

Amendment No. 236

Assembly Amendment to Assembly Bill No. 299	(BDR 45-733)
<b>Proposed by:</b> Assembly Committee on Natural Resources	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date		SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.





ASSEMBLY BILL NO. 299—ASSEMBLYWOMEN  
 BILBRAY-AXELROD AND TITUS

MARCH 16, 2021

Referred to Committee on Natural Resources

SUMMARY—Makes various changes relating to wildlife. (BDR 45-733)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
 Effect on the State: Yes.

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

AN ACT relating to wildlife; providing for the issuance of a salvage permit to certain persons for the salvage and possession of certain animals hit and killed by a motor vehicle; imposing certain requirements on a holder of a salvage permit; authorizing a peace officer to make certain inspections; prohibiting a person from selling, bartering or exchanging the carcass of such an animal; providing that a peace officer, agency employing a peace officer and the Department of Wildlife are not liable with respect to any use made of the carcass of such an animal; prohibiting the salvaging and taking possession of such animals from ~~the reservation lands of any Indian tribe~~ **certain areas** in this State; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 **Section 1** of this bill ~~provides that a salvageable animal which is accidentally killed as a~~  
 2 ~~result of a vehicle collision may be salvaged and possessed by the driver of the vehicle that hit~~  
 3 ~~the salvageable animal or by another person who did not hit the salvageable animal but found~~  
 4 ~~the killed salvageable animal if the driver or person obtains a salvage permit: (1) from a peace~~  
 5 ~~officer; (2) at an office of the Department of Wildlife; or (3) through an electronic application~~  
 6 ~~established by the Department.]~~ **authorizes a peace officer who responds to an accidental**  
 7 **vehicle collision in this State between a salvageable animal and the vehicle by which the**  
 8 **salvageable animal was killed to issue a salvage permit as soon as practicable to the**  
 9 **driver of the vehicle or to another person. Section 1 authorizes a driver or person to**  
 10 **whom a salvage permit is issued to salvage and take possession of the salvageable**  
 11 **animal. Section 1** defines “salvageable animal” as a big game mammal, ~~fur-bearing~~  
 12 ~~mammal,~~ game mammal or upland game bird, ~~+~~ **that a peace officer determines is**  
 13 **salvageable. Section 1** requires a salvage permit to be available to a driver or person at no  
 14 cost and further requires certain information be provided to obtain the salvage permit. **Section**  
 15 **1** requires the driver or person to: (1) completely remove the carcass of the salvageable animal  
 16 from the road or road right-of-way; (2) ensure that the meat rendered from the salvageable  
 17 animal is only used for human consumption; ~~and~~ (3) **keep the salvage permit with the**  
 18 **carcass until delivered to the Department of Wildlife; and (4)** deliver and surrender the  
 19 **salvage permit and the** head, hide, antlers, ~~+~~ or horns ~~for tasks~~ of the salvageable animal to  
 20 the Department within 5 business days after the driver or person taking possession of the

21 salvageable animal. If the salvageable animal is accidentally hit and rendered crippled or  
 22 helpless, **section 1** allows ~~for certain persons or~~ peace officers to kill the salvageable animal in a  
 23 humane manner. **Section 1** ~~authorizes~~ **requires** a peace officer to inspect the carcass of the  
 24 salvageable animal and **authorizes the peace officer to inspect** the motor vehicle that  
 25 accidentally hit the salvageable animal before issuing a salvage permit. ~~and~~ **At the**  
 26 **discretion of the Department, section 1 authorizes** a game warden to inspect the carcass  
 27 and motor vehicle 20 days thereafter. **Section 1** authorizes the driver or person to place all or  
 28 part of the carcass of the salvageable animal in storage or make a gift of the carcass to another  
 29 person. ~~It~~ **only after the salvage permit and the head, hide, antlers or horns of the**  
 30 **salvageable animal has been delivered and surrendered to the Department. Section 1**  
 31 prohibits any portion of the carcass of a salvageable animal from being sold, bartered or  
 32 exchanged. **Section 2** of this bill makes a conforming change by providing that such a sale,  
 33 barter or exchange is an unlawful sale, barter or exchange, with certain exceptions. **Section 1**  
 34 provides that a driver or person who salvages and takes possession of the carcass of a  
 35 salvageable animal does so at his or her own risk and further provides that the peace officer,  
 36 agency employing the peace officer and the Department are not liable with respect to any use  
 37 made of the carcass. **Section 1** prohibits the salvage and taking possession of a salvageable  
 38 animal from : **(1) a highway in this State that has a speed limit of 70 miles per hour or**  
 39 **more; (2) an interstate highway; (3) private property, unless the owner grants**  
 40 **permission for such a salvage or taking; (4) the reservation lands of any Indian tribe in this**  
 41 **State; (5) certain restricted areas; (6) areas under the possession or control of the**  
 42 **Department; (7) a disposal site; or (8) an area that the Department determines to contain**  
 43 **diseased or contaminated animals.** Finally, **section 1** provides that a person who: (1)  
 44 intentionally hits and renders crippled or helpless or kills a salvageable animal shall be  
 45 punished for a category E felony; and (2) otherwise violates any provision of **section 1** is  
 46 guilty of a misdemeanor. **Section 3** of this bill makes a conforming change by providing that  
 47 any person who violates certain provisions of **section 1** is guilty of a misdemeanor.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 501 of NRS is hereby amended by adding thereto a new  
 2 section to read as follows:

