

Regulation Simplification Committee Regulations

Commission General Regulation 494

Nevada Administrative Code 501

NAC 501.100 – Simplify

Department maintains a file of comments on proposed federal actions and EIS statements, however it is not in the form of a “book”

NAC 501.100 Comments of Department. (NRS 501.181) The Department will:

1. Maintain a record ~~book~~ containing copies of the Department's comments on proposed federal actions, on drafts of environmental impact statements and on proposed federal regulations affecting public lands. The copies will be maintained for 2 years.

~~2. Enter its comments in the record book before the comments are submitted to the State Planning Coordinator or the appropriate federal agency.~~

3. Make ~~the contents of~~ the record ~~book~~ available *upon request*. ~~in the Department's office at 1100 Valley Road, Reno, Nevada, and in the Department's regional offices at Fallon, Elko and Las Vegas, for inspection and copying by the public during business hours.~~

[Bd. of Wildlife Comm'rs, No. 30, eff. 9-25-79]

NAC 501.200 – Update

remove the demerit point assessments for this and other violations exempted by NRS 501.1812

UNLAWFUL POSSESSION

Classification of Violations	NRS Section	NAC Section	Demerits
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
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

NRS 501.1812 System of assessing demerit points for wildlife convictions: Definitions. As used in NRS 501.1812 to 501.1818, inclusive, unless the context otherwise requires:

1. "License" means a license or tag issued by the Department for:

- (a) Recreational hunting or fishing; or
- (b) Taking fur-bearing mammals, trapping unprotected mammals or selling raw furs for profit.

2. "Permit" means a permit issued by the Department for recreational hunting or fishing.

3. "Wildlife conviction" means a conviction obtained in any court of competent jurisdiction in this State, including, without limitation, a conviction obtained upon a plea of nolo contendere or upon a forfeiture of bail not vacated in any such court, for a violation of:

(a) A provision of this title or any regulation adopted pursuant to this title other than a provision of NRS 502.370, 502.390, 503.185, 503.310 or 504.295 to 504.398, inclusive; or

(b) A provision of the Lacey Act Amendments of 1981, 16 U.S.C. §§ 3371 et seq., if the violation of that provision is based on a violation of a law or regulation of this State.

(Added to NRS by 1995, 896; A 1997, 264, 1025; 1999, 1043; 2003, 1522; 2009, 445)

NAC 501.200 cont'd – Clarify

PERMITS

Classification of Violations	NRS Section	NAC Section	Demerits
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
<i>Commercial taking of crayfish, except in accordance with a permit issued pursuant to <u>NAC 503.540</u>.....</i>	<i>501.385</i>	<i>503.540</i>	<i>6</i>



MISCELLANEOUS FISH AND GAME

Classification of Violations	NRS Section	NAC Section	Demerits
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
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 <u>NAC 503.540</u>.....	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

NAC 501.200 cont'd – Update

LICENSES

Classification of Violations	NRS Section	NAC Section	Demerits
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
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

Remove the demerit point assessments for this and other violations exempted by NRS 501.1812

NAC 501.200 - Update

Remove the demerit point assessments for this and other violations exempted by NRS 501.1812

As currently written:

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, *except for violations of NRS 502.370.*

Should be:

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, *except for violations of NRS 502.370, 502.390, 503.185, 503.310, or 504.295 to 504.398.*

NRS 501.1812 System of assessing demerit points for wildlife convictions: Definitions. As used in NRS 501.1812 to 501.1818, inclusive, unless the context otherwise requires:

1. "License" means a license or tag issued by the Department for:
 - (a) Recreational hunting or fishing; or
 - (b) Taking fur-bearing mammals, trapping unprotected mammals or selling raw furs for profit.
2. "Permit" means a permit issued by the Department for recreational hunting or fishing.
3. "Wildlife conviction" means a conviction obtained in any court of competent jurisdiction in this State, including, without limitation, a conviction obtained upon a plea of nolo contendere or upon a forfeiture of bail not vacated in any such court, for a violation of:
 - (a) A provision of this title or any regulation adopted pursuant to this title other than a provision of NRS 502.370, 502.390, 503.185, 503.310 or 504.295 to 504.398, inclusive; or
 - (b) A provision of the Lacey Act Amendments of 1981, 16 U.S.C. §§ 3371 et seq., if the violation of that provision is based on a violation of a law or regulation of this State.

(Added to NRS by 1995, 896; A 1997, 264, 1025; 1999, 1043; 2003, 1522; 2009, 445)

GRANT PROGRAM FOR WILDLIFE RESTORATION ACTIVITIES AND WILDLIFE RESEARCH

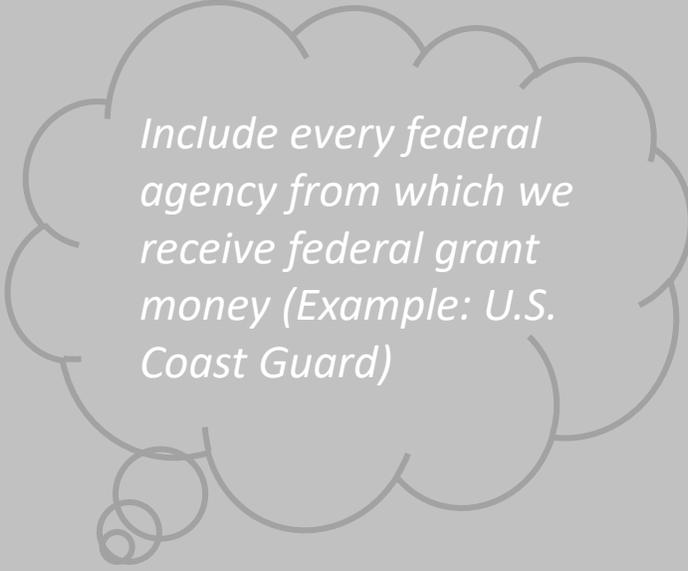
NAC 501.400 Solicitation of applications; eligibility; funding sources for grants.

