

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

LCB File No. R107-14

Effective December 22, 2014

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

AUTHORITY: §§1, 3-7 and 9, NRS 501.105, 501.181 and 503.150; §§2 and 8, NRS 501.105 and 501.181; §10, NRS 501.105, 501.181, 504.140 and 504.143; §11, NRS 501.105, 501.181 and 504.370.

A REGULATION relating to hunting; authorizing the Department of Wildlife to issue an archery disability permit to a person with a permanent disability; revising the definition of “longbow” for certain purposes; revising the circumstances under which a person may use a crossbow to hunt a big game mammal or a bow to hunt a game mammal or game bird; authorizing a person to use a scope permit during a type of hunt that is restricted to bows; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Board of Wildlife Commissioners to adopt regulations necessary to preserve, protect, manage and restore wildlife and its habitat and to carry out the provisions of title 45 of NRS governing wildlife. (NRS 501.105, 501.181) Unless otherwise specified in a regulation adopted by the Commission, existing law makes it unlawful to hunt: (1) big game mammals in any manner other than with a rifle which is held in the hand and which exerts at least 1,000 foot-pounds of energy at 100 yards, or with a longbow and arrow which meet the specifications established by a regulation adopted by the Commission; (2) small game mammals in any manner other than with a handgun, shotgun, rifle, longbow and arrow or by means of falconry; or (3) game birds with any rifle or handgun, or in any manner other than with a shotgun held in the hand, with a longbow and arrow or by means of falconry. (NRS 503.150) Existing law also authorizes the Commission to adopt regulations for the operation and maintenance of a commercial or private shooting preserve, including the manner of taking, possession and disposal of game birds from the commercial or private shooting preserve and the kind and type of records to be kept by the licensee of the commercial or private shooting preserve. (NRS 504.370) In addition, under existing law, the Commission has created state-owned wildlife management areas, for which the Commission may by regulation prescribe the manner and means of taking wildlife in those areas. (NRS 504.143)

Section 1 of this regulation authorizes the Department of Wildlife to issue an archery disability permit to a person with a permanent disability. A “permanent disability” is defined to mean a disability which prohibits a person from manually drawing and holding at full draw a

bow that complies with certain requirements. A person using an archery disability permit is required to present the permit upon the request of a law enforcement officer. An archery disability permit does not expire.

For the purpose of hunting and trapping, existing regulations define the term “longbow” to include any recurved bow or compound bow. (NAC 503.141) **Section 2** of this regulation revises that definition by substituting the word “bow” for “longbow” and defining the term “bow” to include any longbow, recurved bow or compound bow. **Sections 3, 5, 6 and 8-11** of this regulation make related amendments by changing the word “longbow” to “bow” as used in those sections. Existing regulations: (1) set forth the specifications for using a crossbow to hunt a big game mammal and for using a bow to hunt any game mammal or game bird; and (2) make it unlawful for any person to hunt a big game mammal with a crossbow during a type of hunt restricted to the use of archery or muzzle-loading firearms or to hunt any game mammal or game bird with a certain type of bow. (NAC 503.143, 503.144) **Sections 4 and 5** of this regulation: (1) revise those specifications for using a crossbow or bow; and (2) authorize a person to hunt a big game mammal with a crossbow during a type of hunt restricted to the use of archery or to hunt any game mammal or game bird using a certain type of bow if the person is the holder of an archery disability permit and the person ensures that the permit is in his or her possession during any period in which he or she uses the bow to hunt any game mammal or game bird.

Existing regulations authorize the Department to issue a scope permit to a person with a visual disability. The scope permit authorizes a person with a visual disability to hunt, during a type of hunt that is restricted to muzzle-loading firearms, using a 1x magnification rifle scope that is mounted on a muzzle-loading rifle. (NAC 503.146) **Section 7** of this regulation expands those provisions to authorize a person to use a scope permit during a type of hunt that is restricted to bows.

Section 1. Chapter 503 of NAC is hereby amended by adding thereto a new section to read as follows:

1. The Department may issue an archery disability permit to a person with a permanent disability. The permit authorizes a person with a permanent disability to hunt, during a hunt that is restricted to the use of archery, using a crossbow or a bow that uses a mechanical device that is capable of anchoring a nocked arrow at full draw or partial full draw and complies with the requirements of subsection 2 of NAC 503.144.