3 **1. A peace officer who responds to an accidental vehicle collision in this**  
 4 **State between a salvageable animal and a vehicle by which the salvageable**  
 5 **animal was accidentally killed as a result of ~~the~~ the vehicle collision ~~in this State~~**  
 6 **~~may be salvaged and possessed if the driver of the vehicle that hit the salvageable~~**  
 7 **~~animal or another person who did not hit the salvageable animal but found the~~**  
 8 **~~killed salvageable animal obtains a salvage permit:~~**

9 ~~— (a) From a peace officer who is at the scene of the accident;~~

10 ~~— (b) At an office established throughout this State pursuant to NRS 501.341~~  
 11 ~~within 24 hours of the driver or person taking possession of the salvageable~~  
 12 ~~animal; or~~

13 ~~— (c) Through an electronic application and issuance process established by~~  
 14 ~~the Department within 24 hours of the driver or person taking possession of the~~  
 15 ~~salvageable animal.) may, pursuant to this section and as soon as practicable,~~  
 16 **issue a salvage permit to the driver of the vehicle or to another person. A peace**  
 17 **officer shall not issue a salvage permit for any animal that has:**

18 **(a) Been injured or killed as a result of any action that is not an accidental**  
 19 **vehicle collision;**

20 **(b) A tracking collar;**

21 **(c) A tag indicating that the animal should not be consumed as a result of a**  
 22 **chemical restraint or chemical immobilization; or**

23 **(d) Obvious signs of disease or contamination.**

1 ~~↪~~ A salvage permit shall be available at no cost to the driver or person seeking to  
2 obtain the salvage permit.

3 2. A driver or other person who has been issued a salvage permit pursuant  
4 to subsection 1 may salvage and take possession of the salvageable animal.

5 3. The Department shall create salvage permit forms and provide such  
6 salvage permit forms to peace officers on request. ~~[The salvage permit may only~~  
7 ~~be issued in the name of the driver of the vehicle or the person who found the~~  
8 ~~salvageable animal. The salvage permit is not transferable.]~~ The salvage permit  
9 form shall require the following information:

10 (a) The name and address of the driver or ~~[person,]~~ of any person who will  
11 be transporting or will be in possession of any portion or part of the salvageable  
12 animal, if different than the driver;

13 (b) A description of the salvageable animal that was killed ~~[+]~~, including,  
14 without limitation, the species and sex of the salvageable animal;

15 (c) Whether the salvageable animal was rendered crippled or helpless ~~[and],~~  
16 was humanely killed and the method used to humanely kill the salvageable  
17 animal pursuant to subsection ~~[4 or] 5;~~

18 (d) The date of the collision ~~[or the finding of] with the salvageable animal;~~

19 (e) The specific location of the collision ~~[or the finding of] with the~~  
20 salvageable animal;

21 (f) A description of the motor vehicle that hit the salvageable animal ; ~~[, if~~  
22 applicable;]

23 (g) The destination or destinations, as applicable, to which the carcass of the  
24 salvageable animal will be transported;

25 (h) The name of the peace officer who issued the permit ; ~~[, if applicable;]~~  
26 and

27 (i) An acknowledgement that the carcass is being salvaged at the permit  
28 holder's own risk and that this State is not liable for any loss or damage arising  
29 out of the salvage, possession, use, transport or consumption of the salvageable  
30 animal.

