

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

LCB File No. R107-05

January 25, 2006

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 and 501.1818; §3, NRS 501.105, 501.181 and 502.130; §4, NRS 501.105, 501.181, 502.130, 502.140 and 502.160; §§5-11, NRS 501.105 and 501.181; §12, NRS 501.105, 501.119 and 501.181.

A REGULATION relating to wildlife; expanding the wildlife convictions for which the Department of Wildlife must assess demerit points; expanding the circumstances under which the Department will refuse to issue a new license, permit or privilege to a person for accumulating demerit points for a wildlife conviction; prohibiting a person from transferring ownership or tanning the pelt of a bobcat under certain circumstances; authorizing a person to transport from this State the pelt of a bobcat or the unskinned carcass of a bobcat under certain circumstances; making it unlawful to present for sealing or to have sealed in this State the pelt of a bobcat taken in another state; making it unlawful to hunt, chase or pursue a mountain lion after it is released from a trap under certain circumstances; requiring a person who kills a mountain lion accidentally or in defense of life or property to report the killing within a certain period; interpreting the terms “visit” and “cause to be visited” for certain purposes relating to trapping; prohibiting a person who holds a nonresident trapping license from removing a bobcat or gray fox from a trap that is placed, set or used by a person who holds a resident trapping license issued by the Department; establishing requirements for the disposal of the carcasses of certain trapped wildlife; making it unlawful to capture a mammal or bird with a steel leghold trap that is placed within a certain distance of exposed bait; requiring a person who purchases a trapping license from the Department or a license agent to complete and return to the Department a reporting form or questionnaire required by the Department; and providing other matters properly relating thereto.

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
<i>Unlawfully using information obtained in violation of subsection 3 of NRS 503.010 to hunt or kill game mammals or game birds</i>	<i>503.010</i>	<i>----</i>	<i>12</i>
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

HUNTING AND TAKING

Classification of Violations	NRS Section	NAC Section	Demerits
[Killing,] Unlawfully killing , destroying, wounding, trapping or injuring bald eagles or golden eagles.....	503.610	[503.090]	12

Unlawfully [hunting] taking bald eagles or golden eagles.....	503.620	[503.090]	12

<i>Taking twice the legal limit or more of big game mammals or fur-bearing mammals</i>	<i>501.385</i>	<i>----</i>	<i>12</i>
<i>Killing a mountain lion caught in a trap without a valid depredation permit</i>	<i>501.385</i>	<i>502.370</i>	<i>12</i>
<i>Unlawfully killing or trapping a bobcat or gray fox by a nonresident during the closed season.....</i>	<i>503.440</i>	<i>----</i>	<i>12</i>
Hunting or taking a threatened species	501.385	503.093	9
<i>Unlawfully hunting migratory game birds by aid of baiting</i>	<i>501.385</i>	<i>503.180</i>	<i>9</i>
<i>Unlawfully killing or trapping a bobcat or gray fox by a resident during the closed season</i>	<i>503.440</i>	<i>----</i>	<i>9</i>

HUNTING AND TAKING

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
<i>Unlawfully killing or trapping a fur-bearing mammal other than a bobcat or gray fox during the closed season.....503.440</i>			
Hunting big <i>game</i> mammals during <i>the</i> closed season	503.090	-----	6
Hunting fur-bearing mammals during <i>the</i> 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			
Unlawfully hunting in a state-owned wildlife management area.....504.143			
Hunting big game mammals <i>or migratory game birds</i> 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 AND TAKING

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Hunting alternative livestock	503.242	----	6
<i>Hunting, chasing or pursuing a mountain lion after it is released from a trap in violation of paragraph (f) of subsection 4 of NAC 502.370.....</i>	<i>501.385</i>	<i>502.370</i>	<i>6</i>
<i>Killing a female mountain lion that is accompanied by a spotted kitten.....</i>	<i>501.385</i>	<i>502.370</i>	<i>6</i>
<i>Killing or possessing a spotted mountain lion kitten.....</i>	<i>501.385</i>	<i>502.370</i>	<i>6</i>
<i>Taking a game mammal of a prohibited age or with prohibited physical characteristics</i>	<i>501.385</i>	<i>----</i>	<i>6</i>

