

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

LCB File No. R004-13

July 24, 2013

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

AUTHORITY: §§1 and 2, NRS 501.105 and 501.181.

A REGULATION relating to desert tortoises; prohibiting a person from possessing more than one desert tortoise under certain circumstances; and providing other matters properly relating thereto.

Section 1. NAC 503.093 is hereby amended to read as follows:

503.093 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 approved by the United States Fish and

Wildlife Service.

(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. *A person possessing a desert tortoise pursuant to subparagraph 2 of paragraph (a) of subsection 2 shall not possess more than one desert tortoise.*
4. 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.

Sec. 2. The amendatory provisions of section 1 of this regulation do not apply to a person who acquires a desert tortoise specified in subparagraph (2) of paragraph (a) of subsection 2 of that section before the effective date of this regulation.