2. A person using an archery disability permit shall present the permit upon the request of a law enforcement officer.

3. An application for an archery disability permit must:

(a) Be submitted to the Department on a form provided by the Department;

(b) Include a certificate issued by a licensed physician certifying that the applicant has a permanent disability; and

(c) Include any other information required by the Department to issue the permit.

4. An archery disability permit issued pursuant to this section does not expire.

5. As used in this section, “permanent disability” means a disability which prohibits a person from manually drawing and holding at full draw a bow that complies with the provisions of subsection 2 of NAC 503.144.

Sec. 2. NAC 503.141 is hereby amended to read as follows:

503.141 As used in NAC 503.141 to 503.195, inclusive, ~~“longbow”~~ *and section 1 of this regulation, “bow”* includes any *longbow*, recurved bow or compound bow.

Sec. 3. NAC 503.142 is hereby amended to read as follows:

503.142 The Commission hereby establishes the following exceptions to paragraph (b) of subsection 1 of NRS 503.150:

1. During a type of hunt that is restricted to muzzle-loading firearms, a person may hunt a big game mammal only with a muzzle-loading rifle or muzzle-loading musket, and may use only a lead ball, a lead bullet, a semi-jacketed bullet or a metal alloy bullet that expands. The use of smokeless powder is prohibited. Only black powder or a black powder substitute may be used as a propellant. A sabot round may be used. The muzzle-loading rifle or muzzle-loading musket must have the following characteristics:

(a) A wheel lock, matchlock or flintlock ignition system, or a percussion ignition system that uses a primer or percussion cap;

(b) A single barrel of caliber .45 or larger; and

(c) Except as otherwise provided in NAC 503.146, open sights or peep sights. The use of a sight that is operated or powered by a battery, electronics or a radioactive isotope such as tritium is prohibited.

↪ The muzzle-loading rifle or the muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.

2. During a type of hunt that is restricted to muzzle-loading firearms, it is unlawful for a person hunting under the authority of a tag for such a hunt to carry in the field a firearm or ~~longbow~~ *bow* and arrow except for:

(a) A muzzle-loading rifle or a muzzle-loading musket with the characteristics set forth in subsection 1; or

(b) A flintlock or percussion handgun ~~[-However,]~~ *, except that* it is unlawful to use such a handgun to hunt a big game mammal.

3. During a type of hunt in which the use of any legal weapon is authorized by a regulation of the Commission, a person may hunt a big game mammal with a muzzle-loading rifle or muzzle-loading musket only if:

(a) The muzzle-loading rifle or muzzle-loading musket has:

- (1) A single barrel of caliber .45 or larger; and
- (2) Open sights, peep sights or a rifle scope.

(b) The person uses a lead ball, a lead bullet, a semi-jacketed bullet or a metal alloy bullet that expands. A sabot round may be used.

↪ The muzzle-loading rifle or muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.

4. A person may hunt big game mammals with a rifle if the rifle uses a centerfire cartridge of caliber .22 or larger.

5. A person may hunt big game mammals with a handgun if the handgun uses a centerfire cartridge, has a barrel length of 4 inches or more and:

(a) Uses a cartridge of caliber .22 or larger with an overall loaded length of 2 inches or more; or

(b) Uses a cartridge of caliber .24 or larger with a case of length no less than the length of the case of a cartridge for a Remington magnum of caliber .44.

6. A person may hunt deer and mountain lion with a shotgun no larger than 10 gauge and no smaller than 20 gauge. Only rifled slugs or shotgun rounds with sabots that contain a single expanding projectile may be used when hunting deer. A shotgun that is used to hunt deer or mountain lion pursuant to this subsection may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.

Sec. 4. NAC 503.143 is hereby amended to read as follows:

503.143 1. A crossbow may be used to hunt a big game mammal in a type of hunt that allows the use of any legal weapon if the crossbow has:

- (a) A minimum draw weight of 125 pounds;
- (b) A minimum ~~draw length~~ *power stroke* of 14 inches from the front of the bow to the nocking point;
- (c) A stock that is at least 18 inches long; and

(d) A positive mechanical safety mechanism.

2. Crossbow arrows or bolts used in hunting big game mammals must be at least 16 inches long, *weigh at least 300 grains* and have:

(a) Fixed broadheads that are at least 7/8 inch wide at the widest point; or

(b) Expandable, mechanical broadheads that are at least 7/8 inch wide at the widest point when the broadhead is in the open position.

