1 which is not set forth in paragraph (a) or (b), the Department will deny the application for the current licensing year and may continue to deny the application for a length of time determined to be appropriate by the Department, subject to the limitations set forth in NRS 504.390.

3. An applicant whose application for a license is denied pursuant to this section may appeal the decision of the Department in accordance with the provisions of NAC 501.140 to 501.190, inclusive.

4. For the purposes of this section, any period of time set forth for the denial of an application includes the licensing year in which the application is rejected.

5. If there is a conflict between the provisions of subsection 2 and the provisions of a specific statute or regulation that provide for penalties relating to the license of a guide for a

violation of that statute or regulation, the provisions of the specific statute or regulation control. The provisions of subsection 2 do not apply to a person whose license is revoked or suspended and whose application is required to be denied for a period of time pursuant to NAC 504.671.

Sec. 3. 1. Before the Department may revoke or suspend a guide's license pursuant to NAC 504.671, the Department will provide notice to the guide by certified mail of the intent of the Department to revoke or suspend his or her license which must include:

(a) An explanation of the reasons for the revocation or suspension; and

(b) A statement that he or she may submit documentation to the Department in accordance with the provisions of subsection 2.

2. A person who receives notice of the intent of the Department to revoke or suspend his or her license pursuant to subsection 1 may, within 10 business days after receipt of such notice, submit to the Department any documentation which provides proof that he or she does not meet the grounds for suspension or revocation set forth in the notice. If a person submits any documentation pursuant to this subsection, the Department will review the documentation to determine whether to suspend or revoke the guide's license. If no documentation is submitted pursuant to this subsection, the Department will suspend or revoke the guide's license in accordance with the provisions of NAC 504.671.

3. If the Department suspends or revokes a guide's license in accordance with the provisions of subsection 1, the Department will provide notice by certified mail to the person of the suspension or revocation of his or her license.

4. A person who has his or her license revoked or suspended pursuant to NAC 504.671 may appeal the decision of the Department in accordance with the procedures set forth in

NAC 501.140 to 501.190, inclusive. For the purposes of subsection 1 of NAC 501.150, if a person appeals the revocation or suspension of his or her license pursuant to this section, the notice provided pursuant to subsection 3 shall be deemed to be notice from the Department pursuant to subsection 3 of NRS 233B.127.

Sec. 4. NAC 504.671 is hereby amended to read as follows:

504.671 *1.* The Department may ~~{deny an application for or}~~ revoke or suspend a guide's license ~~{for}~~ *in accordance with the provisions of subsection 2 upon* any of the following ~~+~~ *—1.} grounds:*

(a) Fraud or deception in procuring a license.

~~{2.}~~ *(b)* Fraudulent, untruthful or misleading advertising.

~~{3.}~~ *(c)* A conviction ~~{of}~~ :

(1) Of any ~~+~~

~~—(a) Felony;}~~ *felony;* or

~~{(b) Crime}~~

(2) Within the current licensing year, of any crime involving ~~{physical}~~ *assault, battery, including, without limitation, battery which constitutes domestic* violence ~~+~~ *pursuant to NRS 33.018, stalking, theft , {or} fraud +*

~~—4.}~~ *or an equivalent provision of law of any other state that prohibits the same or substantially similar conduct.*

(d) A conviction *during the current licensing year* of having violated a regulation of a federal land management agency.

~~{5.}~~ *(e)* Immoral, unethical or dishonorable conduct in the ~~{licensee's}~~ relation *of the guide* to his or her guest, client, patron or a member of the public while providing guide services.

~~{6.}~~ ~~(f)~~ A conviction of having violated a provision of:

~~{(a)}~~ ~~(1)~~ Chapter 488 or title 45 of NRS, or any regulation adopted pursuant thereto, or for a conviction of having violated an equivalent provision in the law or regulations of any other state or the Federal Government; or

~~{(b)}~~ ~~(2)~~ NRS 444.630 or 445A.465, or any regulation adopted pursuant thereto, relating to the conduct of the guide while providing guide services.

↪ For the purposes of this ~~{subsection.}~~ *paragraph*, the term “conviction” means a final conviction. A forfeiture of bail or collateral deposited to secure a defendant’s appearance or a plea of nolo contendere is equivalent to a conviction.

~~{7.}~~ ~~(g)~~ A guide’s substantial breach of any contract with any person utilizing the guide’s services, as determined by a court of competent jurisdiction.

~~{8.—Operation by a guide in an area other than that for which the guide is specifically authorized by the federal land management agency having jurisdiction.~~

~~—9.—The employment or use of an unlicensed subguide by a master guide.~~

~~—10.}~~ ~~(h)~~ Two or more convictions *within the immediately preceding 7 years* of any provision of chapters 484A to 484E, inclusive, or chapter 488 of NRS or an equivalent provision of law of any other state or the Federal Government relating to driving a motor vehicle or operating a boat while under the influence of an intoxicating liquor or a controlled substance .

~~{within the 7 years immediately preceding the application for a license to be a guide.~~

~~—11.}~~ ~~(i)~~ A conviction *during the current licensing year* of any provision of chapter 453 of NRS or an equivalent provision of law of any other state or the Federal Government relating to controlled substances . ~~{within the 5 years immediately preceding the application for a license to be a guide.~~

~~—12.1~~ (j) Failing to report to the Division of Law Enforcement of the Department, without undue delay, any violation of ~~{the wildlife laws or regulations pertaining to the unlawful killing, possession or waste of any wildlife}~~ *title 45 of NRS* of which the guide has personal knowledge.