NAC 501.400 Solicitation of applications; eligibility; funding sources for grants. (NRS 501.105, 501.115, 501.117, 501.181)

1. The Department shall administer a grant program to provide funding to facilitate wildlife restoration activities and wildlife research.
2. The Department may solicit applications for grants by giving public notice of the availability of grants and the deadlines. Public notice given pursuant to this section must include, without limitation, the criteria for receiving a grant, reporting and recordkeeping requirements for applicants that have received a grant and any other information relating to the grant program that the Department determines is necessary.
3. An application for a grant may be submitted to the Department by a federal, state or local governmental entity or a private nonprofit organization.
4. The program will be administered with the following money received by the Department:
 - (a) Federal grants from the United States Fish and Wildlife Service, the United States Coast Guard, the United States Bureau of Land Management and the United States Bureau of Reclamation pursuant to NRS 501.115 and 501.117;
 - (b) Money deposited in the Wildlife Heritage Account pursuant to NRS 501.3575;
 - (c) Money received for Dream Tag fees pursuant to NRS 502.219;
 - (d) Resource enhancement stamp fees collected pursuant to NRS 502.222;
 - (e) Fees collected for processing applications for game tags pursuant to NRS 502.253;
 - (f) Fees deposited pursuant to NRS 502.294;
 - (g) Fees for any projects for waterfowl deposited pursuant to NRS 502.310;
 - (h) Fees for the trout program deposited pursuant to NRS 502.3262;
 - (i) Permit fees collected pursuant to NRS 502.390; and
 - (j) If applicable, any other money *or federal grants* received for development projects with potential impacts to wildlife ~~as determined by the United States Fish and Wildlife Service or any other agency within the United States Department of the Interior.~~

(Added to NAC by Bd. of Wildlife Comm'rs by R141-13, eff. 3-28-2014; A by R029-17, 12-19-2017)

NAC 501.400 – Update



Include every federal agency from which we receive federal grant money (Example: U.S. Coast Guard)

Commission General Regulation 495

Nevada Administrative Code 502

NAC 502.1175 - Update



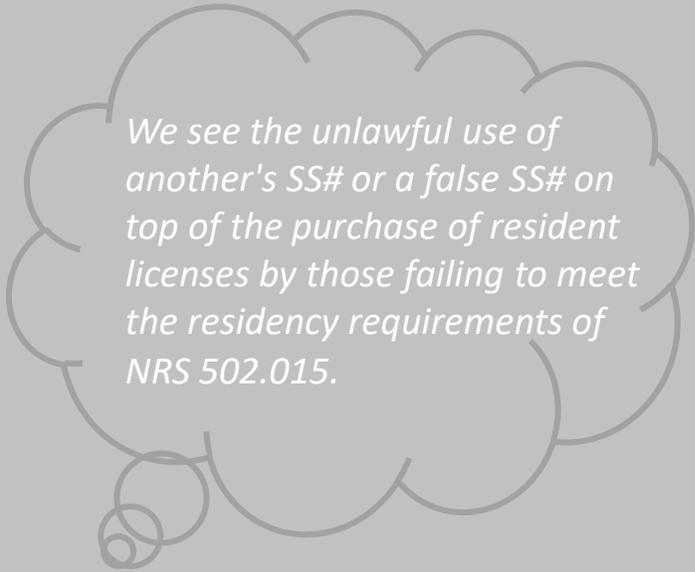
*Issue regarding fair chase -
Committee discussed broadening
this definition to include other
game beside mountain lion*

NAC 502. 1175 “Canned hunt” defined. “Canned hunt” means that a mountain lion is treed, cornered, held at bay or its ability to escape is otherwise restricted for the purpose of allowing a person who was not a member of the initial hunting party to arrive and take the mountain lion. A mountain lion cannot be released for the purpose of hunting or other purposes after previously been captured and confined or held for any length of time.

NAC 502.199 - Clarification

NAC 502.199 Application for initial issuance of licensing document; required information and statement. (NRS 501.105, 501.181)

1. For each application for the initial issuance of a license, tag, permit or other licensing document, the applicant or license agent shall correctly enter the information required on the application for the license, tag, permit or other licensing document.
2. The information required pursuant to subsection 1 must include:
 - (a) The applicant's:
 - (1) Legal name;
 - (2) Physical and mailing address;
 - (3) City, county and state of residence; and
 - (4) Zip code.
 - (b) The applicant's social security number or, if the applicant is a citizen of a country other than the United States, the *valid* passport number issued to the applicant by that country. If the applicant *is a United States citizen and* has not been issued a social security number, the application must include a notarized affidavit on a form provided by the Department indicating that the applicant has not been issued a social security number.
 - (c) If the applicant was born after January 1, 1960, and is applying for a hunting license or permit or combination hunting and fishing license, a statement indicating that the applicant has presented proof of successful completion of a course in the responsibilities of hunters pursuant to NRS 502.330.
 - (d) If the applicant is a resident of this State, an attestation by the applicant indicating that he or she is eligible for a resident license, tag or permit pursuant to NRS 502.015.
 - (e) A description of the applicant, including his or her height, weight, gender, hair color, eye color and date of birth.
 - (f) The applicant's electronic mail address, if any.