UNLAWFUL POSSESSION

	NRS	NAC	
Classification of Violations	Section	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

UNLAWFUL POSSESSION

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Unlawfully possessing big game mammals [or fur-bearing mammals] during <i>the</i> closed season	503.030	----	[9] 12
[[Possessing big game mammals or fur bearing mammals in excess of the legal limit but less than twice the legal limit.....	501.385	—	9]
<i>Unlawfully possessing a bobcat or gray fox by a nonresident during the closed season.....</i>	<i>503.030</i>	<i>----</i>	<i>12</i>
<i>Possessing a big game mammal or parts thereof without a tag attached thereto</i>	<i>502.150</i>	<i>----</i>	<i>12</i>
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
<i>Unlawfully possessing a fur-bearing mammal during the closed season other than possessing a bobcat or gray fox by a nonresident during the closed season</i>	<i>503.030</i>	<i>----</i>	<i>9</i>
Possessing game birds or game mammals, other than big game, during <i>the</i> closed season.....	503.030	----	6
Possessing fish during <i>the</i> closed season.....	503.030	----	6

UNLAWFUL POSSESSION

Classification of Violations	NRS Section	NAC 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

Classification of Violations	NRS Section	NAC 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 the legal limit	502.140	502.331	9
Possessing used tags or tags, other than swan tags, in excess of the legal limit.....	502.150	-----	9
Unlawfully using a tag	502.200	-----	9
Hunting swan without a swan tag	501.385	502.380	6
Transferring a swan tag.....	502.140	502.380	6
Possessing or using a swan tag legally issued to another.....	502.140	502.380	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 an improper area	502.160	502.385	6
Failure <i>Failing</i> to punch a tag properly	502.160	502.390	6
<i>Failing to attach a tag to a big game mammal in the manner prescribed by regulation.....</i>	<i>502.160</i>	<i>502.400</i>	<i>6</i>

TAGS AND SEALS

Classification of Violations	NRS Section	NAC Section	Demerits
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
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

Classification of Violations	NRS Section	NAC 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

Classification of Violations	NRS Section	NAC 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	503.810	6
Possessing a raptor without a permit	503.582	503.205	6
Furnishing false information to obtain a permit	502.060	-----	6

FISHING

Classification of Violations	NRS Section	NAC 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 Section	NAC 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

MISCELLANEOUS FISH AND GAME

Classification of Violations	NRS Section	NAC Section	Demerits
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.....	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
<i>Failing to make a reasonable effort to retrieve a dead or crippled migratory game bird</i>	<i>501.385</i>	<i>503.180</i>	<i>6</i>

CATEGORY E FELONIES AND
GROSS MISDEMEANORS

Classification of Violations	NRS Section	NAC Section	Demerits
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CATEGORY E FELONIES AND
GROSS MISDEMEANORS

Classification of Violations	NRS Section	NAC Section	Demerits
Killing or possessing certain big game mammals			
with an otherwise valid tag but when season is not			
open.....	501.376	—	12
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
<i>Conviction of a felony for intentionally killing a big</i>			
<i>game mammal, including aiding and abetting a</i>			
<i>person in the commission of the killing.....</i>	<i>501.376</i>	<i>-----</i>	<i>12</i>

CATEGORY E FELONIES AND
GROSS MISDEMEANORS

Classification of Violations	NRS Section	NAC Section	Demerits
<i>Conviction of a gross misdemeanor for intentionally</i>			
<i> killing a big game mammal, including aiding and</i>			
<i> abetting a person in the commission of the killing ...501.376</i>			
		-----	12
<i>Conviction of a gross misdemeanor for willfully</i>			
<i> possessing an unlawfully killed big game</i>			
<i> mammal501.376</i>			
		-----	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 Section	NAC Section	Demerits
<i>Placing, setting or maintaining a steel leghold trap</i>			
<i> within 30 feet of exposed bait.....501.385</i>			
		503.157	9

