

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

**LCB File No. R012-16**

November 21, 2017

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

AUTHORITY: §1, NRS 501.105 and 501.181.

A REGULATION relating to wildlife; prohibiting a person from placing, maintaining or using a trail camera or similar device under certain circumstances; providing exceptions; 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) 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)

This regulation prohibits, with certain exceptions, a person from placing, maintaining or using a trail camera or similar device: (1) at any time during the period beginning August 1 and ending December 31 of each year; (2) at any time if the placement, maintenance or use of the trail camera or similar device prevents wildlife from accessing, or alters the manner in which wildlife accesses, a spring, water source or artificial basin that is used by wildlife and collects, or is designed and constructed to collect, water; (3) at any time if the trail camera or similar device transmits, or is capable of transmitting, images, video or location data of wildlife; or (4) within 300 feet of a spring, water source 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 subsection 2, a person shall not place, maintain or use a trail camera or similar device:*

*(a) At any time during the period beginning August 1 and ending December 31 of each year.*

*(b) At any time if the placement, maintenance or use of the trail camera or similar device prevents wildlife from accessing, or alters the manner in which wildlife accesses, a spring, water source or artificial basin which is used by wildlife and collects, or is designed and constructed to collect, water.*

*(c) At any time if the trail camera or similar device transmits, or is capable of transmitting, images, video or location data of wildlife.*

*(d) Within 300 feet of a spring, water source or artificial water basin described in paragraph (b).*

*2. The provisions of subsection 1 do not apply to:*

*(a) A person who is acting within the scope of his or her official duties, has clearly marked each trail camera or similar device to be used to indicate ownership and is:*

*(1) An employee or authorized agent of this State;*

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

*(3) An employee of the Federal Government; or*

*(4) An employee of any industry or any other person who uses the trail camera or similar device in consultation with the Department.*

*(b) A trail camera or similar device placed, maintained or used on private property with the permission of the landowner.*

*(c) A trail camera or similar device placed, maintained or used to monitor the use by livestock of any water source described in paragraph (b) of subsection 1 if the owner of the*

*trail camera or similar device is the holder of a permit to appropriate water issued by the State Engineer for the purpose of watering livestock.*

*3. As used in this section, “trail camera or similar device” means any device which is not held or manually operated by a person and is used to capture images, video or location data of wildlife using heat or motion to trigger the device.*