

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

LCB File No. R151-12

Effective December 20, 2012

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

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

A REGULATION relating to hunting; revising the prohibition against using a weapon that is equipped with a certain type of sight while hunting; and providing other matters properly relating thereto.

Section 1. NAC 503.145 is hereby amended to read as follows:

503.145 The Commission hereby establishes the following exception to paragraph (f) of subsection 1 of NRS 503.150. Except as otherwise provided by paragraph (c) of subsection 1 of NAC 503.142, a sight attached to a firearm or longbow that is used to hunt a game mammal or game bird, or a sight attached to a crossbow that is used to hunt a big game mammal, may be illuminated or powered by:

1. A battery contained within the sight;
2. Light-gathering fiber optics;
3. A radioactive isotope such as tritium; or
4. Iridescent or fluorescent paint.

↪ It is unlawful for a person to hunt a big game mammal, 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 *that is visible to the unaided human eye* from the sight to the animal.

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

**Informational statement relating to Commission General Regulation No. 412
(LCB File No. R151-12 - as required by Chapter 233B.066.**

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.

The proposed regulation was noticed and posted on an agenda according to the Open Meeting Law; distributed to the Board of Wildlife Commissioners, 17 county advisory boards to manage wildlife and other interested persons; presented at the Nevada Board of Wildlife Commissioners' (NBWC).

2. The number of persons who:

- (a) **Attended each hearing:** 29 Workshop/ 29 Hearing
- (b) **Testified at each hearing:** 0 Workshop/ 1 Hearing
- (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 proposed regulation was noticed and posted on an agenda according to the Open Meeting Law; distributed to the Board of Wildlife Commissioners, 17 county advisory boards to manage wildlife and other interested persons; presented at the Nevada Board of Wildlife Commissioners' (NBWC).

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: The regulation wording was changed but it did not alter the intent of the regulation.

5. The estimated economic effect of the regulations on the businesses they are to regulate and on the public. The regulation change was intended to allow for the use and sales of rifle scopes with new range finding technology. This should increase sales for sporting and gun store businesses.

(a) Estimated economic effect on the businesses which they are to regulate.

- (1) **Adverse** – There is no adverse effect on businesses.
- (2) **Beneficial** – Sporting and gun store businesses as well as rifle scope manufactures could potentially experience an increase in the sales of range finding rifle scopes
- (3) **Immediate** – Sporting and gun store businesses as well as rifle scope manufactures could potentially experience an increase in the sales of range finding rifle scopes
- (4) **Long term** – Sporting and gun store businesses as well as rifle scope manufactures could potentially experience a continued increase in the sales of range finding rifle scopes

- (b) **Estimated economic effect on the public which they are to regulate.**
- (1) **Adverse** – The public will likely experience higher cost for rifle scopes should they elect to voluntarily purchase a range finding rifle scope.
 - (2) **Beneficial** – Hunters should not realize any substantial economic changes.
 - (3) **Immediate** – The public will likely experience higher cost for rifle scopes should they elect to voluntarily purchase a range finding rifle scope.
 - (4) **Long term** – There is no long term probability of experiencing higher cost for rifle scopes as they often last the life of the firearm.

6. The estimated cost to the agency for enforcement of the proposed regulation:
There is no additional enforcement cost anticipated.

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: There are no overlapping regulations.

If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency: There is no overlapping federal regulation.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions: There is no federal regulation with regards to this activity.

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:
There are no new fees associated with this regulation.