<i>Unlawfully capturing a mammal or bird with a steel leghold trap placed, set or maintained within 30 feet of exposed bait.....</i>	<i>501.385</i>	<i>503.157</i>	<i>9</i>
<i>Using parts of a game mammal, game bird, game fish, game amphibian or protected species of wildlife as bait.....</i>	<i>501.385</i>	<i>503.157</i>	<i>9</i>
<i>Failing to visit or cause to be visited any trap, snare or device at least once each 96 hours, or to remove any mammal caught in the trap, snare or device, if the failure occurred 48 hours or more after any such 96-hour period</i>	<i>503.570</i>	<i>-----</i>	<i>9</i>
<i>Failing to visit or cause to be visited any trap, snare or device at least once each 96 hours, or to remove any mammal caught in the trap, snare or device, if the failure occurred more than 24 hours but less than 48 hours after any such 96- hour period</i>	<i>503.570</i>	<i>-----</i>	<i>6</i>
<i>Trapping in a closed area</i>	<i>501.385</i>	<i>504.340</i>	<i>6</i>
<i>Unlawfully removing or disturbing a trap lawfully being used by another person</i>	<i>503.454</i>	<i>-----</i>	<i>6</i>
<i>Trapping or killing fur-bearing mammals during closed season.....</i>	<i>503.440</i>	<i>-----</i>	<i>6</i>

Trapping birds of prey or raptors without a permit or by unlawful means	503.582	503.205	6
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LICENSES

Classification of Violations	NRS Section	NAC 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 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

LICENSES

Classification of Violations	NRS Section	NAC Section	Demerits
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
<i>Hunting, fishing or trapping using a license that is invalid by reason of expiration or a false statement made to obtain the license</i>			
	<i>502.060</i>	<i>-----</i>	<i>6</i>
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 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.

Sec. 2. NAC 501.210 is hereby amended to read as follows:

501.210 The Department will revoke any hunting, fishing or trapping license, permit or privilege issued to a person pursuant to title 45 of NRS if that person accumulates 12 or more demerit points within the 60-month period preceding his most recent wildlife conviction and will refuse to issue a new license, permit or privilege to that person for:

1. Three years, if the demerits are accumulated within a 42-month period ~~[-or]~~ *and are not assessed because of a conviction of a felony or gross misdemeanor for a violation of NRS 501.376;*

2. Two years, if the demerits are accumulated within a 60-month period ~~[-]~~ *and are not assessed because of a conviction of a felony or gross misdemeanor for a violation of NRS 501.376;*

3. *Ten years, if the demerits are assessed because of a conviction of a felony for a violation of NRS 501.376; or*

4. *Five years, if the demerits are assessed because of a conviction of a gross misdemeanor for a violation of NRS 501.376.*

Sec. 3. NAC 502.347 is hereby amended to read as follows:

502.347 1. Any person who kills a bobcat shall, within 10 days after the close of the season, personally:

(a) Present its pelt for inspection by and give its lower jaw to a representative of the Department;

(b) Have the Department's seal affixed to the pelt; and

(c) Complete a report of the killing in accordance with the Department's instructions.

2. A person shall not sell, offer for sale, barter, trade, purchase, *transfer ownership, tan, offer for out-of-state shipment by a common carrier* or, *except as otherwise provided in subsection 3*, transport from ~~the~~ *this* State any pelt of a bobcat unless the Department has affixed its seal to the pelt.