We see the unlawful use of another's SS# or a false SS# on top of the purchase of resident licenses by those failing to meet the residency requirements of NRS 502.015.

NAC 502.624 - Update

NAC 502.264 Mentor hunter: Contents of affidavit; separate affidavit required for each apprentice hunter. (NRS 501.105, 501.181, 502.030, 502.066)

1. A mentor hunter shall correctly enter the required information on the original and all copies of the form for a mentor hunter affidavit provided to a resident or nonresident. The information must include:

- (a) The mentor hunter's legal name, mailing address, street address, city, county, state and zip code;
- (b) The month, day, year and time the affidavit is completed by the mentor hunter;
- (c) A description of the mentor hunter, including the mentor hunter's height, weight, ~~sex~~ *gender* and date of birth;
- (d) The class and number of the hunting license issued to the mentor hunter in this State; and
- (e) The name of the apprentice hunter the mentor hunter accompanies and directly supervises pursuant to NRS 502.066.

2. The affidavit must contain a statement, signed by the mentor hunter, acknowledging the mentor hunter's eligibility and responsibilities as a mentor hunter pursuant to NRS 502.066.

3. The mentor hunter shall complete separate affidavits for each apprentice hunter the mentor hunter accompanies and directly supervises.

(Added to NAC by Bd. of Wildlife Comm'rs by R019-10, eff. 6-30-2010)



To keep consistent with other statutes.

NAC 502.321 - Update

NAC 502.321 Replacement tags. (NRS 501.105, 501.181, 502.215)

1. The Department shall issue a replacement tag at no charge to the holder of a big game tag who has tagged an animal which is diseased ~~and~~ *or otherwise deemed* unfit for human consumption if:

(a) A biologist or game warden of the Department or a veterinarian who is licensed to practice in this State avers on the affidavit of diseased big game that the animal is diseased; and

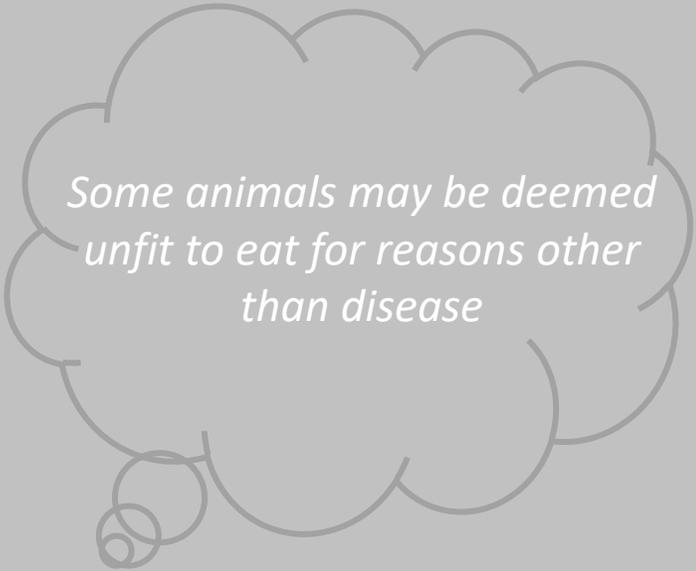
(b) The holder of the tag completes the portion of the affidavit of diseased big game required to apply for a replacement tag, including the selection of a season for which the replacement tag will be issued.

2. Upon receipt of a completed affidavit of diseased big game, the Department shall, during normal business hours, issue a replacement tag for the appropriate season pursuant to NRS 502.215 at any office of the Department that issues replacement tags for that purpose.

3. If the holder of the big game tag requests a replacement tag for the next similar season, he or she must possess a valid hunting license and provide the number of the hunting license to the Department in order to obtain the replacement tag.

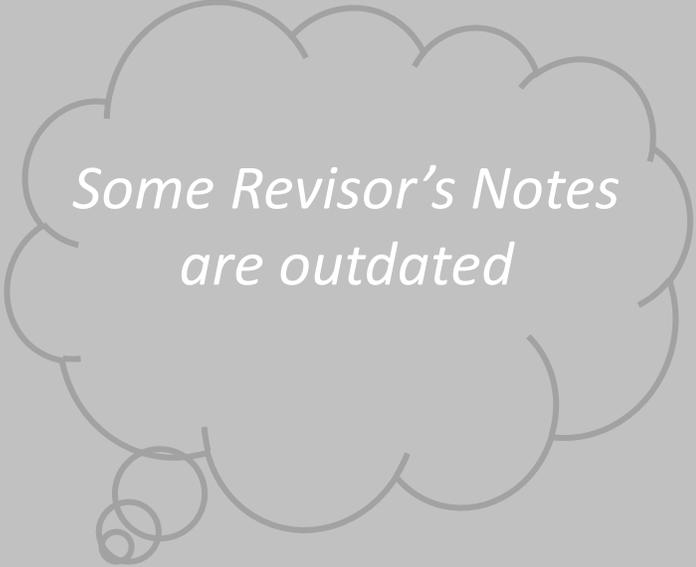
4. The Department may determine if a replacement tag will be issued from the tags remaining in the quota for that hunt or from tags issued in excess of the quota as an oversubscription for that hunt.