~~{13. Shooting, killing or taking a client's wildlife.~~

~~—14.1~~ (k) Failing to comply with any provision of NAC 504.663, 504.685 or 504.688.

~~{15.1}~~ (l) Providing guide services relating to hunting or fishing on public land or public waters without having the necessary special use permit issued by the federal land management agency having jurisdiction within the wildlife management area or unit.

~~{16. Providing guide services relating to hunting or fishing on private land in violation of NRS 503.240.~~

~~—17. Intimidating, threatening or intentionally interfering with a person who is lawfully hunting, fishing or trapping, or who is attempting to do so.~~

~~—18.1~~ (m) Revocation of a hunting, fishing or trapping license of the guide in any state for the current hunting, fishing or trapping season.

~~{19.1}~~ (n) An outstanding warrant for the arrest of the ~~{applicant or}~~ guide issued in any state.

(o) Direction by a master guide to a subguide to:

(1) Commit an act which meets the grounds set forth in this subsection; or

(2) Commit a criminal act not described in this subsection for the purposes of a commercial hunting or fishing trip.

(p) Failure of a master guide to take action to prevent the commission of an act described in paragraph (o) if the master guide knew or should have known that the subguide intended to commit such an act.

(q) A suspension or revocation of the driver's license or right or privilege of the guide to drive a motor vehicle in any state.

(r) A prohibition on the ability of the guide to own, possess or have under his or her custody or control any firearm pursuant to NRS 202.360.

2. If the Department determines that a guide has engaged in an act set forth in subsection 1 constituting grounds for revoking or suspending a guide's license, the Department will take the following actions with respect to his or her guide's license:

(a) If the Department determines that a guide has violated NAC 504.685, 504.688 or 504.693, the Department will:

(1) For the first offense within the immediately preceding 5 years, provide a written warning to the guide;

(2) For the second offense within the immediately preceding 5 years, revoke the license of the guide for the current licensing year and refuse to issue a new license to that person for a period of 3 licensing years; and

(3) For the third offense within the immediately preceding 5 years, revoke the license of the guide for the current licensing year and refuse to issue a new license to that person for a period of 5 licensing years.

(b) Except as otherwise provided in this section, if the Department determines that a guide has committed an act described in subsection 1 for which he or she could be assessed demerit points pursuant to NAC 501.200 or, if the violation occurred in another jurisdiction, could have been assessed demerit points pursuant to NAC 501.200 if it occurred in this State, the Department will revoke the guide's license and refuse to issue a new license to that person for:

(1) If the violation could be subject to an assessment of 3 demerit points, the current licensing year.

(2) If the violation could be subject to an assessment of 6 demerit points, a period of 3 licensing years.

(3) If the violation could be subject to an assessment of 9 or more demerit points, a period of 5 licensing years.

(c) If the guide has been convicted of having violated a provision of chapter 488 of NRS as described in subparagraph (1) of paragraph (f) of subsection 1, the Department will:

(1) For the first offense within the immediately preceding 5 years, provide a written warning to the guide.

(2) Unless two or more of the convictions relate to driving a motor vehicle or operating a boat while under the influence of an intoxicating liquor or a controlled substance:

(I) For the second offense within the immediately preceding 5 years, revoke the license of the guide for the current licensing year.

(II) For the third offense within the immediately preceding 5 years, revoke the license of the guide for the current licensing year and refuse to issue a new license to that person for a period of 3 licensing years.

(d) If the Department determines that a guide has committed an act described in paragraph (o) or (p) of subsection 1, the Department will revoke the license of the guide for the current licensing year and refuse to issue a new license to that person for a period of 5 licensing years.

(e) If the Department determines that a guide has committed an act described in subsection 1 which is not set forth in paragraph (a) to (d), inclusive, of this subsection, the Department

will suspend or revoke the license of the guide for a length of time determined to be appropriate by the Department, subject to the limitations set forth in NRS 504.390.

3. The Department will refuse to issue a license as a subguide to any person whose license as a master guide is revoked or suspended pursuant to this section during any period of time in which he or she is deprived of a license as a master guide pursuant to this section.

4. For the purposes of this section, any period of time set forth for a refusal to issue a new license includes the licensing year in which the guide's license is revoked.

5. If there is a conflict between the provisions of subsection 2 and the provisions of a specific statute or regulation that provide for the revocation or suspension of a guides' license for a violation of that statute or regulation, the provisions of the specific statute or regulation control.

Sec. 5. NAC 504.681 is hereby amended to read as follows:

504.681 1. ~~{Aa}~~ *Notwithstanding the provisions of NAC 504.671 and section 2 of this regulation, an* application for a license as a master guide or a subguide may be permanently denied if the applicant is a habitual violator.

2. For the purposes of this section, "habitual violator" means a person who has been previously convicted of three or more violations, or combination of violations, of title 45 or chapter 488 of NRS, including regulations adopted pursuant thereto, or the equivalent provisions of the law of any other state or federal law within any 7-year period.

Sec. 6. 1. Except as otherwise provided in this section, the amendatory provisions of section 4 of this regulation which require the Department of Wildlife to revoke or suspend a guide's license do not apply to any person who has been issued a guide's license for the licensing year in which this regulation becomes effective.

2. If a person described in subsection 1 commits or is convicted of an act which would be grounds for the denial of an application for or the revocation or suspension of a guide's license under the provisions of section 4 of this regulation after the effective date of this regulation, any such act or conviction that occurred before the effective date of this regulation will be counted as an offense or conviction for the purpose of any graduated steps established in section 4 of this regulation.