

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

LCB File No. R082-19

July 1, 2021

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

AUTHORITY: § 1, NRS 501.105, 501.181, 501.1818 and 503.655; § 2, NRS 501.105, 501.181 and 503.655.

A REGULATION relating to wildlife; establishing the demerit points to be assessed against a person for certain violations involving the taking or gathering of shed antlers in certain counties; prohibiting the taking or gathering of shed antlers in certain counties during a certain period except under certain circumstances; requiring the Department of Wildlife or an agent designated by the Department to offer an online course in the responsible collection of shed antlers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Board of Wildlife Commissioners to adopt regulations for the taking of antlers which have been naturally shed by any big game mammal in this State. (NRS 503.655) Existing regulations prohibit a person from taking or gathering shed antlers from or on any public land located in certain counties from January 1 to April 30. (NAC 503.172) **Section 2** of this regulation further prohibits a person from taking or gathering shed antlers in those counties from May 1 to June 30 unless the person: (1) is 12 years of age or older and has in his or her possession a certificate indicating that the person has completed a course of instruction in the responsible collection of shed antlers that is offered or approved by the Department; or (2) is under 12 years of age and is accompanied by a person who is at least 18 years of age and who has such a certificate in his or her possession. **Section 2** also requires the Department to offer such a course online, without charge, or to designate an agent to offer such a course online, without charge.

Existing regulations set forth a schedule of demerit points to be assessed against a person for conviction of certain wildlife violations. (NAC 501.200) **Section 1** of this regulation establishes the demerits to be assessed against a person for a conviction involving the unlawful taking or gathering of shed antlers in certain counties.

Section 1. NAC 501.200 is hereby amended to read as follows:

501.200 1. A person who is convicted of a wildlife violation will be assessed demerit points pursuant to the following schedule:

HUNTING AND TAKING

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Unlawfully shooting at a game mammal or game bird from an aircraft, helicopter or motor-driven vehicle or using such a vehicle to molest, rally, stir up or drive game mammals or game birds	503.010	-----	12
Spotting or locating game mammals or game birds from an aircraft or helicopter and communicating that information to a person on the ground for the purpose of hunting	503.010	-----	12
Unlawfully using information obtained in violation of subsection 3 of NRS 503.010 to hunt or kill game mammals or game birds	503.010	-----	12
Unlawfully using a helicopter to transport game, hunters or hunting equipment	503.010	-----	12
Unlawfully killing or attempting to kill birds or animals from an aircraft	503.005	-----	12

HUNTING AND TAKING

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Unlawfully using an aircraft, balloon, unmanned aerial vehicle or satellite to locate or observe big game mammals, game birds or fur-bearing mammals for the purpose of hunting	501.385	503.148	12
Hunting or taking an endangered species without a special permit	503.585	503.093	12
Unlawfully killing, destroying, wounding, trapping or injuring bald eagles or golden eagles	503.610	-----	12
Unlawfully taking bald eagles or golden eagles	503.620	-----	12
Taking twice the legal limit or more of big game mammals	501.385	-----	12
Hunting or taking a threatened species	501.385	503.093	9
Unlawfully killing a fur-bearing mammal during the closed season	503.440	-----	9
Unlawfully hunting migratory waterfowl by aid of baiting	501.385	503.180	6
Hunting big game mammals during the closed season	503.090	-----	6

HUNTING AND TAKING

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Hunting fur-bearing mammals during the closed season	501.015	-----	6
Hunting big game mammals in closed areas	501.385	504.340	6
Hunting fur-bearing mammals in closed areas	501.385	504.340	6
Unlawfully hunting in a privately owned wildlife management area	504.140	-----	6
Unlawfully hunting in a state-owned wildlife management area	504.143	-----	6
Hunting big game mammals or migratory waterfowl during prohibited hours	503.140	-----	6
Unlawfully hunting game birds or game mammals with the aid of artificial light	503.150	-----	6
Hunting or taking a sensitive species	501.385	503.093	6
Hunting, trapping, possessing or selling birds of prey or raptors without a permit	503.582	503.205	6
Hunting alternative livestock	503.242	-----	6
Taking a game mammal of a prohibited age or with prohibited physical characteristics	501.385	-----	6

UNLAWFUL POSSESSION

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Unlawfully possessing live wildlife that is classified as prohibited	504.295	503.110	12
Unlawfully possessing big game mammals during the closed season	503.030	-----	12
Possessing a big game mammal or parts thereof without a tag attached thereto	502.150	-----	9
Possessing twice the legal limit or more of game birds or game mammals, other than big game	501.385	-----	9
Possessing twice the legal limit or more of game fish	501.385	-----	9
Unlawfully possessing a fur-bearing mammal during the closed season	503.030	-----	9
Possessing game birds or game mammals, other than big game, during the closed season	503.030	-----	6
Possessing fish during the closed season	503.030	-----	6