5. As used in this section, "affidavit of diseased big game" means a form provided by the Department which must be used by a person who has tagged an animal which is diseased and unfit for human consumption to apply for a replacement tag.



Some animals may be deemed unfit to eat for reasons other than disease

Reviser's Notes – Simplification



*Some Revisor's Notes
are outdated*

NAC 502.333 Limitation on applying for junior hunt.

NAC 502.333 Limitation on applying for junior hunt. (NRS 501.105, 501.181, 502.160) A person who is otherwise eligible to apply for a junior hunt may apply for a junior hunt for not more than 5 years.

(Added to NAC by Bd. of Wildlife Comm'rs by R115-07, eff. 12-4-2007; A by R150-09, 6-30-2010)

REVISER'S NOTE:

~~—The regulation of the Board of Wildlife Commissioners filed with the Secretary of State on June 30, 2010 (LCB File No. R150-09), which amended this section, contains the following provisions not included in NAC:~~

~~—“If a person who is ineligible to participate in a junior hunt because of his or her age or the number of years for which the person has applied for a junior hunt becomes eligible to participate in a junior hunt pursuant to the amendatory provisions of this regulation, the Department of Wildlife shall:~~

~~—1. Reinstate to the category for the junior hunt each unused bonus point accumulated by that person and automatically transferred pursuant to [former] subsection 4 of NAC 502.4189 [cf. subsection 5 of NAC 502.4189] before June 30, 2010;~~

~~—2. Reduce the number of bonus points in the category for antlered mule deer by the number of bonus points transferred pursuant to subsection 1; and~~

~~—3. Retain in the category for antlered mule deer each bonus point which was earned by the person before June 30, 2010, for each unsuccessful application for the issuance of a tag to hunt mule deer.”~~

NAC 502.347 – Clarification

NAC 502.347 Bobcats: Miscellaneous requirements; prohibited and unlawful acts; transportation; fee for seal. (NRS 501.105, 501.181, 502.130)

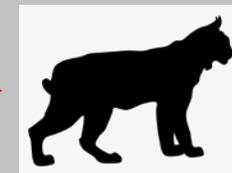
1. Any person who kills a bobcat shall, within 10 days after the close of the season, personally:
 - (a) Present its pelt for inspection by and give its lower jaw to a representative of the Department;
 - (b) Have the Department's seal affixed to the pelt; and
 - (c) Complete a report of the killing in accordance with the Department's instructions.
2. A person shall not sell, offer for sale, barter, trade, purchase, transfer ownership, tan, offer for out-of-state shipment by a common carrier or, except as otherwise provided in subsection 3, transport from this State any pelt of a bobcat unless the Department has affixed its seal to the pelt.
3. During the season designated by the Commission for the taking of bobcats, a person who holds a valid resident trapping license may transport from this State, for not more than 2 hours:
 - (a) The pelt of a bobcat that has not been stretched, dried or cured; or
 - (b) The entire unskinned carcass of a bobcat,
 - i lawfully taken by the person in this State, without the seal being affixed to the pelt pursuant to subsection 2, for the purpose of returning to the person's residence within this State by the most expedient route or checking any additional trap set by the person that is located in an area of this State which is most readily accessed from any state. The provisions of this subsection do not authorize a person to import, transport, export or possess an unsealed pelt in violation of a law or regulation of any state.
4. A person shall not possess a pelt of a bobcat 10 days or more after the close of the season unless the Department's seal is permanently attached to the pelt.
5. A resident of Nevada must pay the Department \$5 for such a seal.
6. It is unlawful for a person to present for sealing or to have sealed in this State the pelt of any bobcat taken in another state *or taken or possessed unlawfully by any person.*
7. As used in this section, "pelt" means the hide or skin of a bobcat that is not permanently tanned or has not been processed to a finished form or product beyond initial fleshing, cleaning, temporary tanning, curing, stretching, salting or drying. The term includes, without limitation, any green pelt or raw pelt.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 9-1-80; A 11-5-81; 8-22-86, eff. 9-15-86; R107-05, 9-18-2007)

To provide a clear prohibition and avenue for enforcement action when an unlawfully taken or killed bobcat is laundered through the NDOW sealing process for the purpose of sale.



Has No License



Has Trapping License

NAC 502.370 – Clarification

As currently written:

NAC 502.370 Mountain lions: Tags; open season; miscellaneous requirements; unlawful acts. **([NRS 501.105](#), [501.181](#), [502.130](#), [502.140](#), [502.160](#))**

1. Unless otherwise specified by a regulation of the Commission or title 45 of NRS, any resident of Nevada or nonresident is eligible to obtain not more than two mountain lion tags in any year. A mountain lion tag:

(a) May be purchased from the Department or a license agent;

(b) ***Must be purchased by the tagholder;***

(c) May be used in any management unit or group of management units in Nevada during any open season established for the management unit or group of management units pursuant to subsection 2; and

(d) Expires upon the termination of all the open seasons established pursuant to subsection 2 for the year for which the tag is issued.

