

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

LCB File No. R159-03

November 18, 2003

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

AUTHORITY: §1, NRS 501.105, 501.181, 503.150.

Sec. 1. Chapter 503 of NAC is hereby amended by adding thereto a new section to read as follows:

1. In addition to the prohibitions set forth in subsection 2 of NRS 503.010 and subsection 1 of NRS 503.165 and except as otherwise provided in subsection 3 of NRS 503.165, it is unlawful for a hunter or trapper or a person assisting or accompanying a hunter or trapper to carry a weapon authorized for hunting big game or game birds pursuant to NRS 503.150, or any regulation adopted by the Commission, in or on any off-road vehicle that is being operated 25 yards or more from the edge of an established road located on public land within a management area or management unit which has an open season for the hunting of big game or game birds in effect.

2. The provisions of this section do not apply to:

(a) A hunter who is retrieving a big game mammal which he has taken; or

(b) A hunter or trapper who is using an off-road vehicle to cross a playa or travel by way of a sandy wash.

3. The provisions of this section do not authorize the use of an off-road vehicle in violation of any applicable federal or state law or regulation or local ordinance.

4. As used in this section:

(a) *“Curb base weight” means the weight of a motor vehicle without passengers or cargo.*

(b) *“Established road” means:*

(1) *A road of any material that is built by machinery and intended for use by motor vehicles with a curb base weight of 2000 pounds or more;*

(2) *A road that is maintained by machinery and intended for use by motor vehicles with a curb base weight of 2000 pounds or more; or*

(3) *A dirt road that:*

(I) *Has existing ruts caused by the tires of a motor vehicle with a curb base weight of 2000 pounds or more;*

(II) *Accommodates the left and right front tires of a motor vehicle with a curb base weight of 2000 pounds or more;*

(III) *Shows use by motor vehicles outside the open season for purposes other than hunting or trapping, including, without limitation, recreation, mining and ranching; and*

(IV) *Does not appear to have been closed legally or permanently to vehicular traffic by the use of artificial means, including, without limitation, scarification, reseeding, fences, locked gates, barricades or posted notice of closures.*

(c) *“Off-road vehicle” means a self-propelled vehicle that is designed to travel on two or more wheels in contact with the ground and which is generally used to transport persons for recreational purposes. The term does not include a motor vehicle which has a curb base weight of 2000 pounds or more.*

(d) *“Playa” means the nearly level bottom of an undrained desert basin that may temporarily be covered by water to create a shallow lake.*

(e) *“Sandy wash” means the dry bed of a stream.*