

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

LCB File No. R012-16

March 1, 2016

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

AUTHORITY: §1, NRS 501.105 and 501.181, as amended by sections 1 and 1.2, respectively, of Assembly Bill No. 78, chapter 202, Statutes of Nevada 2015, at page 956.

A REGULATION relating to hunting; adopting provisions prohibiting the use of trail cameras and certain other devices for the purpose of hunting big game mammals; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Wildlife Commissioners: (1) to establish policies and adopt regulations necessary to preserve, protect, manage and restore wildlife and its habitat; and (2) in establishing such policies and adopting such regulations, to consider first the recommendations of the Department of Wildlife, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission. (NRS 501.105, as amended by section 1 of Assembly Bill No. 78, chapter 202, Statutes of Nevada 2015, at page 956) Existing law also requires the Commission to adopt regulations necessary to carry out the provisions of title 45 of NRS governing wildlife, including, without limitation, the manner and means of taking wildlife. (NRS 501.181, as amended by section 1.2 of Assembly Bill No. 78, chapter 202, Statutes of Nevada 2015, at page 956) This regulation prohibits a person, during the period beginning August 1 and ending December 31 of each year, from locating or observing, or assisting another person in locating or observing, certain big game mammals for the purpose of hunting with the use of a trail camera, including, without limitation, any device that is not held or manually operated by a person and that is used to capture images or video using a heat or motion detector to trigger the device. This regulation also prohibits a person from placing a trail camera or such other device within 200 feet of a spring, water hole or artificial basin that is used by wildlife and collects, or is designed and constructed to collect, water.

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

1. Except as otherwise provided in this section, a person shall not, for the purpose of hunting, locate or observe, or assist another person to locate or observe, any big game

mammal in a management unit described in NAC 504.210 during the period beginning August 1 and ending December 31 of each year with the use of a trail camera, including, without limitation, any device that is not held or manually operated by a person and that is used to capture images or video using a heat or motion detector to trigger the device.

2. A person shall not place any device described in subsection 1 within 200 feet of:

(a) A spring;

(b) A water hole; or

(c) An artificial basin which is used by wildlife and collects, or is designed and constructed to collect, water.

3. Evidence of an act constituting a violation of this section includes, without limitation, any image or video of a big game mammal captured by any device described in subsection 1 that:

(a) Is stored on the device; or

(b) Has been transferred to a viewing device at another location.

4. The provisions of this section do not apply to a person who is acting within the scope of his or her official duties and who is:

(a) An employee or authorized agent of this State;

(b) An employee of a municipal or county government of this State; or

(c) An employee of the Federal Government.