31 ~~[3.]~~ 4. A driver or other person who salvages and takes possession of a  
32 salvageable animal pursuant to this section must:

33 (a) ~~[Completely]~~ Subject to the provisions of subsection 6, completely remove  
34 the carcass of the salvageable animal from the road or road right-of-way by  
35 taking the entire carcass, including entrails;

36 (b) Ensure that any meat rendered from the salvageable animal is utilized for  
37 human consumption and is not used for bait or any other purpose; ~~[and]~~

38 (c) Keep the salvage permit with the carcass of the listed salvageable animal  
39 until the salvage permit is delivered to the Department pursuant to paragraph (d)  
40 in the manner set forth by the Department; and

41 (d) Within 5 business days after taking possession of the carcass of the  
42 salvageable animal, deliver a completed copy of the salvage permit for that  
43 animal and surrender the head, hide, antlers ~~[+]~~ or horns , ~~[or tusks,]~~ if  
44 applicable, to the Department in the manner set forth by the Department.

45 ~~[4.]~~ A salvage permit may not be issued for the salvage, possession, transport  
46 or use of any salvageable animal that was rendered crippled or helpless as a  
47 result of a vehicle collision and then killed in a humane manner, unless the  
48 person seeking the salvage permit is:

49 ~~—~~ (a) The driver of the vehicle that accidentally hit the salvageable animal,  
50 thus rendering it crippled or helpless; or

51 ~~—~~ (b) Another person who did not hit the salvageable animal but found the  
52 salvageable animal crippled or helpless.

1 ~~Any person who humanely kills a crippled or helpless salvageable animal~~  
2 ~~pursuant to this subsection shall immediately report the killing to a peace officer~~  
3 ~~or the Department.~~

4 5. Except as otherwise provided in this subsection, a peace officer may  
5 humanely kill any salvageable animal rendered crippled or helpless by an  
6 accidental vehicle collision, and the Department or peace officer may thereafter  
7 issue, pursuant to this section, a salvage permit for the carcass. If the peace  
8 officer uses a chemical restraint or a chemical immobilization upon the animal,  
9 the peace officer shall not issue a salvage permit for the carcass of that animal.

10 6. When a driver or person salvages and takes possession of a salvageable  
11 animal, the driver or person ~~shall~~ :

12 (a) Shall comply with all applicable rules and regulations governing the  
13 highways of this State ~~and~~;

14 (b) Shall not attempt to salvage or take possession of a salvageable animal  
15 outside of daylight hours unless a peace officer provides sufficient light for such  
16 a taking.

17 7. A peace officer ~~may~~ shall inspect the carcass and may inspect the motor  
18 vehicle before issuing the salvage permit. ~~if applicable. The~~ At the discretion  
19 of the Department, the carcass and motor vehicle ~~if applicable,~~ are subject to  
20 inspection by a game warden within 20 days after the issuance of a salvage  
21 permit. If the carcass has been processed or if the motor vehicle has been  
22 repaired, the game warden may inspect the invoices or other documents  
23 recording the processing or repair.

24 8. ~~After complying with the provisions of paragraph (d) of subsection 4,~~  
25 a driver or other person who salvages and takes possession of the carcass of a  
26 salvageable animal pursuant to this section may place all or part of the carcass in  
27 storage or may make a gift of the carcass to another person. No portion of any  
28 carcass of a salvageable animal salvaged and possessed pursuant to this section  
29 may be sold, bartered or exchanged.

30 9. A salvage permit carries no representation or implication that any part of  
31 the carcass of a salvageable animal is edible. A driver or other person who  
32 salvages and takes possession of the carcass of a salvageable animal does so at  
33 his or her own risk. The peace officer, agency employing the peace officer and  
34 the Department are not liable with respect to any use made of the carcass of a  
35 salvageable animal.

36 10. This section does not authorize the salvage or taking possession of  
37 salvageable animals from ~~the~~ :

38 (a) A highway in this State that has a speed limit of 70 miles per hour or  
39 more;

40 (b) An interstate highway;

41 (c) Private property, unless the owner grants permission for such a salvage  
42 or taking;

43 (d) The reservation lands of any Indian tribe in this State ~~and~~;

44 (e) Any areas that are restricted and to which the public does not have  
45 permission to enter;

46 (f) Any area under the possession or control the Department;

47 (g) A disposal site; or

48 (h) An area that the Department determines to contain diseased or  
49 contaminated animals.