3. It is unlawful for any person to:

(a) Hunt a big game mammal with a crossbow during a type of hunt restricted to the use of archery ~~(e)~~ *unless the person:*

(1) Is the holder of an archery disability permit issued pursuant to section 1 of this regulation; and

(2) Ensures that the permit is in his or her possession during any period in which he or she uses the crossbow to hunt a big game mammal.

(b) Hunt a big game mammal with a crossbow during a type of hunt restricted to the use of muzzle-loading firearms.

~~(b)~~ *(c)* Except as otherwise provided in this paragraph, carry a cocked crossbow containing an arrow or a bolt while in or on any motorized vehicle while the vehicle is on a public highway or other public right-of-way. The provisions of this paragraph do not apply to a person who is a paraplegic, has had one or both legs amputated or has suffered a paralysis of one or both legs which severely impedes walking, if the motorized vehicle is not in motion.

~~(e)~~ *(d)* Hunt any wildlife with an arrow or bolt that has any chemical, explosive or electronic device attached.

Sec. 5. NAC 503.144 is hereby amended to read as follows:

503.144 1. Except as otherwise provided in paragraph (c) of subsection 4, the bowstring of a ~~longbow~~ *bow* used in hunting any game mammal or game bird must be moved or held entirely by the muscle power of the shooter through all points of the draw cycle until release and may only be released by direct and conscious action of the shooter, either by relaxing the tension of the fingers or by triggering the release action of a handheld release aid.

2. A ~~longbow~~ *bow* used in hunting a big game mammal must ~~be in the hands of the user, be capable of throwing a 400-grain arrow 150 yards over level terrain.~~ *have a peak draw weight of at least 40 pounds and, if the bow is a compound bow, a let-off of not more than 80 percent.*

Arrows used in hunting big game mammals must be at least 24 inches long, *weigh at least 300 grains* and have:

- (a) Fixed broadheads that are at least 7/8-inch wide at the widest point; or
- (b) Expandable, mechanical broadheads that are at least 7/8-inch wide at the widest point

when the broadhead is in the open position.

3. An arrow that is used in hunting any game mammal or game bird may be equipped with a nock that is illuminated electronically or chemically.

4. It is unlawful for any person to:

- (a) Carry any firearm in the field while hunting under archery regulations.
- (b) Except as otherwise provided in this paragraph, carry a ~~longbow~~ *bow* with an arrow nocked on the bowstring while in or on any motorized vehicle while the vehicle is on a public highway or other public right-of-way. The provisions of this paragraph do not apply to a person who is a paraplegic, has had one or both legs amputated or has suffered a paralysis of one or both legs which severely impedes his or her walking, if the motorized vehicle is not in motion.

(c) Hunt any game mammal or game bird with a ~~longbow~~ **bow** that uses any mechanical device that ~~can anchor~~ **is capable of anchoring** a nocked arrow at full draw or partial draw unless the person:

(1) ~~Carries written documentation, signed and dated by a licensed physician, stating that the person has a permanent disability in the upper torso; or~~ **Is the holder of an archery disability permit issued pursuant to section 1 of this regulation; and**

(2) ~~Has had one or both arms, or a part thereof, amputated, and the permanent disability or amputation prevents the person from manually drawing and holding at full draw a longbow that meets the requirements of subsection 2.~~ **Ensures that the permit is in his or her possession during any period in which he or she uses the bow to hunt any game mammal or game bird.**

(d) Hunt any wildlife with an arrow that has any explosive, electronic tracking device or poison attached. As used in this paragraph, “poison” means any substance that, upon contact with the species of wildlife that is hunted, is capable of causing injury, illness or death.

5. As used in this section, “let-off” means the amount of decrease in the draw weight of a compound bow from the peak draw weight to the holding draw weight after the bow has reached full draw.

Sec. 6. 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~~ **bow** 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.

Sec. 7. NAC 503.146 is hereby amended to read as follows:

503.146 1. The Department may issue a scope permit to a person with a visual disability. The scope permit authorizes a person with a visual disability to hunt, during a type of hunt that is restricted to *bows or* muzzle-loading firearms, using a 1x magnification rifle scope that is mounted on a *bow or* muzzle-loading rifle. A person using such a permit shall present the permit upon the request of a law enforcement officer.

