

**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.