50 11. A person who:

51 (a) Intentionally hits and renders crippled or helpless or kills a salvageable  
52 animal shall be punished for a category E felony as provided in NRS 193.130;  
53 and

1 (b) Except as otherwise provided in paragraph (a), violates any provision of  
2 this section, is guilty of a misdemeanor pursuant to NRS 501.385.

3 12. As used in this section:

4 (a) “Disposal site” has the meaning ascribed to it in NRS 444.460.

5 (b) “Peace officer” means:

6 (1) A sheriff, deputy sheriff, undersheriff, officer of a metropolitan police  
7 department or city police officer;

8 (2) A chief, inspector, supervisor, commercial officer or trooper of the  
9 Nevada Highway Patrol Division of the Department of Public Safety;

10 (3) A game warden;

11 (4) A ranger or employee of the Division of State Parks of the State  
12 Department of Conservation and Natural Resources who has the powers of a  
13 peace officer pursuant to NRS 289.260; or

14 (5) A member of the police department of the Nevada System of Higher  
15 Education.

16 ~~(b)~~ (c) “Salvage permit” means a permit issued pursuant to this section.

17 ~~(c)~~ (d) “Salvageable animal” means a big game mammal, ~~fur-bearing~~  
18 ~~mammal~~ game mammal or upland game bird ~~fur~~ that is salvageable, as  
19 determined by a peace officer pursuant to this section. The term does not include  
20 alternative livestock, fur-bearing mammals, migratory game birds or any  
21 protected, threatened or sensitive mammals, as described in the regulations of the  
22 Board of Wildlife Commissioners.

23 **Sec. 2.** NRS 501.379 is hereby amended to read as follows:

24 501.379 1. Except as otherwise provided in this section:

25 (a) It is unlawful for any person to sell or expose for sale, to barter, trade or  
26 purchase or to attempt to sell, barter, trade or purchase any species of wildlife, or  
27 parts thereof, except as otherwise provided in this title or in a regulation of the  
28 Commission.

29 (b) The importation and sale of products made from the meat of game  
30 mammals, game birds or game amphibians raised in captivity is not prohibited if  
31 the importation is from a licensed commercial breeder or commercial processor.

32 (c) *It is unlawful for any person to sell, barter or exchange or expose for  
33 sale, to barter or exchange or to attempt to sell, barter or exchange any portion of  
34 a carcass of a salvageable animal in violation of section 1 of this act.*

35 2. The provisions of this section do not apply to alternative livestock and  
36 products made therefrom.

37 3. *As used in this section, “salvageable animal” has the meaning ascribed  
38 to it in section 1 of this act.*

39 **Sec. 3.** NRS 501.385 is hereby amended to read as follows:

40 501.385 Except as otherwise provided by specific statute:

41 1. Any person who:

42 (a) Performs an act or attempts to perform an act made unlawful or prohibited  
43 by a provision of this title;

44 (b) Willfully fails to perform an act required of the person by a provision of  
45 this title;

46 (c) Obstructs, hinders, delays or otherwise interferes with any officer,  
47 employee or agent of the Department:

48 (1) In the performance of any duty while enforcing or attempting to  
49 enforce any provision of this title or any regulation adopted pursuant thereto; or

50 (2) While lawfully obtaining or attempting to obtain biological samples of  
51 wildlife, hunting, fishing or trapping data, or any other biological data or  
52 information relating to wildlife;

1 (d) Violates any order issued or regulation adopted by the Commission under  
2 the provisions of this title; ~~or~~

3 (e) Having been granted a privilege or been licensed or permitted to do any act  
4 under the provisions of this title, exercises the grant, license or permit in a manner  
5 other than as specified ~~in~~; *or*

6 *(f) Except as otherwise provided in paragraph (a) of subsection 11 of section*  
7 *1 of this act, violates any provision of section 1 of this act,*

8 *is guilty of a misdemeanor. An officer, employee or agent of the Department*  
9 *may not obtain or attempt to obtain biological samples of wildlife, hunting, fishing*  
10 *or trapping data, or any other biological data or information relating to wildlife on*  
11 *private property without the consent of the owner of the property.*

12 2. Every person who is guilty of a misdemeanor under this title shall be  
13 punished by a fine of not less than \$50 nor more than \$500, or by imprisonment in  
14 the county jail for not more than 6 months, or by both fine and imprisonment.