



INSTRUCTIONS SUBGUIDE'S LICENSE

License Fees: Resident \$125
Nonresident \$250

Application Processing Fee (nonrefundable) \$50

The nonrefundable application fee is only required of a person who was not licensed as a subguide the previous year.

LEGAL AUTHORITY: NRS 504.390; NAC 504.600 through 504.701, inclusive.

MINIMUM AGE: 18 years old.

“GUIDE” DEFINED: "Guide" means to assist another person in hunting wild animals or wild birds and fishing and includes the transporting of another person or his equipment to hunting and fishing locations within a general hunting and fishing area whether or not the guide determines the destination or course of travel.

LICENSE/PERMIT REQUIREMENTS:

Each person who assists a person who is required to have a master guide license and acts as a guide in the course of that activity shall obtain a subguide license from the Department.

Any person who desires a subguide license must make application for the license on a form prescribed and furnished by the Department. The application must contain such information as the Commission may require by regulation.

RESIDENT: "Resident" means a person who is a citizen of the United States, who has actually been physically present in the State of Nevada for at least 6 months immediately preceding his application for a license, tag or permit, and who intends to make Nevada his permanent home.

NONRESIDENT: "Nonresident" means a person who is not a resident of Nevada.

WHERE TO OBTAIN APPLICATIONS: An application for a subguide's license may be obtained from the NDOW website (ndow.org) or the headquarters of the Department of Wildlife at 6980 Sierra Center Parkway Ste 120, Reno, NV 89511.

DENIAL OF LICENSE: Whenever an application is denied for a reason listed in NAC 504.671, the Department will notify the applicant, in writing or electronically, of the reason for denial. The applicant may appeal such a denial to the commission.

ACTING AS GUIDE WITHOUT LICENSE:

1. Any person who acts as a master guide or as a subguide without first obtaining a license pursuant to NRS 504.390 is guilty of a gross misdemeanor.

2. Any vessel, vehicle, aircraft, pack or riding animal or other equipment used by a person operating in violation of subsection 1 is subject to forfeiture upon the conviction of that person of a gross misdemeanor if that person knew or should have known that the vessel, vehicle, aircraft, animal or equipment would be used in violation of subsection 1.

GENERAL RESTRICTIONS, CONDITIONS, AND REQUIREMENTS

1. **General requirements for license.** An applicant for a license as a subguide must:

- (a) Be a competent person of good moral character.
- (b) Be 18 years of age or older.
- (c) Know the wildlife and boating laws and regulations of the state relevant to the license for which the applicant is applying and **pass required examination with a minimum score of 80% (*new applicant only)**
- (d) Provide proof of certification in a Red Cross Standard First Aid course or an equivalent course approved by the Department with his original application for a license.

(e) Provide proof of his United States Coast Guard license, if applicable. If a boat will be used to provide a service to a client and a United States Coast Guard license is not required, the applicant must provide proof that he has successfully obtained a minimum score of 80 percent on the boating safety examination in the Navigating Nevada booklet, which may be obtained free of charge from the Nevada Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512.

(f) Provide proof of completion of a course in the responsibilities of hunters (*new applicant only)

2. Action by Department on Applications: The Department will make such additional investigation of an applicant for a license as a subguide and his qualifications as the Department deems necessary. The final decision of the Department to approve or deny an application for license will be made:

(a) If the application is for the renewal of a license, not later than 30 days after the date on which the completed application is received; and

(b) If the application is not an initial license, not later than 90 days after the date on which the completed application is received.

If an applicant fails to include proof of certification in first aid **or proof of completion of course in responsibilities of hunters (*new applicant only) or has failed to pass a required examination (*new applicant only)** with his application as required in NAC 504.600, the Department will notify the applicant, in writing or electronically, of the omission. The applicant must submit the required documentation to the Department within 30 days after he receives the formal notification from the Department of the omission. If the Department does not receive the documentation within the 30-day period, the Department will consider the application to be incomplete and will take no further action on the application.

The Department will deny the application for a license as a subguide for a specific region if the applicant holds a current restricted nonresident deer tag.

3. Area of operation. An applicant for a license as a guide must describe in his application the area within a specific management area or a designated county or on a particular body of water in a region where he has experience as a guide and intends to operate. The Department may authorize a subguide to provide services for big game mammals, fur-bearing mammals and all species of game fish, unprotected fish and game birds on a statewide basis if the subguide is licensed under a master guide that is authorized to guide on a statewide basis.

4. Big game guiding. If a license is issued for big game guiding, it must specify in terms of a game management area, or portions thereof, the exact territorial limits of the guide's big game operations.

