

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

**LCB File No. R110-14**

**COMMISSION GENERAL REGULATION 448**

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 the addition of black bear to the list of big game species that can be hunted with a shotgun.

**NAC 503.142 Hunting big game mammal with firearm.** (NRS 501.105, 501.181, 503.150)

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 such as (Effective 06/23/2014 – R045-14 - Pyrodex or Triple) 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 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, 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, *black bear* 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, *black bear* or mountain lion pursuant to this subsection may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.

## NOTICE OF INTENT TO ACT UPON A REGULATION

### Notice of Hearing for the (Adoption/Amendment/Repeal) of Regulations of the Nevada Board of Wildlife Commissioners

The Board of Wildlife Commissioners will hold a public hearing on TBA. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of Commission General Regulation 448 (LCB File No. R110-14) pertaining to Chapter 503 of the Nevada Administrative Code.

- 1) The need for and purpose of the proposed regulation:

The Bear Committee of the Nevada Board of Wildlife Commissioners (NBWC) recommended allowing the use of a shotgun as outlined in Nevada Administrative Code (NAC) 503.142 to hunt black bear. The proposed changes to the regulation will add black bear to the big game species that can be hunted with a shotgun. This will allow the NBWC to address safety concerns of hunting with rifles in certain areas such as agricultural lands, state parks and Wildlife Management Areas.

- 2) Text of the proposed regulation:

Please see the attached proposed regulation.

- 3) Will this regulation likely impose a direct and significant economic burden upon small business?

This regulation will not impose any economic burden on any small business.

- 4) Will this regulation directly restrict formation, operation or expansion of small business?

This regulation will not directly restrict the formation, operation or expansion of small business.

- 5) Describe how the concerted effort was made to determine the business impact:

This regulation only has a beneficial impact on individual sportsmen and does not affect businesses. The Nevada Department of Wildlife has determined there will be no beneficial or adverse effects on businesses.

- 6A. Describe the estimated economic effect of the regulation on the business which it is to regulate:

- (i) Adverse effect – The regulation does not apply to businesses. There will be no adverse effects.

(ii) Beneficial effect – The regulation does not apply to businesses. There will be no beneficial effects.

6B. Describe the estimated economic effect of the regulation on the public which it is to regulate:

(i) Adverse effect – The regulation will not any adverse economic effect on sportsmen.

(ii) Beneficial effect – The regulation will not have any beneficial economic effect on sportsmen. It will broaden their chose of weapon used in hunting black bears.

7) Describe the method used to calculate the financial impact (positive, negative, or none) on small businesses:

It was determined by NDOW that the regulation does not apply to businesses; therefore there was no need to calculate a financial impact on small business.

8) The name of the person(s) conducting the analysis of the likely impact of the proposed regulation:

This analysis was completed by Supervising Game Biologist Michael Dobel and Acting Chief Game Warden Paul Dankowski.

Estimated cost to the Department of Wildlife for enforcement of the proposed regulation:

The proposed regulation will not have any additional costs associated with its enforcement.

A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates \_\_\_\_, the duplication or overlapping is necessary because.

There are no regulations of other state or local government agencies which overlap or duplicate the proposed regulation.

If the proposed regulation overlaps or duplicates a federal regulation what is the name of the regulatory federal agency?

9) If the regulation is required pursuant to federal law provide, a citation and description of the federal law.

The proposed regulation is not required pursuant to federal law.

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

There are no federal regulations that regulate the same activity.

11) The proposed regulation establishes a new fee or increases an existing fee: No

This statement shall be made available to the public at least 15 days before the public workshop.

Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Secretary, Board of Wildlife Commissioners, 1100 Valley Road, Reno, Nevada 89512. Written submissions must be received by the Secretary, Board of Wildlife Commissioners, at least five days before the scheduled public hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the regulations to be adopted will be available for inspection and may be copied at the following locations:

Nevada Department of Wildlife offices:

Headquarters – Law Enforcement  
1100 Valley Road  
Reno, Nevada  
(775) 688-1549

Western Region  
380 W. "B" Street  
Fallon, NV 89406  
(775) 423-3171

Eastern Region  
60 Youth Center Road  
Elko, NV 89801  
(775) 777-2300

Southern Region  
4747 Vegas Drive  
Las Vegas, NV 89108  
(702) 486-5127

The regulations will be available for inspection at all county main public libraries. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations are prepared and published monthly by the Legislative Council Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

It is our belief that a concerted effort has been made by NDOW to determine the impact of the proposed regulation on small businesses and the information contained in this statement is accurate.

This notice of hearing has been posted at the above locations.

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Tony Wasley, Secretary  
Board of Wildlife Commissioners

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