

PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS

LCB File No. R153-12

COMMISSION GENERAL REGULATION 414

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

A REGULATION relating to wildlife; allowing possession of only one captive desert tortoise after January 1, 2013; and providing other matters properly relating thereto.

NAC 503.093 Appropriate license, permit or authorization required to hunt, take or possess protected wildlife; exceptions. (NRS 501.105, 501.181)

1. Except as otherwise provided in subsection 2, a person shall not hunt or take any wildlife which is classified as protected, or possess any part thereof, without first obtaining the appropriate license, permit or written authorization from the Department.

2. Such a license, permit or authorization is not required for:

(a) The possession of a desert tortoise which:

(1) Was held in captivity on or before August 4, 1989; or

(2) Is acquired through an adoption program *or any other means* approved by the United States Fish and Wildlife Service. *As of January 1, 2013 only one captive desert tortoise shall be allowed for possession. Captive desert tortoises obtained after January 1, 2013 must not be allowed to come into physical contact with another tortoise.*

(b) The possession of any species of wildlife classified as protected in Nevada which is:

(1) Lawfully killed in another state and imported to Nevada; and

(2) Possessed under the authority of the other state's appropriate license, tag, permit or other authorization.

(c) The taking of a protected vector or a protected venomous reptile:

(1) Which is found in a residence, school or other building open to the public; or

(2) If the taking is necessary to protect the life of any person in imminent danger of being attacked or bitten by the protected vector or protected venomous reptile.

3. As used in this section:

(a) "Classified as protected" includes wildlife that is classified as sensitive, threatened or endangered.

(b) "Vector" means a living nonhuman animal capable of carrying infectious disease from one person or animal to another.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 12-13-91; A 1-24-92; R077-00, 8-18-2000; R133-04, 10-28-2004)

REFERENCES

NRS 503.597 Introduction or removal of aquatic life or wildlife: Approval required; investigation; regulations.

1. Except as otherwise provided in this section, it is unlawful, except by the written consent and approval of the Department, for any person at anytime to receive, bring or have brought or shipped into this State, or remove from one stream or body of water in this State to any other, or from one portion of the State to any other, or to any other state, any aquatic life or wildlife, or any spawn, eggs or young of any of them.

2. The Department shall require an applicant to conduct an investigation to confirm that such an introduction or removal will not be detrimental to the wildlife or the habitat of wildlife in this State. Written consent and approval of the Department may be given only if the results of the investigation prove that the introduction, removal or importation will not be detrimental to existing aquatic life or wildlife, or any spawn, eggs or young of any of them.

3. The Commission may through appropriate regulation provide for the inspection of such introduced or removed creatures and the inspection fees therefor.

4. The Commission may adopt regulations to prohibit the importation, transportation or possession of any species of wildlife which the Commission deems to be detrimental to the wildlife or the habitat of the wildlife in this State.

5. The provisions of this section do not apply to alternative livestock and products made therefrom.

[Part 43:101:1947; A 1949, 292; 1951, 494]—(NRS A 1957, 175; 1969, 1358; 1993, 431, 1676; 1995, 514; 2003, 1552)