*A licensee may operate only in the big game hunting area indicated on his license.

5. Transportation of big game mammal. A licensed master guide or subguide may transport a big game mammal taken by his client from the location where the mammal was harvested without first obtaining a transportation permit in accordance with NRS 503.040 if:

(a) The big game mammal has been tagged in accordance with NAC 502.400 and the tag has been properly validated in accordance with NAC 502.390; and

(b) The master guide or subguide transports the big game mammal in accordance with the conditions established on his master guide license only to a commercial or private preservation facility within the state, including any cold storage locker, trailer or walk-in facility offered as a service to its customers, for the purpose of preserving meat or carcass of the big game mammal.

During any reasonable hour, upon the request of an agent of the Department authorized to enforce the provisions of Title 45 of NRS, a guide shall present any big game mammal which he is transporting or has transported.

NOTE: *This provision does not exempt a hunter from personally presenting bighorn, mountain lion, swan or mountain goat for inspection.*

9. Contracts. Before providing a service to a client, a licensed master guide must furnish the client with a contract. ONLY the master guide may enter into a contract with a client.

10. Records. Licensed master guides and subguides shall keep and have available complete, current, and accurate records regarding their clients. Records regarding clients must be written on forms furnished by the Department to all licensed master guides. These forms will include spaces for:

(a) The client's name.

(b) The client's hunting or fishing license number, whichever is applicable.

(c) The client's big game or swan tag number.

(d) The dates on which the client was guided.

(e) The date each species of wildlife was harvested, the species harvested, and the number of the species harvested.

- (f) The point class of the animal harvested if the animal is a deer or elk.
- (g) The management unit where each animal was harvested.
- (h) The name of each of the guides who guided the client.

Records must be updated by the master guide or the subguide who was responsible for the client for as long as service is provided to the client.

11. Grounds for denial, revocation or suspension. The Department may deny an application for or revoke or suspend a guide's license for any of the following:

1. Fraud or deception in procuring a license.
2. Fraudulent, untruthful or misleading advertising.
3. A conviction of any:
 - (a) Felony; or
 - (b) Crime involving physical violence, theft or fraud.
4. A conviction of having violated a regulation of a federal land management agency.
5. Immoral, unethical or dishonorable conduct in the licensee's relation to his guest, client, patron or a member of the public while providing guide services.
6. A conviction of having violated a provision of:
 - (a) Chapter 488 or title 45 of NRS, or any regulation adopted pursuant thereto, or for a conviction of having violated an equivalent provision in the law or regulations of any other state or the Federal Government; or
 - (b) NRS 444.630 or 445A.465, or any regulation adopted pursuant thereto, relating to the conduct of the guide while providing guide services.

For the purposes of this subsection, the term "conviction" means a final conviction. A forfeiture of bail or collateral deposited to secure a defendant's appearance or a plea of nolo contendere is equivalent to a conviction.

7. A guide's substantial breach of any contract with any person utilizing his services, as determined by a court of competent jurisdiction.
8. Operation by a guide in an area other than that for which he is licensed or specifically authorized by the Department or the federal land management agency having jurisdiction.
9. The employment or use of an unlicensed subguide by a master guide.
10. Two or more convictions of any provision of [chapter 484] chapters 484A to 484E, inclusive, or chapter 488 of NRS or an equivalent provision of law of any other state or the Federal Government relating to driving a motor vehicle or operating a boat while under the influence of an intoxicating liquor or a controlled substance within the 7 years immediately preceding the application for a license to be a guide.
11. A conviction of any provision of chapter 453 of NRS or an equivalent provision of law of any other state or the Federal Government relating to controlled substances within the 5 years immediately preceding the application for a license to be a guide.
12. Failing to report to the Division of Law Enforcement [Bureau] of the Department, without undue delay, any violation of the wildlife laws or regulations of which the guide has knowledge.
13. Shooting, killing or taking a client's wildlife.
14. Failing to comply with any provision of NAC 504.663, 504.685 or 504.688.
15. Providing guide services relating to hunting or fishing on public land or public waters without having the necessary special use permit issued by the federal land management agency having jurisdiction within the wildlife management area or unit.
16. Providing guide services relating to hunting or fishing on private land in violation of NRS 503.240.
17. Intimidating, threatening or intentionally interfering with a person who is lawfully hunting or fishing, or who is attempting to do so.
18. Revocation of a hunting or fishing license of the guide in any state.
19. An outstanding warrant for the arrest of the applicant or guide issued in any state.

