

**STATE OF NEVADA
NEVADA DEPARTMENT OF WILDLIFE
NEVADA BOARD OF WILDLIFE COMMISSION**

**NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED
REGULATIONS**

The Nevada Department of Wildlife is proposing the adoption of regulations pertaining to Chapter 502, of the Nevada Administrative Code. The Nevada Board of Wildlife Commissioners will hold a public hearing at 9:00 a.m., on January 28, 2022, via Zoom.

Zoom Link: <https://us02web.zoom.us/j/83726373199?pwd=S1RLN3B4SXRySnphHQ3hDcHVDbElzUT09>

The purpose of the workshop is to solicit written comments from interested persons on the following general topics that may be addressed in the proposed regulations:

Commission General Regulation 504, E-Tag Regulation – For Possible Action

The Commission will review language amending NAC 502 that would allow the Department to offer game tags in an electronic format, as well as, utilize and validate tags in the field on an electronic device.

The regulation language is subject to change following the discussions and deliberations of the Commission.

Public comment will be taken on each action item following Commission discussion and before any action is taken. Persons are invited to submit written comments to wildlifecommission@ndow.org or may address their comments, data, views, or arguments, in written form, to the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada 89511 attention Director's Office. Written submissions must be received by the Nevada Department of Wildlife 5 weekdays before the meeting.

This Notice of Workshop and support material will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Persons wishing to request a copy of this notice and the mentioned regulations may contact Alejandra Medina at amedina@ndow.org.

These regulations will also be available at the following websites:

<https://www.leg.state.nv.us/App/Notice/A/>

<https://notice.nv.gov/>

<http://www.leg.state.nv.us/register/>

http://www.ndow.org/Public_Meetings/Public_Notices/

A copy of all materials relating to the proposed regulations may be obtained by contacting the Director's Office at the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada 89511, (775) 688-1597 or amedina@ndow.org. A reasonable fee may be charged for copies if it is deemed necessary.

01/07/2022

**PROPOSED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS
COMMISSION GENERAL REGULATION 504**

LCB File No. RXXX-XX

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

AUTHORITY: §§1-4, NRS 501.105, 501.181, 502.103, 502.160 and 502.250; §5, NRS 501.105, 501.181, 502.160, 502.219 and 502.250.

A REGULATION relating to licensing and the validation of a game tag in any form.....

Definition of Validation Code: Validation code as used in this section refers to the uniquely generated code produced by the electronic completion of tag's validation.

NAC 502.385 Use of tag or permit. ([NRS 501.105](#), [501.181](#), [502.140](#), [502.160](#))

1. The tag or permit must be *in possession* ~~carried by the holder~~ at all times while the *tag* holder is hunting or trapping or while he or she is fishing for wildlife for which a tag or permit is required.
2. Except as otherwise provided in [NAC 502.42905](#), it is unlawful for any person to:
 - (a) Use ~~or possess~~ a tag or permit issued to any other person;
 - (b) *Be in possession of a tag or permit of someone else who is not in close accompaniment or close proximity during the entire pursuit and taking of an animal in the field.*
 - (~~c~~ *b*) Transfer or give a tag or permit issued to him or her to any other person *except in accordance with the transfer programs and policies of the Commission.*
 - (~~d~~ *e*) Use any tag or permit in a management area or unit for which it is not intended; or
 - (~~e~~ *d*) Use a tag or permit at any time other than at the time intended.
3. After it has been issued, a tag or permit may not be exchanged or a refund made except in accordance with the policies and regulations of the Commission.

NAC 502.390 Validation of tag or permit. ([NRS 501.105](#), [501.181](#), [502.160](#)) Except as otherwise provided in [NAC 502.42905](#), when a person reaches any wildlife which the person has killed, he or she must validate his or her tag or permit immediately by:

- (a) *Validating their electronic tag or;*
- (b) clearly punching out the spaces necessary to properly identify the physical description of the animal, including its sex and antler points, where appropriate, and the day and month of the kill.

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 *the printed tag or clear and legible validation code* ~~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. The tag, ~~or~~ permit, *or validation code* 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~~ *the printed tag or clear and legible validation code* to the hide or pelt of the animal. The tag, ~~or~~ permit, *or validation code* must remain attached to the hide while it is transported and until it is processed.