3. *During the season designated by the Commission for the taking of bobcats, a person who holds a valid resident license to trap fur-bearing mammals may transport from this State, for not more than 2 hours:*

(a) *The pelt of a bobcat that has not been stretched, dried or cured; or*

(b) *The entire unskinned carcass of a bobcat,*

↪ lawfully taken by the person in this State, without the seal being affixed to the pelt pursuant to subsection 2, for the purpose of returning to the person's residence within this State by the most expedient route or checking any additional trap set by the person that is located in an area of this State that is most readily accessed from any state. The provisions of this subsection do not authorize a person to import, transport, export or possess an unsealed pelt in violation of a law or regulation of any state.

4. A person shall not possess a ~~raw~~ pelt of a bobcat 10 days or more after the close of the season unless the Department's seal is permanently attached to the pelt.

~~4.~~ 5. A resident of Nevada must pay the Department \$5 for such a seal.

6. It is unlawful for a person to present for sealing or to have sealed in this State the pelt of any bobcat taken in another state.

7. As used in this section, “pelt” means the hide or skin of a bobcat that is not permanently tanned or has not been processed to a finished form or product beyond initial fleshing, cleaning, temporary tanning, curing, stretching, salting or drying. The term includes, without limitation, any green pelt or raw pelt.

Sec. 4. NAC 502.370 is hereby amended to read as follows:

502.370 1. *A tag is required to hunt a mountain lion.* Unless otherwise specified by a regulation of the Commission or title 45 of NRS, any resident of Nevada or nonresident is eligible to obtain not more than two mountain lion tags in any year. A mountain lion tag:

(a) May be purchased from the Department or a license agent;

(b) May be used in any management unit or group of management units in Nevada during any open season established for the management unit or group of management units pursuant to subsection 2; and

(c) Expires upon the termination of all the open seasons established pursuant to subsection 2 for the year for which the tag is issued.

2. The Commission will annually specify the number of mountain lions it determines to be appropriate for harvesting in a management unit or group of management units. The open season for mountain lions in each such management unit or group of management units begins on March 1 and ends on:

(a) The last day of the next succeeding February; or

(b) The day the Department determines that the number of mountain lions harvested in that management unit or group of management units is equal to or greater than the number specified by the Commission pursuant to this subsection,

↳ whichever occurs earlier. The Department shall maintain and annually publish a toll-free telephone number for ascertaining whether the Department has determined that the number of mountain lions harvested in a management unit or group of management units is equal to or greater than the number specified by the Commission pursuant to this subsection. The Department is not required to provide any other notice of the termination of an open season for mountain lions in a management unit or group of management units.

3. A person who harvests a mountain lion shall, within 72 hours after harvesting it, personally present the skull and hide to a representative of the Department for inspection. The representative shall affix the seal of the Department permanently to the hide.

4. It is unlawful for any person to:

(a) Transport the hide of a mountain lion from this State without ~~the~~ *the seal required pursuant to this section* permanently affixed to the hide.

(b) Except as otherwise provided in subsection 3, possess the hide of a mountain lion without a seal permanently attached to it.

(c) Kill a female mountain lion which is accompanied by a spotted kitten.

(d) Kill or possess a spotted mountain lion kitten.

(e) Kill a mountain lion caught in a trap unless authorized to do so in accordance with a valid depredation permit issued by the Department pursuant to NRS 503.470 or NAC 503.710 to 503.740, inclusive.

(f) Hunt, chase or pursue a mountain lion:

- (1) Within 24 hours after it is released from a trap;*
- (2) Within 24 hours after observing the release of the mountain lion from a trap; or*
- (3) After receiving information that the mountain lion was released from a trap at a specified location within the immediately preceding 24 hours.*

5. If a mountain lion is accidentally trapped ~~[or killed,]~~ *and found alive and* the person trapping ~~[or killing]~~ *the mountain lion is unable to release it, the person* shall report the trapping ~~[or killing within 48]~~ *within 24* hours to a representative of the Department. The ~~[animal must be disposed of in accordance with the instructions of the representative.]~~

Department will provide reasonable assistance to the person for the release of the mountain lion. A person who complies with the provisions of this subsection is not subject to a charge of unlawful taking of wildlife by the Department unless an investigation of the trapping of the mountain lion produces evidence that contradicts the circumstances relating to the trapping submitted by the person to the Department.