If any person licensed as a guide or person served by a guide, is convicted of a violation of any provision of this Title or chapter 488 of NRS, the commission may revoke the license of the licensee and may refuse issuance of another license to the licensee for a period of 5 years after the date of conviction.

12. Habitual violators. An application for a license as a master guide or a subguide may be permanently denied if the applicant is a habitual violator. "Habitual violator" means a person who has been previously

convicted of three or more violations of the wildlife laws of Nevada or the equivalent provisions of the law of any other state or federal law.

13. Guiding a hunt for mountain lion. A master guide or subguide who is hired to hunt a mountain lion shall ensure that his client physically accompanies him in the pursuit and killing of the mountain lion.

PERTINENT STATUTES AND REGULATIONS

NRS 504.390 Licensing; records; regulations.

1. As used in this section, unless the context requires otherwise, "guide" means to assist another person in hunting wild mammals or wild birds and fishing and includes the transporting of another person or his equipment to hunting and fishing locations within a general hunting and fishing area whether or not the guide determines the destination or course of travel.

2. Every person who provides guide service for compensation or provides guide service as an incidental service to customers of any commercial enterprise, whether a direct fee is charged for the guide service or not, must obtain a master guide license from the Department. Such a license must not be issued to any person who has not reached 21 years of age.

3. Each person who assists a person who is required to have a master guide license and acts as a guide in the course of that activity must obtain a subguide license from the Department. Such a license must not be issued to any person who has not reached 18 years of age.

4. Fees for master guide and subguide licenses must be as provided in NRS 502.240.

5. Any person who desires a master guide license must apply for the license on a form prescribed and furnished by the Department. The application must contain the social security number of the applicant and such other information as the Commission may require by regulation. If that person was not licensed as a master guide during the previous licensing year, his application must be accompanied by a nonrefundable fee of \$1,500.

6. Any person who desires a subguide license must apply for the license on a form prescribed and furnished by the Department. If that person was not licensed as a subguide during the previous licensing year, his application must be accompanied by a nonrefundable fee of \$50.

7. If the holder of a master guide license operates with pack or riding animals, he shall also have a grazing or special use permit if he operates in any area where such a permit is required.

8. The holder of a master guide license shall maintain records of the number of hunters and fishermen served, and any other information which the Department may require concerning fish and game taken by such persons. Such information must be furnished to the Department on request.

9. If any licensee under this section, or person served by a licensee, is convicted of a violation of any provision of this title or chapter 488 of NRS, the Commission may revoke the license of the licensee and may refuse issuance of another license to the licensee for a period not to exceed 5 years.

10. The Commission may adopt regulations covering the conduct and operation of a guide service.

11. The Department may issue master guide and subguide licenses to be valid only in certain districts in such a manner as may be determined by the regulations of the Commission.

NAC 503.148. Use of aircraft, hot air balloons, satellites or other devices.

1. Except as otherwise provided in this section, a person shall not, for the purpose of hunting, locate or observe, or assist a person in locating or observing, any big game mammal in a management unit described in NAC 504.210 during the period beginning 48 hours before a big game hunting season opens until the close of the season in that management unit with the use of:

- (a) An aircraft, including, without limitation, any device that is used for navigation of, or flight in, the air;
- (b) A hot air balloon or any other device that is lighter than air; or
- (c) A satellite or any other device that orbits the earth and is equipped to produce images.

2. For the purposes of subsection 1, the season for hunting a mountain lion which is open in a management unit shall be deemed not to be a big game hunting season during the period beginning after the big game hunting season for all other species of big game has closed in that management unit until the period beginning 48 hours before the opening of a big game hunting season established for hunting any other species of big game in that management unit.

3. Evidence of an act constituting a violation of subsection 1 includes, without limitation:

- (a) Flying slowly at low altitudes;
- (b) Hovering;
- (c) Circling; or
- (d) Repeatedly flying,

over a forest, marsh, field, woodland or rangeland where a big game mammal is likely to be found.

4. The provisions of this section do not apply to a person who:

- (a) Is acting within the scope of his official duties and who is:
 - (1) An employee or authorized agent of this state;
 - (2) An employee of a municipal or county government of this state; or
 - (3) An employee of the Federal Government;
 - (b) Holds a scientific permit issued by the Department for the collection of wildlife and who is acting in compliance with the terms and conditions of the permit; or
 - (c) Holds a permit issued by the Department which authorizes the control of bobcats, coyotes or ravens from an aircraft and who is acting in compliance with the terms and conditions of the permit.
5. The provisions of this section do not authorize any act that is prohibited by NRS 503.010.