

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

LCB File No. R157-12

August 20, 2012

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

AUTHORITY: §§1-8, NRS 501.105 and 501.181.

A REGULATION relating to trapping; interpreting certain phrases concerning the requirement to visit or cause to be visited a trap, snare or other device; setting forth the circumstances under which certain traps may be placed, set or maintained; specifying certain requirements for snares and steel leghold traps; prohibiting a person from placing, setting or maintaining a trap, other than a box or cage trap, within a certain distance of exposed bait; and providing other matters properly relating thereto.

Section 1. Chapter 503 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *As used in NRS 503.570, the Commission will interpret the phrase:*

1. “Devices which do not, or are not designed to, cause immediate death” to mean body gripping traps.

2. “Visit or cause to be visited” to mean the physical examination of a trap, snare or other lawful device by a holder of a trapping license. The inspection must be conducted by the holder in a manner which ensures that any animal caught is removed from the trap, snare or device. This interpretation does not include the use of a signal flag, an optical enhancement, a remote video or camera or any other device.

Sec. 3. *1. A holder of a trapping license may place, set or maintain only the following types of traps under the following conditions:*

(a) Only a box or cage trap, snare or steel leghold trap may be placed, set or maintained on land.

(b) Only a snare or steel leghold trap may be placed, set or maintained partially submerged in water.

(c) Only a body gripping trap, snare or steel leghold trap may be placed, set or maintained completely submerged in water.

(d) A snare or steel leghold trap placed, set or maintained partially or completely submerged in water must have a length of cable, chain or other attachment that provides a trapped animal with the ability to remove itself completely from the water, unless a slide wire or tangle stake submersion set is used which is designed to cause an animal to asphyxiate while under water.

2. The provisions of this section do not apply to an officer, employee or agent of the Department acting in his or her official capacity or to a person who is acting under the authority of a special permit issued by the Department.

Sec. 4. *Except as otherwise provided in NRS 501.015, a person shall not place, set or maintain a body gripping trap, snare, steel leghold trap or any other trapping device, other than a box or cage trap used to control a fur-bearing mammal doing damage, outside of the open season for the taking of the fur-bearing mammal unless on private land or in accordance with a permit issued by the Department. The provisions of this section do not apply to an officer, employee or agent of the Department acting in his or her official capacity.*

Sec. 5. 1. *A snare must:*

(a) Have a loop stop installed to prevent the snare loop from closing to a diameter of less than 2 inches;

- (b) Have a breakaway device which breaks away at a force of 285 pounds or less and which is attached to the relaxing lock;*
- (c) Be attached and anchored to an immovable object or stake;*
- (d) Have at least one swivel which must be attached to the anchor point; and*
- (e) Be constructed of a cable which is not less than one-sixteenth of an inch in diameter and not more than one-eighth of an inch in diameter.*

2. A snare must not be:

- (a) Attached to any type of spring pole, counter balance weight, spring or other device to assist in its closing;*
- (b) Constructed with a loop size that is more than 12 inches in diameter;*
- (c) Used on a drag; or*
- (d) Set with the top of the snare loop more than 24 inches above the first surface beneath the bottom of the snare, regardless of whether the surface is dirt, ice, crusted or packed snow or any other hard surface.*

Sec. 6. NAC 503.153 is hereby amended to read as follows:

503.153 As used in this section and NAC 503.155 and 503.157, *and sections 2 to 5 inclusive, of this regulation*, unless the context otherwise requires:

1. “Bait” means the flesh, fur ~~[,]~~ *or* hide ~~[, viscera or feathers]~~ of any animal.
2. “*Body gripping trap*” means a trap that is designed to grip the body of a fur-bearing mammal and kill the fur-bearing mammal quickly. *The term does not include a snare.*
3. “*Box or cage trap*” means a device that is designed to contain or confine an animal within a box or cage. *The term does not include any device that is designed, built or made to close upon or hold fast any portion of an animal.*

4. “Exposed bait” means bait, any portion of which is visible from any angle.

~~3.~~ 5. *“Snare” means a trapping device which uses a loop that is designed and set for capturing a fur-bearing mammal by closing the loop upon the fur-bearing mammal.*

6. *“Steel leghold trap” means a trap which has two jaws, a spring device and a trigger pan that are designed to close upon the foot of a fur-bearing mammal.*

7. “Trap” means any device designed, built or made to close upon, contain, confine or hold fast any wild mammal or wild bird.

Sec. 7. NAC 503.155 is hereby amended to read as follows:

503.155 All steel leghold traps ~~are~~:

1. *Of size number ~~2~~ 1 or larger or with an outside jaw spread of ~~5 1/2~~ 4 inches or larger used in the taking of any wildlife must have lugs, spacers or similar devices permanently attached so as to maintain a minimum trap opening of three-sixteenths of an inch ~~for the entire length of the catching surface of the jaws of the trap.~~*

2. *Must have at least one swivel which must be used to attach the trap to the chain, cable or other device used to anchor or attach the trap to a drag. The chain, cable or other device used to anchor or attach the trap must not have a breakaway device.*

3. *Must not have an outside jaw spread of more than 8 3/4 inches and must not have any teeth or serrations on the jaws.*

Sec. 8. NAC 503.157 is hereby amended to read as follows:

503.157 1. It is unlawful for a person to:

(a) Place, set or maintain a ~~steel leghold~~ trap, *other than a box or cage trap*, within 30 feet of exposed bait;

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

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

2. *The viscera of a game mammal may only be used as a mixture for scent.*

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

~~3.~~ 4. As used in this section, “raptor” means any species of bird of the order *Falconiformes* or *Strigiformes* that is protected by the Migratory Bird Treaty Act of July 3, 1918, as amended, 16 U.S.C. §§ 703 et seq.