2. The Commission will annually specify the number of mountain lions it determines to be appropriate for harvesting in a management unit or group of management units. The open season for mountain lions in each such management unit or group of management units begins on March 1 and ends on:

(a) The last day of the next succeeding February; or

(b) The day the Department determines that the number of mountain lions harvested in that management unit or group of management units is equal to or greater than the number specified by the Commission pursuant to this subsection,

È whichever occurs earlier. The Department shall maintain and annually publish a toll-free telephone number for ascertaining whether the Department has determined that the number of mountain lions harvested in a management unit or group of management units is equal to or greater than the number specified by the Commission pursuant to this subsection. The Department is not required to provide any other notice of the termination of an open season for mountain lions in a management unit or group of management units.

NAC 502.385 prohibits the possession of a tag issued to another person, with the clear intent to curb the potential unlawful transfer and use of tags

Should Be:

NAC 502.370 Mountain lions: Tags; open season; miscellaneous requirements; unlawful acts. **([NRS 501.105](#), [501.181](#), [502.130](#), [502.140](#), [502.160](#))**

1. Unless otherwise specified by a regulation of the Commission or title 45 of NRS, any resident of Nevada or nonresident is eligible to obtain not more than two mountain lion tags in any year. A mountain lion tag:

(a) May be purchased from the Department or a license agent;

(b) ***Must be purchased by the tagholder***

(c) May be used in any management unit or group of management units ***open to mountain lion hunting*** in Nevada during any open season established for the management unit or group of management units pursuant to subsection 2; and

(d) Expires upon the termination of all the open seasons established pursuant to subsection 2 for the year for which the tag is issued.

2. The Commission will annually specify the number of mountain lions it determines to be appropriate for harvesting in a management unit or group of management units. The open season for mountain lions in each such management unit or group of management units begins on March 1 and ends on:

(a) The last day of the next succeeding February; or

(b) The day the Department determines that the number of mountain lions harvested in that management unit or group of management units is equal to or greater than the number specified by the Commission pursuant to this subsection,

È whichever occurs earlier. The Department shall maintain and annually publish a toll-free telephone number for ascertaining whether the Department has determined that the number of mountain lions harvested in a management unit or group of management units is equal to or greater than the number specified by the Commission pursuant to this subsection. The Department is not required to provide any other notice of the termination of an open season for mountain lions in a management unit or group of management units.

NAC 502.370 – Clarification

To keep consistent
with other check-in
times

3. A person who harvests a mountain lion shall, within ~~72 hours~~ *five (5)* business days after harvesting it, personally present the *unfrozen* skull *with jaws propped open* and ~~hide~~ *pelt* to a representative of the Department for inspection *and recording of, but not limited to, evidence of sex, removal of premolar tooth, tissue sample and harvest location to include hunt unit, latitude/longitude or UTM coordinates.* The representative shall affix the seal of the Department permanently to the ~~hide~~ *pelt*. *The Department may seize any pelt not accompanied by its skull.*

Clarifies check-
in process and
what is needed
from the hunter

3. A person who harvests a mountain lion shall, within ~~72 hours~~ *five (5)* business days after harvesting it, personally present the *unfrozen* skull *with jaws propped open* and *unfrozen* ~~hide~~ *pelt* to a representative of the Department for inspection. *and recording of, but not limited to, evidence of sex, removal of premolar tooth, tissue sample and harvest location to include hunt unit, latitude/longitude or UTM coordinates.* The representative shall affix the seal of the Department permanently to the ~~hide~~ *pelt*. ~~The Department may seize any pelt not accompanied by its skull.~~

NAC 502.370 – Clarification

As currently written:

4. It is unlawful for any person to:
- (a) Transport the **hide pelt** of a mountain lion from this State without the seal required pursuant to this section permanently affixed to the hide.
 - (b) Except as otherwise provided in subsection 3, possess the **hide pelt** of a mountain lion without a seal permanently attached to it.
 - (c) Kill a female mountain lion which is accompanied by a spotted kitten.
 - (d) Kill or possess a spotted mountain lion kitten.
 - (e) *Possess, capture, injure, drug, rope, trap, snare or in any way harm or transport a live mountain lion.*
 - (f) *Provide a false statement in the reporting of a mountain lion harvest.*
 - (g) *Participate in a canned hunt.*



Should be:

4. It is unlawful for any person to:
- (a) Transport the **hide pelt** of a mountain lion from this State without the seal required pursuant to this section permanently affixed to the hide.
 - (b) Except as otherwise provided in subsection 3, possess the **hide pelt** of a mountain lion without a seal permanently attached to it *outside of prescribed period in subsection 3.*
 - (c) Kill a female mountain lion which is accompanied by a spotted kitten.
 - (d) Kill or possess a spotted mountain lion kitten.
 - (e) *Possess, capture, injure, drug, rope, trap, snare or in any way harm or transport a live mountain lion. The provisions of this subsection do not apply to a person who:*
 - (a) *Is acting lawfully and within the scope of his or her official duties as:*
 - (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 which authorizes the collection or control of mountain lions in this State, and they are acting lawfully in compliance with their permit*
 - (f) *Provide a false statement in the reporting of a mountain lion harvest.*
 - (g) *Participate in a canned hunt.*

NAC 502.370 – Clarification

As currently written:

5. If a mountain lion is accidentally trapped or killed, the person trapping or killing it shall report the trapping or killing within 48 hours to a representative of the Department. The animal must be disposed of in accordance with the instructions of the representative.