NAC 502.401 Use of tag as transportation permit; requirements. ([NRS 501.105](#), [501.181](#), [503.040](#))

1. A person to whom a game tag has been lawfully issued may use his or her game tag *or validation code* as a transportation permit in the manner described in this section if:

- (a) The game tag includes ~~the~~ *a physical or electronic* signature of the holder of the game tag and the date on which and time at which the holder signed the game tag;
- (b) The game tag has been validated pursuant to [NAC 502.390](#); and
- (c) The game tag *or validation code* has been attached to the carcass, hide or pelt of the animal pursuant to [NAC 502.400](#).

2. *For an electronic version of the game tag; the holder of the game tag shall provide the validation code obtained by the validation of the tag to the person who will transport the carcass, hide or pelt of the animal. The person transporting the carcass must have in their possession a clear, legible and usable validation code of the tag holder.*

3. ~~2.~~ *For a printed version of the game tag;* The holder of the game tag, the person who will transport the carcass, hide or pelt of the animal and a witness each shall, at the time the carcass, hide or pelt is transferred from the holder of the game tag to the person who will transport the carcass, hide or pelt:

(a) Sign the portion of the game tag designated as the tag holder copy of the transportation permit and the portion of the game tag designated as the transporter copy of the transportation permit; and

(b) Include on each portion of the game tag described in paragraph (a):

(1) The date and time that the carcass, hide or pelt of the animal is transferred from the holder of the game tag to the person who will transport the carcass, hide or pelt of the animal; and

(2) ~~Except as otherwise provided in subsection 3,~~ his or her driver's license number or the number of any other identification card issued by a governmental agency to the person. *If the holder of the game tag, the person who will transport the carcass, hide or pelt of the animal or the witness does not have an identification card issued by a governmental agency, he or she shall include their date of birth on each portion of the game tag described in paragraph (a) of subsection 3.*

~~3. If the holder of the game tag, the person who will transport the carcass, hide or pelt of the animal or the witness does not have a driver's license or any other identification card issued by a governmental agency, he or she shall include on each portion of the game tag described in paragraph (a) of subsection 2 his or her date of birth.~~

4. In addition to the requirements of subsections ~~2 and~~ 3, the holder of the game tag shall include on each portion of the game tag described in paragraph (a) of subsection ~~3 2~~ the destination of the carcass, hide or pelt being transported.

5. A person *in possession of a validation code or* who provides a signature pursuant to this section shall be deemed to have attested, under penalty of perjury, to the transfer of the carcass, hide or pelt of the animal from the holder of the game tag to the person who will transport the carcass, hide or pelt.

6. A person shall not remove from the carcass, hide or pelt of an animal either portion of the game tag *or validation code* described in *subsections 2 and 3* ~~paragraph (a) of subsection 2~~ until the carcass, hide or pelt has been transferred from the holder of the game tag to the person who will transport the carcass, hide or pelt.

7. The holder of the game tag shall retain the portion of the game tag designated as the tag holder copy of the transportation permit and the person who transports the carcass, hide or pelt shall retain the portion of the *printed* game tag designated as the transporter copy of the transportation permit for at least 1 year after the date that the carcass, hide or pelt of the animal is transferred from the holder of the game tag to the person who transports the carcass, hide or pelt.

8. If the carcass, hide or pelt of an animal is transferred from the holder of a game tag to a person who will transport the carcass, hide or pelt, that portion of the cape or scalp of the animal which includes the ears to the base of the muzzle and any antlers or horns must be kept with the carcass, hide or pelt until the carcass, hide or pelt is frozen, smoked, dried, consumed or accepted by a commercial processing plant for processing.

NAC 502.403 Transportation of animal legally harvested to taxidermist: Use of taxidermy record stub as transportation permit; restrictions. ([NRS 501.105](#), [501.181](#), [502.370](#))

1. Except as otherwise provided in this section, a person to whom a game tag has been lawfully issued may use that portion of his or her game tag designated as the taxidermy record stub *or validation code* in the following manner:

(a) The person may ship by commercial carrier any nonedible game parts taken from the animal lawfully harvested under the authority of the tag to a commercial or noncommercial taxidermist ~~licensed and located in this State~~. If such parts are placed for shipment,:

1) For printed game tags: the taxidermy record stub must accompany the shipment.