UNLAWFUL POSSESSION

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Possessing game birds or game mammals, other than big game, in excess of the legal limit but less than twice the legal limit	501.385	-----	6
Possessing game fish in excess of the legal limit but less than twice the legal limit	501.385	-----	6
Possessing a species that may not legally be possessed without a license or permit	501.385	-----	6

TAGS AND SEALS

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Hunting big game or wild turkey without a tag	502.130	-----	9
Unlawfully transferring a tag to another person	502.140	502.385	9
Possessing or using a tag legally issued to another person	502.140	502.385	9

TAGS AND SEALS

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Obtaining tags in excess of the legal limit	502.140	502.331	9
Possessing used tags or tags in excess of the legal limit			
	502.150	-----	9
Unlawfully using a tag	502.200	-----	9
Using a tag in an improper area	502.160	502.385	6
Failing to punch a tag properly	502.160	502.390	6
Failing to attach a tag to a big game mammal in the manner prescribed by regulation	502.160	502.400	6
Hunting by a Native American off an Indian reservation without a tag	502.280	-----	6
Possessing fur-bearing mammals, other than a bobcat, without a seal	501.385	-----	6
Possessing the pelt of a bobcat without a seal	501.385	502.347	6
Possessing the hide of a mountain lion without a seal	501.385	502.370	6
Possessing the horns of a ram bighorn sheep without a seal or brand	501.385	502.345	6

PERMITS

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Unlawfully importing or transporting a prohibited species of wildlife without a permit or license	503.597	503.110	12
Collecting unprotected wildlife for commercial purposes without a permit	501.385	503.095	12
Collecting live bait fish or live aquatic bait for commercial purposes without a permit	501.385	503.513	12
Collecting unprotected fish for commercial purposes without a permit	501.385	503.545	12
Selling live bait without a permit	501.379	503.513	6
Conducting a field trial without a permit	503.200	503.610	6
Conducting a dredging operation without a permit	503.425	503.810	6
Possessing a raptor without a permit	503.582	503.205	6
Furnishing false information to obtain a permit	502.060	-----	6
Hunting swan without a swan hunt permit	-----	502.380	6
Transferring or giving a swan hunt permit to any other person	-----	502.380	6
Using or possessing a swan hunt permit issued to another person	-----	502.380	6

FISHING

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Fishing at a fish hatchery or other waters used for the purpose of rearing or growing fish	503.360	-----	6

MISCELLANEOUS FISH AND GAME

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Obstructing, hindering or otherwise interfering with an officer, employee or agent of the Department	501.385	-----	12
Unlawfully selling big game mammals	501.379	-----	12
Unlawfully selling an endangered species	501.379	-----	12
Needless waste of big game mammals	503.050	-----	12
Hunting, fishing in nonnavigable waters or trapping on private property without permission	503.240	-----	9

MISCELLANEOUS FISH AND GAME

Classification of Violations	NRS Section	NAC Section	Demerits
Needless waste of game birds or game mammals, other than big game	503.050	-----	9
Unlawfully selling a threatened species	501.379	-----	9
<i>Taking or gathering shed antlers in certain counties between January 1 and April 30</i>	<i>503.655</i>	<i>503.172</i>	<i>9</i>
Unlawfully selling game other than big game mammals	501.379	-----	6
Unlawfully selling a sensitive or protected species	501.379	-----	6
Unlawfully selling game fish	501.381	-----	6
Needless waste of game fish	503.050	-----	6
Unlawfully carrying a loaded rifle or shotgun in vehicle	503.165	-----	6
Unlawfully discharging a firearm	503.175	-----	6
Failing to retain the cape or scalp and any antlers or horns of wildlife	501.385	503.173	6
Destroying or mutilating signs of the Department	501.383	-----	6
Polluting water	503.430	-----	6

MISCELLANEOUS FISH AND GAME

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Removing, altering or tampering with a tag placed on wildlife or on seized equipment	501.377	-----	6
Commercial taking of crayfish, except in accordance with a permit issued pursuant to NAC 503.540	501.385	503.540	6
Intentionally interfering with a person lawfully hunting or trapping	503.015	-----	6
Failing to make a reasonable effort to retrieve dead or crippled migratory waterfowl	501.385	503.180	6
<i>Taking or gathering shed antlers in certain counties between May 1 and June 30 without a certificate in violation of NAC 503.172</i>	<i>503.655</i>	<i>503.172</i>	<i>6</i>