(a) Mountain lion may not be taken with a trap, snare or any other trapping device, except as authorized by the Department.

(b) Mountain lion accidentally caught in any trapping device must be released unharmed or as directed by the Department and must not be knowingly pursued or taken for a minimum of 24 hours.

Should be:

5. If a mountain lion is accidentally trapped or killed, the person trapping or killing it shall report the trapping or killing within 48 hours to a representative of the Department. The animal must be disposed of in accordance with the instructions of the representative.

(a) Mountain lion may not be taken with a trap, snare or any other trapping device, except as authorized by the Department.

*(b) A mountain lion **accidentally** caught in any trapping device must be released unharmed or as directed by the Department and must not be knowingly pursued or taken for a minimum of 24 hours.*

[Bd. of Fish & Game Comm'rs, No. 25 § 13, eff. 12-4-79] — (NAC A by Bd. of Wildlife Comm'rs, 11-14-88; 4-18-90; 3-19-96; R106-02, 1-21-2003; R107-05, 9-18-2007; R029-17, 12-19-2017)



Issue regarding
fair chase

NAC 502.400 - Clarification

Clarification for Law
Enforcement

NAC 502.400 Attachment of tag or permit to animal. (NRS 501.105, 501.181, 502.160)

1. Except as otherwise provided in subsection 2 and NAC 502.42905, the owner of a tag or permit must firmly attach it to the carcass of an animal killed by the owner, at or before the time he or she first reaches his or her means of transportation or camp, *whichever comes first*. The tag or permit must remain with the major portion of the meat until it is consumed.

2. If the animal killed is a mountain lion or fur-bearing mammal for which a tag or permit is required, the owner of the tag or permit or a designated licensed assistant pursuant to NAC 502.42905 must firmly attach it to the hide or pelt of the animal. The tag or permit must remain attached to the hide while it is transported and until it is processed.

[Bd. of Fish & Game Comm'rs, No. 6 § 4, eff. 9-1-78]—(NAC A by Bd. of Wildlife Comm'rs by R133-04, 10-28-2004; R126-06, 9-18-2006; R105-16, 6-21-2017)

NAC 502.418 - Simplify

NAC 502.418 Rejection of application. (NRS 501.105, 501.181, 501.337, 502.160, 502.175) The Department shall reject an application to obtain a tag, permit or bonus point if any of the following occurs:

1. The applicant fails to provide the information required pursuant to NAC 502.199, unless that information exists in the records of the Department.

~~2. The applicant fails to specify or incorrectly specifies the number of his or her hunting license or combination hunting and fishing license, unless that information exists in the records of the Department.~~

~~2~~ 3. The applicant fails to specify his or her social security number pursuant to NAC 502.199, unless that information exists in the records of the Department.

~~3~~ 4. The parent or legal guardian of an applicant who is at least 12 years of age but less than 18 years of age fails to provide the acknowledgment required pursuant to NRS 502.060.

~~4~~ 5. The applicant fails to specify on the application the species or the category of the species for which the application was submitted and, if the application is for a tag, a valid hunter choice number for that type of hunt. If the applicant specifies valid and invalid numbers, the Department shall accept the application for the valid numbers only.

~~5~~ 6. The applicant fails to provide the acknowledgment required pursuant to NRS 502.030.

~~6~~ 7. The applicant fails to submit the fees required pursuant to NAC 502.4175.

~~7~~ 8. The applicant fails to comply with the provisions of NAC 502.405, unless, on or before the deadline set forth in an annual regulation of the Commission for the year in which the application is submitted, he or she pays the applicable administrative fine and submits the properly completed questionnaire issued as part of the tag or permit or the information required by the questionnaire.

~~8~~ 9. Except as otherwise provided in NAC 502.4183, the applicant submits more than one application to hunt for the same species or category of species of wildlife during the same year, unless such an application is specifically authorized by the Commission. If such an application is not specifically authorized by the Commission, all applications submitted by the applicant to hunt for the same species must be rejected.

~~9~~ 10. Except as otherwise provided in NAC 502.4183 and 502.41895, the application is received after the deadline set by the Commission or by the Director pursuant to NAC 502.4196.

~~10~~ 11. The applicant fails to comply with the provisions of NRS 502.330.

~~11~~ 12. The applicant is otherwise ineligible to apply for the tag or bonus point.



*New system does
this for clients*

NAC 502.42273 – Clarification

NAC 502.42273 Persons not eligible for tag. (NRS 501.105, 501.181, 502.142, 502.160)

1. The following persons are not eligible for a special incentive elk tag:

(a) A landowner applicant who, during the same calendar year he or she applies for a special incentive elk tag, has applied for or received compensation pursuant to NRS 504.165 for damage caused by elk to the private land identified in the agreement for the special incentive elk tag.

(b) A landowner applicant whose private land blocks reasonable access to adjacent public land and who does not agree to provide reasonable access through his or her private land to allow a person or hunting party possessing a valid elk tag to hunt elk on the adjacent public land.

(c) An employee of the Department and the employee's spouse or children if the employee processes the request and awards the special incentive elk tag to himself or herself or to his or her spouse or children.

