

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

**LCB File No. T003-13**

**COMMISSION GENERAL REGULATION 425**

**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 425 (LCB File No. T003-13) pertaining to Chapter 501 of the Nevada Administrative Code.

1. The need for and purpose of the proposed regulation: (Description of regulation)  
The regulation stipulates demerit points for fraudulently using a transportation permit.

It also increases the demerit points associated with visitation of traps because failure to visit uses a lot of man hours to investigate. If someone fails to visit a trap now, it takes 4 violations before they can be revoked. Increasing the failure to visit a trap to six demerits will alleviate time and money spent on habitual offenders.

2. Text of the proposed regulation: See attached.

- 3A. The estimated economic effect of the regulation on the business which it is to regulate:  
No economic effect is anticipated due to this regulation.

- (a) Adverse effect - If passed this regulation would put illegal trappers out of business sooner, thus decreasing the opportunity for an illegal trapper to make money.
- (b) Beneficial effect – Putting the illegal trappers out of business sooner would benefit the legal trappers.
- (c) Immediate effect – If passed this regulation would put illegal trappers out of business sooner, thus decreasing the opportunity for an illegal trapper to make money. Putting the illegal trappers out of business sooner would benefit the legal trappers.
- (d) Long-term effect – If passed this regulation would put illegal trappers out of business sooner, thus decreasing the opportunity for an illegal trapper to make money. Putting the illegal trappers out of business sooner would benefit the legal trappers.

- 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 – If passed this regulation would put illegal trappers out of business sooner, thus decreasing the opportunity for an illegal trapper to make money
  - (b) Beneficial effect – Putting the illegal trappers out of business sooner would benefit the legal trappers.
  - (c) Immediate effect – If passed thus regulation would put illegal trappers out of business sooner, their decreasing the opportunity for an illegal trapper to make money. Putting the illegal trappers out of business sooner would benefit the legal trappers.
  - (d) Long-term effect - If passed thus regulation would put illegal trappers out of business sooner, their decreasing the opportunity for an illegal trapper to make money. Putting the illegal trappers out of business sooner would benefit the legal trappers.
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 other state or local government or federal regulations.
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 has no federal companion regulation.
8. The proposed regulation establishes a new fee or increases an existing fee:  No  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 501 of NAC

PROPOSED TEMPORARY REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS

LCB File No. T003-13

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 demerits assessed on game tag transportation permit and trapping visitation

NAC 501.200 Schedule of demerit points. (NRS 501.105, 501.181, 501.1818)

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

HUNTING AND TAKING

| Classification of Violations                                                                                                                                                                       | NRS Section | NAC 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       |
| Unlawfully using an aircraft, balloon or satellite to locate or observe big game 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       |

## HUNTING AND TAKING

| Classification of Violations                                                               | NRS<br>Section | NAC<br>Section | Demerits |
|--------------------------------------------------------------------------------------------|----------------|----------------|----------|
| Unlawfully taking bald eagles or golden eagles .....                                       | 503.620        | -----          | 12       |
| Taking twice the legal limit or more of big game mammals .....                             | 501.385        | -----          | 12       |
| Hunting or taking a threatened species .....                                               | 501.385        | 503.093        | 9        |
| 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 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

| Classification of Violations                                                       | NRS<br>Section | NAC<br>Section | Demerits |
|------------------------------------------------------------------------------------|----------------|----------------|----------|
| Unlawfully possessing live wildlife that is classified as prohibited .....         | 504.295        | 503.110        | 12       |
| Unlawfully possessing big game mammals during the closed season .....              | 503.030        | -----          | 12       |
| Possessing a big game mammal or parts thereof without a tag attached thereto ..... | 502.150        | -----          | 9        |

UNLAWFUL POSSESSION

| Classification of Violations                                                                                                      | NRS<br>Section | NAC<br>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

| Classification of Violations                                                             | NRS<br>Section | NAC<br>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 a Native American 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        |
| .....                                                                                    | 501.385        | 502.370        | 6        |
| Possessing the hide of a mountain lion without a seal..                                  | 501.385        | 502.370        | 6        |

TAGS AND SEALS

| Classification of Violations                                          | NRS<br>Section | NAC<br>Section | Demerits |
|-----------------------------------------------------------------------|----------------|----------------|----------|
| Possessing the horns of a bighorn sheep without a seal or brand ..... | 501.385        | 502.345        | 6        |

PERMITS

| Classification of Violations                                                                            | NRS<br>Section | NAC<br>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       |
| 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        |

FISHING

| Classification of Violations                                                                     | NRS<br>Section | NAC<br>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

| Classification of Violations                                                                               | NRS<br>Section        | NAC<br>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               |
| Needless waste of game birds or game mammals, other than big game.....                                     | 503.050               | -----                 | 9                |
| Unlawfully selling a threatened species.....                                                               | 501.379               | -----                 | 9                |
| Unlawfully selling game other than big game mammals .....                                                  | 501.379               | -----                 | 6                |
| 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                |
| Commercial taking of crayfish, except in accordance with a permit issued pursuant to NAC 503.540 .....     | 501.385               | 503.540               | 6                |
| Intentionally interfering with a person lawfully hunting or trapping.....                                  | 503.015               | -----                 | 6                |
| Hunting or trapping on private property without permission .....                                           | 503.240               | -----                 | 6                |
| Failing to make a reasonable effort to retrieve dead or crippled migratory waterfowl .....                 | 501.385               | 503.180               | 6                |
| <b><i>Unlawful use of game tag transportation permit .....</i></b>                                         | <b><i>503.040</i></b> | <b><i>502.403</i></b> | <b><i>12</i></b> |

CATEGORY E FELONIES AND GROSS MISDEMEANORS

| Classification of Violations | NRS<br>Section | NAC<br>Section | Demerits |
|------------------------------|----------------|----------------|----------|
|------------------------------|----------------|----------------|----------|



CATEGORY E FELONIES AND  
GROSS MISDEMEANORS

| Classification of Violations                                                                                                                                 | NRS<br>Section | NAC<br>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       |
| 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

| Classification of Violations                                                                                           | NRS<br>Section        | NAC<br>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 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               |
| <b><i>Fail to visit trap within 96 hours .....</i></b>                                                                 | <b><i>503.570</i></b> | <b><i>-----</i></b> | <b><i>6</i></b> |

LICENSES

| Classification of Violations                                                           | NRS<br>Section | NAC<br>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        |

## LICENSES

| Classification of Violations                                                                                                                    | NRS<br>Section | NAC<br>Section | Demerits |
|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|----------|
| 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<br>the Armed Forces of the United States to obtain a<br>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        |
| Trapping without having procured a license.....                                                                                                 | 502.010        | -----          | 6        |
| Taking fur-bearing mammals, trapping unprotected<br>mammals or selling raw furs for profit without having<br>procured a license .....           | 503.454        | -----          | 6        |
| Trapping without a license in possession.....                                                                                                   | 502.120        | -----          | 6        |
| Hunting, fishing or trapping using a license that is<br>invalid by reason of expiration or a false statement<br>made to obtain the license..... | 502.060        | -----          | 6        |
| Operating a shooting preserve without a license .....                                                                                           | 504.310        | -----          | 6        |
| Performing taxidermal services without a license .....                                                                                          | 502.370        | 502.435        | 6        |
| Obtaining a hunting license without obtaining<br>certification as a responsible hunter.....                                                     | 502.360        | -----          | 6        |

2. 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.

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.