

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

LCB File No. R049-12

CGR 408

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

AUTHORITY: §1, NRS 488.045, **488.???** (newly assigned per 2011 leg), 501.181.

A REGULATION relating to boating; establishes provisions pertaining aquatic invasive species decals.

Section 1. *Chapter 488 of NAC is hereby amended by adding thereto section 2, inclusive of this regulation, to read as follows.*

Section 2. *Resident and nonresident aquatic invasive species fees.*

- (1) A motorboat which is owned or operated on the waters of this State by a Nevada resident must pay to the Department an annual aquatic invasive species fee of \$10.*
- (2) For a vessel, other than a motorboat, which is owned or operated on the waters of this State by a Nevada resident must pay to the Department an annual aquatic invasive species fee of \$5.*
- (3) A motorboat which is owned or operated on the waters of this State by a nonresident of Nevada must pay to the Department an annual aquatic invasive species fee of \$20.*
- (4) For a vessel, other than a motorboat, which is owned or operated on the waters of this State by a nonresident of Nevada must pay to the Department an annual aquatic invasive species fee of \$10.*
- (5) For purposes of this section a person is considered to be a resident of the State of Nevada if:*
 - a. The person maintains his or her principal and permanent residence in this State; and*
 - b. Was physically present in this State, except for temporary absences.*
- (6) For purposes of this section “principal and permanent residence” means a place where a person is legally domiciled and maintains a permanent habitation in which the person lives and to which the person intends to return when he or she leaves the state*

in which the permanent habitation is located. The term does not include merely owning a residence in a state.

- (7) An aquatic invasive species decal expires on December 31 of the year in which it was issued.*
- (8) A license agent authorized by the Department may at the time the agent forwards the fee collected pursuant to this section to the Department retain 25 cents per aquatic invasive species decal issued.*
- (9) A person may not use a vessel on the waters of this State which does not have a current aquatic invasive species decal displayed on the port side transom of the vessel unless:
 - a. If the aquatic invasive species fee was paid via the Internet, not more than 10 days before the date of the use of the vessel, the Department issued a temporary authorization number for the vessel indicating the aquatic invasive species fee was paid and;*
 - b. The person possesses the temporary authorization number issued by the Department for the vessel.**
- (10) The provisions of this section become effective on January 1, 2013.*
- (11) A decal assigned to an inflatable vessel with an inflatable transom may attach the aquatic invasive species decal to a removable plate that is temporary but firmly attached to the port side transom of the vessel.*
- (12) The decal shall be placed in a manner that the decal is visible when the vessel is underway.*
- (13) Only the current year decal may be displayed on the vessel. Resident decals will be designated with an R on the decal. Non Resident decals will be designated with a NR on the decal.*
- (14) All vessels must display a current calendar year decal prior to launching on or entering into any waters of this state.*
- (15) No Nevada aquatic invasive species decal other than the one issued to that vessel may be attached or displayed on the port side transom of the vessel.*
- (16) All aquatic invasive species stickers will be in a rotation of colors blue, international orange, green and red starting 2013. Decals will be approximately 3 inches square.*