2. An application for a scope permit must:
 - (a) Be submitted to the Department on a form provided by the Department;
 - (b) Include a certificate issued by a licensed physician certifying that the applicant has a visual disability; and
 - (c) Include any other information required by the Department to issue the permit.
3. A scope permit issued pursuant to this section is valid for 1 year after the date it is issued.
4. As used in this section, “visual disability” means a visual impairment which substantially limits a major life activity and is not correctable by glasses or contact lenses.

Sec. 8. NAC 503.170 is hereby amended to read as follows:

503.170 1. In the fenced or cultivated lands of the Smith and Mason Valleys, in the Mason Valley Wildlife Management Area and in the zones within the Fort Churchill State Historic Park and the Lahontan State Recreation Area that are designated for hunting by the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources:

(a) Deer may be hunted only with:

(1) A shotgun no larger than 10 gauge and no smaller than 20 gauge, using:

(I) Rifled slugs; or

(II) Shotgun rounds with sabots that contain rifled slugs or a single expanding projectile; or

(2) A ~~longbow~~ bow and arrow.

(b) The use or possession of shotgun rounds with sabots that contain other than rifled slugs or a single expanding projectile is prohibited.

2. A shotgun that is used to hunt deer pursuant to subsection 1 may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.

3. In the Mason Valley Wildlife Management Area:

(a) Deer may be hunted only on the following days during the season set for the hunting of deer:

(1) Saturdays, Sundays and Wednesdays;

(2) Nevada Day, as observed, pursuant to NRS 236.015;

(3) November 11, Veteran's Day;

(4) Thanksgiving Day; and

(5) Family Day, as declared pursuant to NRS 236.015.

(b) Deer may be hunted only with ~~Longbow~~ *a bow* and arrow during the season set for the archery hunt for deer.

Sec. 9. NAC 503.187 is hereby amended to read as follows:

503.187 1. No weapon other than a:

(a) Shotgun which is no larger than 10 gauge nor smaller than 20 gauge and uses a shot size no larger than a number 2 pellet; or

(b) ~~Longbow~~ *Bow* and arrow,

↪ may be used to hunt wild turkey.

2. Shot used to hunt wild turkey on a wildlife management area must be:

(a) Nontoxic shot; and

(b) Not larger than standard-size T.

Sec. 10. NAC 504.135 is hereby amended to read as follows:

504.135 1. Except as otherwise provided in subsection 6, the discharging of a rifle or pistol is prohibited on the following wildlife management areas:

(a) Overton in Clark County.

(b) Key Pittman in Lincoln County.

(c) Wayne E. Kirch in Nye County.

(d) Scripps in Washoe County.

(e) Mason Valley in Lyon County.

2. Deer may be hunted on the Mason Valley and Wayne E. Kirch Wildlife Management Areas only by persons using:

(a) Shotguns and rifled shotgun slugs or shotgun rounds with sabots that contain a single expanding projectile; or

(b) ~~Longbows~~ *Bows* and arrows.

↪ A shotgun that is used to hunt deer pursuant to this subsection may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.

3. The use of shotguns capable of holding more than three shells is prohibited on all wildlife management areas owned or managed by this State unless the shotgun is plugged with a one-piece filler, incapable of removal without disassembling the gun, so that the total capacity of the shotgun does not exceed three shells.

4. The use or possession of shells for a shotgun containing shot that is toxic or larger than standard-size T is prohibited on the following wildlife management areas:

- (a) Overton in Clark County.
- (b) Key Pittman in Lincoln County.
- (c) Wayne E. Kirch in Nye County.
- (d) Scripps in Washoe County.
- (e) Mason Valley in Lyon County.
- (f) Fernley in Lyon County.
- (g) Alkali Lake in Lyon County.
- (h) Humboldt in Churchill and Pershing Counties.
- (i) Steptoe Valley in White Pine County.
- (j) Franklin Lake in Elko County.

5. The use or possession of shotgun rounds with sabots that contain other than rifled slugs or a single expanding projectile is prohibited on all wildlife management areas owned or managed by this State.

6. The provisions of subsection 1 do not apply to persons authorized by the Department to use rifles and pistols for the control of predatory animals and rodents.

7. For the purposes of this section, all shot shall be deemed toxic unless it has been approved as nontoxic by the United States Fish and Wildlife Service pursuant to 50 C.F.R. § 20.134.

