

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

LCB File No. R176-03

November 14, 2003

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; §§2-7, NRS 501.105 and 501.181.

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

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			

HUNTING AND TAKING

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
communicating that information to a person on the ground for the purpose of hunting	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	503.585	503.093	12
Killing, destroying, wounding, trapping or injuring American eagles or golden eagles	503.610	503.090	12
Unlawfully hunting American eagles or golden eagles	503.620	503.090	12
Hunting or taking a threatened species	501.385	503.093	9
Hunting big game mammals during closed season	503.090	-----	6

HUNTING AND TAKING

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Hunting fur-bearing mammals during 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 privately owned wildlife management area	504.140	-----	6
Unlawfully hunting in state-owned wildlife management area	504.143	-----	6
Hunting big game mammals during prohibited hours	503.140	-----	6
Unlawfully hunting game birds or game mammals with 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

UNLAWFUL POSSESSION

Classification of Violations	NRS Section	NAC Section	Demerits
Unlawfully possessing live wildlife that is classified as prohibited	504.295	503.110	12
Possessing twice the legal limit or more of big game mammals or fur-bearing mammals	501.385	-----	12
Unlawfully possessing big game mammals or fur-bearing mammals during closed season	503.030	-----	9
Possessing big game mammals or fur-bearing mammals in excess of the legal limit but less than twice the legal limit	501.385	-----	9
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
Possessing game birds or game mammals, other than big game, during closed season	503.030	-----	6
Possessing fish during closed season	503.030	-----	6

UNLAWFUL POSSESSION

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
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
Possessing game mammal of a prohibited age or with prohibited physical characteristics	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, other than a swan tag, to another person	502.140	502.385	9

TAGS AND SEALS

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Possessing or using a tag, other than a swan tag, legally issued to another person	502.140	502.385	9
Obtaining tags, other than swan tags, in excess of legal limit	502.140	502.331	9
Possessing used tags or tags, other than swan tags, in excess of legal limit	502.150	-----	9
Nonresident unlawfully using a tag	502.200	-----	9
Hunting swan without a swan tag	501.385	502.380	6
Transferring a swan tag	502.140	-----	6
Possessing or using a swan tag legally issued to another	502.140	-----	6
Obtaining swan tags in excess of legal limit	502.140	-----	6
Possessing used swan tags or swan tags in excess of legal limit	502.150	-----	6
Using a tag in improper area	502.160	502.385	6
Failure to punch a tag properly	502.160	502.390	6
Hunting by an Indian off an Indian reservation without a tag	502.280	-----	6

TAGS AND SEALS

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
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
Possessing the hide of a mountain lion without a seal	501.385	502.370	6
Possessing the horns of a 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

PERMITS

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
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	-----	6
Possessing a raptor without a permit	503.582	503.205	6
Furnishing false information to obtain a permit	502.060	-----	6

FISHING

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Fishing at a fish hatchery or other closed area	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 Division	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 gun in vehicle	503.165	-----	6
Unlawfully discharging a gun	503.175	-----	6
Failing to retain the cape, antlers or horns of wildlife <i>maintain evidence of the sex of an animal</i>	501.385	503.173	6

MISCELLANEOUS FISH AND GAME

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Destroying or mutilating signs of the Division	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	501.385	503.540	6
Interfering with a person lawfully hunting or trapping	503.015	-----	6
Hunting or trapping on private property without permission	503.240	-----	6

GROSS MISDEMEANORS

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Killing or possessing certain big game mammals with an otherwise valid tag but when season is not open	501.376	-----	12

GROSS MISDEMEANORS

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Killing or possessing certain big game mammals without a valid tag	501.376	-----	12
Killing or possessing certain big game mammals outside of the area specified on tag	501.376	-----	12
Killing or possessing certain big game mammals with a tag obtained by fraud	501.376	-----	12
Killing or possessing certain big game mammals with another person's tag	501.376	-----	12
Killing or possessing certain big game mammals outside of the hours set for lawful hunting	501.376	-----	12
Acting as a guide 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
Trapping or killing 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

