

**ADOPTED REGULATION OF
THE BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R134-04

Effective October 28, 2004

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

AUTHORITY: §§1 and 2, NRS 488.045, 488.175 and 501.181.

A REGULATION relating to watercraft; authorizing the Department of Wildlife to issue temporary operating permits to vessel owners who have applied to the United States Coast Guard for marine documents; and providing other matters properly relating thereto.

Section 1. NAC 488.120 is hereby amended to read as follows:

488.120 *1. The Department may issue a temporary operating permit to a vessel owner who has applied to the United States Coast Guard for a marine document and who is awaiting approval for such a document.*

2. A vessel owner who requests a temporary operating permit must provide to the Department a copy of the application for a marine document that:

- (a) He submitted to the United States Coast Guard; and*
- (b) Includes the vessel's physical description and hull identification number.*

3. A temporary operating permit issued by the Department pursuant to subsection 1 is valid:

(a) For the time period prescribed by the Department on the permit, not to exceed 90 days; and

- (b) Only on the waters of this State.*

4. The Department shall issue a certificate of number and validation decal for a vessel which has a valid marine document issued by the United States Coast Guard ~~if~~ *if the vessel owner presents to the Department a copy of that marine document.*

Sec. 2. NAC 488.180 is hereby amended to read as follows:

488.180 1. A person may not use a vessel which does not have a current validation decal on each side of the vessel unless:

(a) The vessel is exempt pursuant to NRS 488.175; ~~or~~

(b) Not more than 10 days before the date of the use of the vessel, the Department issued a temporary authorization number for the vessel pursuant to subsection 2 of NAC 488.175 ~~if~~; *or*

(c) The person possesses a valid temporary operating permit issued by the Department pursuant to NAC 488.120.

2. Except as otherwise provided in subsection 3, the decals required for a vessel must be attached:

(a) Within 6 inches of the last letter of the identification number on the port side;

(b) Within 6 inches of the letters "NV" on the starboard side; and

(c) Level with the identification numbers on both sides.

3. A vessel with a valid marine document issued by the United States Coast Guard:

(a) Is exempt from the requirements of subsection 2;

(b) Must be properly marked, pursuant to federal requirements, with the name and home port of the vessel; and

(c) Must have the validation decal of the vessel attached to each side of the forward half of the vessel so that the decal is distinctly visible on both the port and starboard sides.

4. The year in which each validation decal expires will be indicated by the colors blue, international orange, green or red in rotation beginning with blue for decals that expire in 1973.

The decal will be approximately 3 inches square.

5. A validation decal that has been cut, trimmed or otherwise altered is not valid.

6. For the purposes of this section, a vessel is being used if the vessel:

(a) Is upon the waters of this State, including, without limitation, if it is tied or fastened to a dock, mooring or shore; and

(b) Is not aground on the shore.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R134-04**

The Board of Wildlife adopted regulations assigned LCB File No. R134-04 which pertain to chapter 488 of the Nevada Administrative Code on September 11, 2004.

Notice date: 8-5-2004

Date of adoption by agency: 9-11-2004

Hearing date: 9-11-2004

Filing date: 10-28-2004

INFORMATIONAL STATEMENT

1. **Description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**
2. **The number of persons who:**
 - (a) **Attended each hearing:** 8
 - (b) **Testified at each hearing:** 0
 - (c) **Submitted to the agency written statements:** 0
3. **A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary:** The regulation was sent to the Board of Wildlife Commissioners and the 17 county advisory boards to manage wildlife and other interested persons. Public comment is solicited throughout the workshop and meeting to act upon the regulation.
4. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change:** Participating public satisfied with language as presented.
5. **The estimated economic effect of the regulations on the businesses they are to regulate and on the public.**
 - (a) **Estimated economic effect on the businesses which they are to regulate.**
 - (1) **Adverse - N/A**
 - (2) **Beneficial - N/A**
 - (3) **Immediate - N/A**
 - (4) **Long term – N/A**
 - (b) **Estimated economic effect on the public which they are to regulate.**
 - (1) **Adverse – N/A**

- (2) **Beneficial** – N/A
- (3) **Immediate** – N/A
- (4) **Long term** – N/A

6. The estimated cost to the agency for enforcement of the proposed regulation: N/A

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary: United States Coast Guard

If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions: N/A

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used: N/A