(d) Any person whose license, permit, or privileges are suspended or revoked.

2. If a landowner applicant:

(a) Fails to comply with any provision that is included in the agreement made pursuant to NAC 502.42276; or

(b) During the term of the agreement, prohibits or attempts to prohibit any hunter or hunting party holding a valid elk tag from entering or crossing the private land of the landowner applicant, the Department shall not, for 1 year after the failure or prohibition occurs, issue a special incentive elk tag to the landowner applicant.

(Added to NAC by Bd. of Wildlife Comm'rs by R057-98, eff. 9-1-98; A by R206-08, 10-27-2009)



To be consistent with the revocation and suspension directives in other statutes and regulations

NAC 502.4233 - Update

Should now say: At the ***start of the first day of the hunt*** for a non resident deer tag....

NAC 502.4233 Master guide: License; special use permit. (NRS 501.105, 501.181, 502.148, 502.149)

At the time *of the draw* ~~an application~~ for a nonresident deer tag ~~is submitted~~, the master guide who will accompany the restricted nonresident deer hunter on the restricted nonresident deer hunt must:

1. Be licensed by the Department to provide guide services related to deer hunting in the wildlife management area or unit for which the applicant is applying; and
2. If applicable, possess a valid special use permit required by the federal land management agency having jurisdiction within the wildlife management area or unit for which the applicant is applying.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 10-12-94; A by R054-04, 8-25-2004)

To provide a realistic timeframe for guides to obtain permits

NAC 502.4235 - Update

NAC 502.4235 Rejection or prohibited submission of application for tag.

NAC 502.4235 Rejection or prohibited submission of application for tag. (NRS 501.105, 501.181, 501.337, 502.148, 502.160, 502.175) In addition to the provisions of NAC 502.199, 502.4175 and 502.418, the Department shall reject an application for a restricted nonresident deer tag or prohibit a person from submitting the application if:

1. The applicant or the master guide fails to acknowledge a statement indicating that the applicant is entitled to the issuance of the restricted nonresident deer tag under the laws of this State.
2. The applicant or the master guide fails to submit the fees required pursuant to NAC 502.4175.
3. The master guide named in the application:
 - (a) Is not licensed for each wildlife management area or unit named in the application;
 - (b) Fails to specify or incorrectly specifies on the application the number of his or her current master guide license; or
 - (c) If applicable, does not possess a valid special use permit required by the federal land management agency having jurisdiction within the wildlife management area or unit for which the applicant is applying.
4. The applicant and the master guide named in the application are the same person.
5. The applicant holds a license as a subguide issued by the Department which authorizes the applicant to guide for deer in the wildlife management area or unit for which he or she is applying for a restricted nonresident deer tag.
6. *The applicant and licensed master guide or the applicant and any associated subguide are immediate family members.*

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 10-12-94; A 1-19-96; 5-7-96; 3-13-97; 11-14-97; R139-98, 11-13-98; R168-99, 1-19-2000; R133-01, 12-17-2001, eff. 1-1-2002; R025-03, 10-30-2003;



Concern for Law
Enforcement

NAC 502.4238

NAC 502.4238 Refunds; loss of master guide; award of tags from alternate list; records of Department. (NRS 501.105, 501.181, 502.148, 502.149, 502.160, 502.250)

1. If a master guide of a holder of a restricted nonresident deer tag dies or is no longer able to provide guide services due to medical reasons, because he or she has failed to renew his or her master guide license or the license has been revoked, *suspended, or denied or if the Masterguide fails to have any required Federal special use permit in place*, the holder of the tag for whom guide service was to be performed by the master guide may apply to the Department for a refund or may retain another master guide who is licensed for the area or unit specified on the tag. Before another master guide may render services as a master guide for the holder of the tag, and before the holder may participate in the restricted nonresident deer hunt for which the tag was issued, the holder of the tag must provide written notification to the Department that he or she has retained another master guide. The written notification must include:

- (a) The reasons for retaining the services of another master guide;
- (b) The signatures of the holder of the tag and the new master guide and the date on which the written notification was signed; and
- (c) The number of the master guide license of the newly retained master guide.



To provide protections for the hunter who trusts that their guide is following all laws of licenses and permits

NAC 502.4244 - Clarification

NAC 502.4244 Ineligible persons. (NRS 501.105, 501.181, 502.145, 502.160)

1. The following persons are not eligible for damage compensation tags:

(a) An owner applicant who feeds or baits deer or antelope to attract the animals onto his or her land; and

(b) An owner applicant who sustains damage which is a covered loss pursuant to a policy of insurance.

(c) Any applicant whose license, permit, or privileges are suspended or revoked.