CATEGORY E FELONIES AND

GROSS MISDEMEANORS

	NRS	NAC	
Classification of Violations	Section	Section	Demerits

Conviction of a felony for intentionally killing a big game mammal, including aiding and abetting a person in the commission of the killing	501.376	-----	12
Conviction of a gross misdemeanor for intentionally killing a big game mammal, including aiding and abetting a person in the commission of the killing	501.376	-----	12
Conviction of a gross misdemeanor for willfully possessing an unlawfully killed big game mammal	501.376	-----	12
Acting as a master guide or subguide without a license	504.395	-----	12
Furnishing false information to obtain a big game tag	502.060	-----	12

TRAPPING

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Unlawfully capturing a raptor with a steel leghold trap placed, set or maintained within 30 feet of exposed bait	501.385	503.157	6
Trapping in a closed area	501.385	504.340	6

TRAPPING

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Unlawfully removing or disturbing a trap, snare or similar device lawfully being used by another person	503.454	-----	6
Trapping fur-bearing mammals during closed season	503.440	-----	6
Trapping birds of prey or raptors without a permit or by unlawful means	503.582	503.205	6
Failing to visit traps, snares or similar devices 48 or more hours after the required period for visitation	503.570	503.152	6

LICENSES

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Refusing to exhibit a license, wildlife, weapon, ammunition, device or apparatus	502.120	-----	12
Hunting without having procured a license	502.010	-----	6
Fishing without having procured a license	502.010	-----	6

LICENSES

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Hunting without a license in possession	502.120	-----	6
Fishing without a license in possession	502.120	-----	6
Furnishing false information to obtain a license	502.060	-----	6
Furnishing of false information by a person serving in the Armed Forces of the United States to obtain a specialty combination hunting and fishing license	502.290	502.220	6
Unlawfully transferring a license to another person	502.100	-----	6
Unlawfully using a license of another person	502.100	-----	6
Obtaining more than one license of each class	502.110	-----	6
Altering a license	502.105	-----	6
Practicing falconry without a license	503.583	503.235	6
Operating as a fur dealer without a license	505.010	-----	6
Trapping without having procured a license	502.010	-----	6
Taking fur-bearing mammals, trapping unprotected mammals or selling raw furs for profit without having procured a license	503.454	-----	6
Trapping without a license in possession	502.120	-----	6

LICENSES

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Hunting, fishing or trapping using a license that is invalid by reason of expiration or a false statement made to obtain the license	502.060	-----	6
Operating a shooting preserve without a license	504.310	-----	6
Performing taxidermal services without a license	502.370	502.435	6
Obtaining a hunting license without obtaining certification as a responsible hunter	502.360	-----	6

2. A person who is convicted of committing a wildlife violation that does not appear in the schedule set forth in subsection 1 will be assessed 3 demerit points.

3. A person who is convicted of committing a wildlife violation within 60 months after a conviction for the same violation will be assessed double the amount of demerit points listed in the schedule set forth in subsection 1.

4. A person who is convicted of committing any four wildlife violations arising out of separate events within a 60-month period will be assessed an extra 12 demerit points.

Sec. 2. NAC 503.172 is hereby amended to read as follows:

503.172 **1.** A person shall not take or gather shed antlers from or on any public land located in Elko, Eureka, Lander, Lincoln, Nye or White Pine Counties at any time from :

(a) January 1 to April 30, inclusive.

(b) May 1 to June 30, inclusive, unless the person:

(1) Is 12 years of age or older and has in his or her possession a certificate issued by the Department, or an agent designated by the Department, as proof that at any time from January 1 to April 30, inclusive, of the current calendar year the person successfully completed the course of instruction in the responsible collection of shed antlers offered pursuant to subsection 2; or

(2) Is under 12 years of age and is accompanied by a person who:

(I) Is at least 18 years of age; and

(II) Has in his or her possession a certificate issued by the Department, or an agent designated by the Department, as proof that at any time from January 1 to April 30, inclusive, of the current calendar year the person successfully completed the course of instruction in the responsible collection of shed antlers offered pursuant to subsection 2.

2. The Department shall:

(a) Offer, without charge, an online course of instruction in the responsible collection of shed antlers and issue a certificate of completion from the Department to a person who successfully completes the course; or

(b) Designate an agent of the Department to:

(1) Offer, without charge, an online course of instruction in the responsible collection of shed antlers that is approved by the Department; and

(2) Issue a certificate of completion from the Department to a person who successfully completes the course.