Sec. 11. NAC 504.755 is hereby amended to read as follows:

504.755 1. Before any hunting may be done on a commercial or private shooting preserve, the licensee must advise the Department, in writing, of the number of each species of upland game bird reared, purchased or acquired for liberation, and request, and receive in writing, a hunting authorization that states the number of each species which may be hunted.

2. Birds must be at least 8 weeks of age, full-winged and in a condition to go wild before liberation.

3. From August 1 to April 30, inclusive, the licensee, or with the licensee's written permit, the holder thereof, may take an upland game bird from a licensed preserve only by means of a shotgun, a ~~longbow~~ bow and arrow, or falconry.

4. Permits to hunt on a licensed preserve may be used only during the period specified on such permits, and the hunter must carry a valid permit on his or her person at all times while on the area and while in possession of birds taken on the area.

**Informational statement relating to Commission General Regulation No. 435
LCB File No. R107-14 - as required by Chapter 233B.066.**

1. A clear and concise explanation of the need for the adopted regulation.

The need for the adopted regulation is to allow for disabled archers to use crossbows during archery only season. Individuals with permanent and severe disabilities to the torso, arms or upper body have increased as our nation has been engaged in warfare for over a decade. These individuals are unable to hold at full draw a bow currently allowed under the regulation. Therefore, they hunt in archery only seasons. Nevada Department of Wildlife (NDOW) has received many requests from the disabled community for the use of crossbows in archery seasons.

Additionally, the current regulation discourages all bow hunters from archery hunting because the language regarding legal equipment is not clear and confusing. Those archers, who do bow hunt, are often unknowingly committing violations because the regulation is unclear. Game Wardens have difficulty enforcing the existing regulations.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

A copy of the proposed regulation was noticed and provided to Nevada's 17 County Advisory Boards to Manage Wildlife (CABMW) as part of the Nevada Board of Wildlife Commissioners (NBWC) agenda and support material for their September 13, 2014 workshop and meeting. Those CABMW's that held public meetings prior to the September 13-14 2014 NBWC workshop and meeting provided opportunity for public comment at their individual meetings. Public comment was solicited at the NBWC workshop on September 13, 2014 in Las Vegas. The NBWC approved adoption on November 15, 2014 at their regular scheduled meeting in Reno. Public response was received pertaining to the provisions of this regulation.

Those in favor of adopting the proposed regulation stated that the change is needed to allow disabled archers to hunt with a crossbow during archery only season. They felt the definition of the disability was well written. They also felt this was not a new direction as exemptions have been made in other specified hunts.

There was no opposition to the proposed regulation.

A summary is available by contacting the Nevada Department of Wildlife, Division of Law Enforcement, 1100 Valley Road, Reno, Nevada 89512, or call (775) 688-1549.

3. The number of persons who:

- (a) Attended each hearing: 25 Workshop 19 Hearing**
- (b) Testified at each hearing: 1 Workshop 0 Hearing**
- (c) Submitted written comments: 0 Public Comment 0**

4. **For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**
 - (a) Name; Paul R. Dixon, Chairman
 - (b) Telephone number; (505) 699-1744
 - (c) Business address; 9445 Greenville Avenue, Las Vegas, NV 89134
 - (d) Business telephone number; (505) 665-4595
 - (e) Electronic mail address; and MLDPRD24@yahoo.com
 - (f) Name of entity or organization represented. Clark CABMW

5. **A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

Comment was not solicited from businesses because this regulation does not affect the operations of any business.

6. **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 was adopted with amendments as follows:

Section 1, subsection 5, delete [of the upper torso or the amputation of one or both arms of a person or any part thereof]

7. **The estimated economic effect of the regulation on the business which it is to regulate and on the public.**
 - (a) **Estimated economic effect on the businesses which they are to regulate.**

NDOW determined that the proposed regulation does not impose a direct or significant economic burden on small businesses or restrict the formation, operation, or expansion of a small business, because this regulation does not regulate businesses.

 - (b) **Estimated economic effect on the public which they are to regulate.**

NDOW suspects there will be no economic effect to the public because this regulation allows for disability exemptions only.

8. **The estimated cost to the agency for enforcement of the proposed regulation:**

There will be no additional cost for the agency to enforce this regulation as game wardens are currently enforcing archery laws.

9. **A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

There are no other overlapping local, state, or federal government regulations.

10. **If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

There are no federal regulations that regulate this same activity.

11. **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 is no new fee.