6. *If a person kills a mountain lion accidentally or to protect the life or property of any person in imminent danger of being attacked by the mountain lion, the person shall report the killing to a game warden, biologist or office of the Department within 24 hours after killing the mountain lion. The mountain lion remains the property of the State of Nevada and must be released to the Department for disposal.*

7. *As used in this section, “hide” means the hide or skin of a mountain lion that is not permanently tanned or has not been processed to a finished form or product beyond initial fleshing, cleaning, temporary tanning, curing, stretching, salting or drying.*

Sec. 5. Chapter 503 of NAC is hereby amended by adding thereto the provisions set forth as sections 6 to 9, inclusive, of this regulation.

Sec. 6. 1. *As used in NRS 503.570, the Commission will interpret “visit” to mean a physical inspection, conducted by a person who holds a valid trapping license issued by the Department, of the site where each trap is placed or set by the person to ensure that an animal is not caught in any trap placed or set at the site.*

2. *As used in NRS 503.570, the Commission will interpret “cause to be visited” to mean to visit a trap, as described in subsection 1, by a person who:*

(a) Is authorized to visit the trap by a person who holds a trapping license issued by the Department and who placed or set the trap;

(b) Holds a valid trapping license issued by the Department;

(c) Possesses written authorization from the person on whose behalf he is visiting the trap which includes:

(1) The signature of that person;

(2) The number of the trapping license of that person; and

(3) The date of the authorization; and

(d) Is not prohibited from removing an animal from the trap pursuant to section 7 of this regulation.

3. *As used in this section, “trap” means a trap, snare or other device which does not, or is not designed to, cause immediate death to a mammal.*

Sec. 7. *Except as otherwise provided in section 8 of this regulation, a person who holds a nonresident trapping license shall not remove a bobcat or gray fox from a trap that is placed, set or used by a person who holds a resident trapping license issued by the Department.*

Sec. 8. 1. *Except as otherwise provided in NAC 502.370, any person who traps any wildlife during the closed season for the wildlife or for which trapping is not an authorized*

manner of taking the wildlife shall, if the wildlife is found alive, release the wildlife without unnecessary delay. The provisions of this subsection do not authorize a person to kill any wildlife other than an unprotected species.

2. If any trapped wildlife specified in subsection 1 is not found alive, the carcass of the wildlife, if it is:

(a) A protected mammal, American eagle or golden eagle, or a fur-bearing mammal for which the trapping season is not open, remains the property of the State of Nevada and must be delivered by the person who trapped the wildlife to a game warden, biologist or office of the Department within 72 hours after the discovery of the mammal or eagle.

(b) A big game mammal, remains the property of the State of Nevada and its death must be reported to a game warden, biologist or office of the Department within 72 hours after the discovery of the big game mammal. Except as otherwise provided in this section, the person who trapped the big game mammal may not retain the carcass or any part of the carcass of the wildlife or transfer possession of the carcass or part to any person.

(c) A game bird, a game mammal other than a big game mammal or a protected species of bird other than an American eagle or golden eagle, must be removed from the trap and disposed of at least 30 feet from the site at which any trap is or may be placed or set by the person who trapped the bird or mammal. Except as otherwise provided in this section, the person who trapped the bird or mammal may not retain the carcass or any part of the carcass of the bird or mammal or transfer possession of the carcass or part to any person.

3. A person who complies with the provisions of this section is not subject to a charge of unlawful taking of wildlife by the Department unless an investigation of the trapping of the

wildlife produces evidence that contradicts the circumstances relating to the trapping submitted by the person to the Department.