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

LICENSES

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Furnishing of false information by person serving in Armed Forces of United States to obtain a 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 mammals or selling raw furs for profit without having procured a license	503.454	-----	6
Trapping without a license in possession	502.120	-----	6
Operating a shooting preserve without a license	504.310	-----	6
Performing taxidermal services without a license	502.370	502.435	6

LICENSES

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Obtaining a hunting license without obtaining 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 within a 60-month period will be assessed an extra 12 demerit points.

Sec. 2. Chapter 503 of NAC is hereby amended by adding thereto the provisions set forth as sections 3 and 4 of this regulation.

Sec. 3. *As used in NAC 503.142 to 503.195, inclusive, and sections 3 and 4 of this regulation, “longbow” means any recurved bow or compound bow.*

Sec. 4. *The Board of Wildlife Commissioners hereby establishes the following exception to paragraph (f) of subsection 1 of NRS 503.150. A sight attached to a firearm or longbow that is used to hunt a game mammal or game bird may be illuminated or powered by:*

1. A battery contained within the sight;

- 2. *Light gathering fiber optics;*
- 3. *A radioactive isotopes such as tritium; or*
- 4. *Iridescent or fluorescent paint.*

↪ *It is unlawful for a person to hunt a game mammal or a game bird with a weapon that is equipped with a sight that is capable of casting or projecting a beam of light from the sight to the animal.*

Section 5. NAC 503.142 is hereby amended to read as follows:

503.142 The Board of Wildlife Commissioners hereby establishes the following exceptions to paragraph (b) of subsection 1 of NRS 503.150:

1. During a type of hunt that is restricted to muzzle-loading firearms, a person may hunt a big game mammal only with a muzzle-loading rifle or muzzle-loading musket, and may use only a lead ball, a lead bullet, a semijacketed bullet or a metal alloy bullet that expands. *The use of smokeless powder is prohibited. Only black powder or a black powder substitute such as Pyrodex or Triple 7 may be used as a propellant.* A sabot round may be used. The muzzle-loading rifle or muzzle-loading musket must have the following characteristics:

(a) A wheel lock, matchlock or flintlock ignition system, or a percussion ignition system ~~if the percussion system~~ *that* uses a primer or percussion cap ; ~~that fits on the nipple;~~

(b) A single barrel of caliber .45 or larger; and

(c) Open sights , ~~or~~ peep sights ~~or~~ *or rifle scopes with a fixed magnification of one power.* *The use of a sight that is operated or powered by a battery, electronics or a radioactive isotope such as tritium is prohibited.*

↪ The muzzle-loading rifle or the muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.

2. During a type of hunt that is restricted to muzzle-loading firearms, it is unlawful for a person hunting under the authority of a tag for such a hunt to carry in the field a firearm or longbow and arrow except for:

(a) A muzzle-loading rifle or a muzzle-loading musket with the characteristics set forth in subsection 1; or

(b) A flintlock or percussion handgun. *However, it is unlawful to use such a handgun to hunt a big game mammal.*

3. During a type of hunt in which the use of any legal weapon is authorized by a regulation of the Commission, a person may hunt a big game mammal with a muzzle-loading rifle or muzzle-loading musket only if:

(a) The muzzle-loading rifle or muzzle-loading musket has:

(1) A single barrel of caliber .45 or larger; and

(2) Open sights, peep sights or a rifle scope.

(b) The person uses a lead ball, a lead bullet, a semijacketed bullet or a metal alloy bullet that expands. A sabot round may be used.

↪ The muzzle-loading rifle or muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.