2. An employee of the Department and his or her family may not purchase or use a damage compensation tag resulting from a complaint serviced directly by the employee.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 7-16-92; A 11-29-95)



To be consistent with the revocation and suspension directives in other statutes and regulations

NAC 502.4246 - Update

As currently written:

NAC 502.4246 Requirements for eligibility; requests regarding damage to separate locations. (NRS 501.105, 501.181, 502.145, 502.160)

1. To be eligible for the issuance of a damage compensation tag, an owner applicant must:
 - (a) Have sustained damage to his or her private property caused by deer or antelope;
 - (b) In accordance with the requirements set forth in NAC 502.4252, notify the Department of any damage within 10 days after discovering it;
 - (c) Enter into a cooperative agreement with the Department which complies with the requirements set forth in NAC 502.4248;
 - (d) Submit an application for a damage compensation tag which includes, without limitation:
 - (1) A form which sets forth any proof of the damage claimed by the owner applicant;
 - (2) A map which identifies the location on the private land at which the owner applicant will provide access to public land, if applicable; and
 - (3) The cooperative agreement entered into with the Department which is signed by the owner applicant and the Department;
 - (e) Cooperate with the Department in inspecting the damage and formulating a plan to prevent or mitigate the damage;
 - (f) Mitigate damages where possible and not feed or bait deer or antelope to attract the animals onto his or her land;
 - (g) Comply with the requirements of NAC 502.424 to 502.4268, inclusive.
2. A separate application must be made, and a separate cooperative agreement must be entered into, for each request for one or more damage compensation tags made with regard to each separate location on the property of the owner applicant at which damage was sustained, *landowners with multiple properties may need counts to be conducted within the same season.*
(Added to NAC by Bd. of Wildlife Comm'rs, eff. 7-16-92; A 11-29-95; R010-00, 4-3-2000; R030-06, 6-1-2006)

Should Be:

NAC 502.4246 Requirements for eligibility; requests regarding damage to separate locations. (NRS 501.105, 501.181, 502.145, 502.160)

A separate application must be made, and a separate cooperative agreement must be entered into, for each request for one or more damage compensation tags made with regard to each separate ~~location on the~~ property of the owner applicant at which damage was sustained, *unless investigations may reasonably be conducted at the separate locations on the same or consecutive days in order to combine damage assessment counts in determining qualification for damage compensation tags.*

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 7-16-92; A 11-29-95; R010-00, 4-3-2000; R030-06, 6-1-2006)

NAC 502.440 License: Application; validity; renewal. (NRS 502.370)

1. An application for a taxidermist license may be obtained from any office of the Department.

The applicant shall include on his or her application:

(a) The applicant's name, physical and mailing addresses, and telephone number;

(b) The name and telephone number of the applicant's taxidermic business and, if different from the applicant's physical address, the address from which taxidermic services will be provided;

(c) Whether or not the taxidermic services are provided for compensation;

(d) If the applicant must possess a federal taxidermist permit, a copy of the permit or proof satisfactory to the Department that federal approval of such a permit is pending;

(e) The name of each state in which the applicant holds or has held a taxidermist license or permit to perform taxidermic services;

(f) If the applicant has been convicted of violating the laws or regulations relating to taxidermy or commercialization of wildlife of any state or the United States Fish and Wildlife Service within the 5 years immediately preceding the date of the application, a description of each violation, a description of the penalty imposed for each violation and the name of the state in which the conviction occurred;

(g) Whether, at the time of the application, the privileges granted to the applicant by another state or the United States Fish and Wildlife Service relating to taxidermy are suspended or revoked; and

(h) The applicant's signature and the date on which he or she signed the application.

2. A taxidermist license issued by the Department pending the issuance of a federal permit to perform taxidermic services on:

(a) A migratory bird that is protected by the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq.; or

(b) A species of wildlife that is listed as threatened or endangered by the United States Fish and Wildlife Service,

is not valid for the purposes of performing taxidermic services on the migratory bird or the endangered or threatened species until the federal permit has been issued by the United States Fish and Wildlife Service to the licensee.

3. A completed application and required fees must be submitted to the Department.

4. An annual taxidermist license expires on June 30 of each year, *each taxidermist must submit records as per NAC 502.455 at the time they submit their annual taxidermy license renewal application, or no later than the expiration of their license.* If an application for the renewal of a taxidermist license is not received by the Department on or before June 30, taxidermic items in the possession of a taxidermist shall be deemed to be unlawfully possessed and are subject to seizure by the Department, and the taxidermist will be considered to be practicing taxidermy without a license. If an application for the renewal of a taxidermist license is received by the Department on or before June 30, the license will remain in effect until the Department completes its review of the application and renews or denies the application to renew the taxidermist license.

NAC 502.440 and 502.455 - Clarification

**NAC 502.455 Taxidermic records; identification tags and punch numbers for taxidermic items.
(NRS 502.370)**

2. A taxidermist shall:

(a) Immediately upon receipt, label each taxidermic item with a tag that clearly identifies the owner of the item. The tag may be removed from the item only during the actual performance of taxidermic services on the item. The tag must be reattached to the item when the taxidermic service is not being performed. Once the taxidermic services are completed on the taxidermic item, the tag must be reattached and remain attached to the item until the item is delivered to or claimed by the owner of the item.

(b) ~~If required by the Department,~~ Submit a copy of the taxidermist's records for the previous licensing year to the Department ~~at~~ *by* the end of each licensing year, *June 30*. If the records are computerized, the taxidermist shall submit a hard copy of the computerized records to the Department.

(c) Retain the taxidermist's records for a licensing year for at least 2 years after the end of the licensing year to which those records pertain.

(d) During any reasonable hour, upon the request of any agent of the Department authorized to enforce the provisions of title 45 of NRS, present the taxidermist's records kept in accordance with this section and any taxidermic item which the taxidermist is keeping at his or her place of business.

*To provide clarification on
deadlines for taxidermists*