Sec. 9. 1. *A mammal that is caught in a trap, snare or other device that does not, or is not designed to, cause immediate death to the mammal and is not removed from the trap, snare or device within 96 hours after the last visitation of the trap, snare or device; or*

2. A mammal or bird that is caught in a steel leghold trap that is:

(a) Placed, set or maintained within 30 feet of any exposed bait; or

(b) Baited with any part of a game mammal, game bird, game fish, game amphibian or protected species of wildlife,

↪ is unlawfully killed or possessed, as applicable, for the purposes of NRS 501.3855.

Sec. 10. NAC 503.153 is hereby amended to read as follows:

503.153 As used in this section and NAC 503.155 and 503.157, unless the context otherwise requires:

1. “Bait” means the flesh, fur, hide, viscera or feathers of any animal. *The term does not include:*

(a) A lure or scent product that is in paste or liquid form and that may contain:

(1) Parts of a domestic animal;

(2) Any oil or viscera of a game fish;

(3) The hair, hide, glands or viscera of a game mammal;

(4) The feathers or viscera of a game bird; or

(5) Parts of a fur-bearing mammal or unprotected species of wildlife; or

(b) Any bones of a game mammal that are bleached white with no hide, flesh or tissue attached to the bones.

2. “Exposed bait” means bait, any portion of which is visible from any angle.
3. “Trap” means any device designed, built or made to close upon , *contain* or hold fast any wild ~~[animal]~~ *mammal* or wild bird. *The term does not include a common rat or mouse snap-trap or gopher trap that:*

(a) Is used to take an unprotected species of rodent in or around a residence or dwelling or on agricultural land for the purpose of protecting property or protecting the health of the public; and

(b) Is not used for recreation or commerce in fur.

Sec. 11. NAC 503.157 is hereby amended to read as follows:

503.157 1. ~~[A person shall not place,]~~ *It is unlawful for a person to:*

(a) Place, set or maintain a steel leghold trap within 30 feet of exposed bait ~~[.];~~

(b) Capture a mammal or bird with a steel leghold trap that is placed, set or maintained within 30 feet of exposed bait; or

(c) Use any part of a game mammal, game bird, game fish, game amphibian or protected species of wildlife for bait.

2. A person using bait is responsible if it becomes exposed for any reason.

~~[3.—A person shall not use any part of a game animal, game bird, game fish, game amphibian or protected species of wildlife for bait.]~~

Sec. 12. NAC 503.160 is hereby amended to read as follows:

503.160 1. The Department may determine methods of obtaining necessary data from ~~[trappers]~~ *a person who purchases a trapping license from the Department or a license agent* relative to ~~[their]~~ *the trapping* activities and success ~~[.~~

~~—2.— It is unlawful for any trapper to fail to] of the person.~~

2. *Each person who purchases a trapping license from the Department or a license agent shall complete and return any reporting form or questionnaire ~~[of]~~ required by the Department . ~~[or to falsify any information requested.]~~ The person must return any such form or questionnaire regardless of whether the person trapped any fur-bearing mammals or unprotected species of wildlife during the term of the trapping license. Except as otherwise provided by an annual regulation of the Commission, the completed form or questionnaire must be received by the Department or an independent contractor designated by the Department not later than April 30 of each year. Failure to return ~~[such a]~~ the form or questionnaire within ~~[10 days after the close of the season]~~ that period or the submission of any false ~~[statement thereon may be]~~ information on the form or questionnaire is cause for the Commission to suspend the trapping license held by the person and deny the person the right to acquire any trapping license for a period of ~~[2 years.]~~ 1 year. A person whose trapping license is suspended or whose right to acquire a trapping license is denied pursuant to this section may have the privilege reinstated if he:*

- (a) Pays to the Department an administrative fine in the amount of \$50; and*
- (b) Completes and submits the required form or questionnaire to the Department.*

3. *As used in this section, "license agent" has the meaning ascribed to it in NAC 502.065.*