4. A person may hunt big game mammals with a rifle if the rifle uses a centerfire cartridge of caliber .22 or larger.

5. A person may hunt big game mammals with a handgun if the handgun uses a centerfire cartridge, has a barrel length of 4 inches or more and:

(a) Uses a cartridge of caliber .22 or larger with an overall loaded length of 2 inches or more;
or

(b) Uses a cartridge of caliber .24 or larger with a case of length no less than the length of the case of a cartridge for a Remington magnum of caliber .44.

6. A person may hunt deer and mountain lion with a shotgun no larger than 10 gauge and no smaller than 20 gauge. Rifled slugs must be used when hunting deer.

Sec. 6. NAC 503.144 is hereby amended to read as follows:

503.144 1. ~~[A]~~ *The bowstring of a* longbow used in hunting *must be moved or held entirely by the muscle power of the shooter through all points of the draw cycle until release and may only be released by direct and conscious action of the shooter, either by relaxing the tension of the fingers or by triggering the release action of a handheld release aid.*

2. *A longbow used in hunting a big game mammal* must, in the hands of the user, be capable of throwing a 400 grain arrow 150 yards over level terrain. Arrows used in hunting big game mammals must ~~[have hunting tips at least 3/4-inch wide.~~

~~—2.]~~ *be at least 24 inches long and have:*

(a) *Fixed broadheads that are at least 7/8-inch wide at the widest point; or*

(b) *Expandable, mechanical broadheads that are at least 7/8-inch wide at the widest point when the broadhead is in the open position.*

3. It is unlawful for any person to ~~[carry]~~:

(a) *Carry* any firearm in the field while hunting under archery regulations.

~~[3.—As used in this section, “longbow” includes any recurved bow or compound bow.]~~

(b) Except as otherwise provided in this paragraph, carry a longbow with an arrow nocked on the bowstring while in or on any motorized vehicle while such vehicle is on a public highway or other public right-of-way. The provisions of this paragraph do not apply to a person that cannot walk because of a severe physical handicap, such as full or partial paralysis or amputation of one or both legs, if the motorized vehicle is not in motion.

(c) Hunt any game mammal or game bird with a longbow that uses any mechanical device that can anchor a nocked arrow at full draw or partial draw.

(d) Hunt any wildlife with an arrow that has any chemical, explosive or electronic device attached.

Sec. 7. NAC 503.173 is hereby amended to read as follows:

503.173 *1.* Except as otherwise provided in NAC 502.403, any person who kills a deer, elk, mountain goat, antelope or bighorn sheep shall ~~[, until the carcass is frozen, smoked, dried, consumed or accepted by a commercial processing plant for processing, maintain possession of both the cape extending above the eyes and the ears and any antlers or horns. The cape and any antlers or horns from the animal must be possessed in such a manner that they remain or are kept together with the carcass]~~ *maintain evidence of the sex of the animal. The evidence of the sex of the animal must be kept with the meat of the animal while in the field, in transit from the field and until the meat is delivered to:*

(a) The residence of the holder of the tag;

(b) The final place of storage, as indicated on a transportation permit issued by the Department or an agent of the Department pursuant to NRS 503.040; or

(c) A commercial facility for the processing of meat.

2. If the transportation of the animal from the place where the animal was killed to the camp of the holder of the tag or to the means of transportation of the holder of the tag will require multiple trips, evidence of the sex of the animal must accompany the first load of meat transported.

3. As used in this section, “evidence of the sex of the animal” means:

(a) For a male animal:

(1) The head of the animal remains naturally attached to the carcass or to a front quarter with any antlers or horns still intact; or

(2) Any antlers or horns of the animal remain naturally attached to the skull plate, and the testicles, scrotum or penis of the animal remain naturally attached to a hindquarter or to a piece of the meat of the thigh that has been cut from a hindquarter; or

(b) For a female animal:

(1) The head of the animal remains naturally attached to the carcass or to a front quarter; or

(2) The vulva or the udders of the animal remain naturally attached to a hindquarter or to a piece of the meat of the thigh that has been cut from a hindquarter.