2) For electronic game tags: a clear and legible version of the validation code, tag number, tag holder's name, tag holder's address, unit of kill, sex of the harvested animal, and specified horn points left and right must accompany the shipment.

(b) If the person reaches his or her place of residence with an animal which has been lawfully harvested under the authority of the tag or delivers the animal to a commercial processor for processing, the person may authorize another person to transport any nonedible game parts taken from the animal to a commercial or noncommercial taxidermist ~~licensed and located in this State~~. The person shall, at the time of making the authorization, *for a printed tag*: print in ink on the taxidermy record stub both the name of the authorized transporter and the date of the authorization. The taxidermy record stub *or validation code* must accompany the transportation of the parts.

(c) The person who is specified on the tag may deliver any nonedible game parts taken from the animal lawfully harvested under the authority of the tag to a commercial or noncommercial taxidermist licensed in any state.

2. Whenever antlers are shipped, transported or delivered in the manner provided in subsection 1, the holder of the game tag:

(a) For printed game tags: shall indicate in ink on the taxidermy record stub the number of both the left and right antler points.

(b) For electronic game tags: a clear and legible version of the validation code, tag number, tag holder's name, tag holder's address, unit of kill, sex of the harvested animal, and specified horn points left and right must accompany the shipment.

3. If a person who holds a game tag delivers any nonedible game parts of a game animal which he or she has lawfully harvested under the authority of the tag to a taxidermist before the

carcass of the animal is delivered for processing to a commercial processing plant or before the carcass of the animal is taken to or left at the holder's place of residence, the holder shall obtain from the taxidermist, and the taxidermist shall provide to the holder, an itemized receipt which includes the following printed information:

- (a) The date on which the nonedible game parts were received;
- (b) The species of game from which the nonedible game parts were taken;
- (c) A brief description of each of the nonedible game parts received; ~~and~~
- (d) The number of antler points, both left and right, if any, of the animal; ~~and~~
- (e) If applicable, the validation code obtained by tag holder*

➔ Both the holder of the tag and the taxidermist shall sign the receipt. The holder of the tag shall retain possession of the receipt until he or she acquires physical possession of the nonedible game parts specified in the receipt from the taxidermist to whom the parts were delivered.

4. Except as otherwise provided in this section, a taxidermy record stub *or validation code* may not be used or possessed by any person other than the person to whom the game tag ~~to which the stub is attached~~ was issued *or a person transporting an animal pursuant to subsection 1 of this chapter.*

5. A taxidermy record stub *or validation code* is valid only for the type of hunt, season and animal specified on the tag and may only be used as authorized in this section.

6. Nonedible game parts taken from a harvested game animal which is required to be presented to a representative of the Department for inspection and branding or sealing may not be shipped, transported or delivered pursuant to the provisions of this section until the animal has been properly inspected and branded or sealed by the Department.

7. The provisions of [NAC 503.173](#) do not apply to a person who ships, transports or delivers nonedible game parts in compliance with the provisions of this section.

8. As used in this section, "nonedible game parts" means the hide, head, skull, antlers, horns, paws, hooves or claws of any game animal. The term does not include the carcass of the animal.

NAC 502.314 Duplicate tags. ([NRS 501.105](#), [501.181](#), [502.160](#), [502.210](#))

1. An application for a duplicate tag must be made as provided in [NRS 502.210](#) on a form provided by the Department.

2. Upon submission of a completed application for a duplicate tag, a duplicate tag may be purchased from the Department or a license agent who issues duplicate tags.

3. A person may request a duplicate tag of an unexpired and unused game tag previously issued has been lost, stolen, destroyed, or surrendered to the Department.

4. A fee of \$10 will be charged for all duplicate tags pursuant to NRS 502.210.

**STATE OF NEVADA
NEVADA BOARD OF WILDLIFE COMMISSIONERS
NEVADA DEPARTMENT OF WILDLIFE
SMALL BUSINESS IMPACT STATEMENT PURSUANT TO NRS233B**

Commission General Regulation 504 LCB File No. R070-21 E-Tags

The purpose of this form is to provide a framework pursuant to NRS 2338.0608 to determine whether a small business impact statement is required for submittal of a proposed regulation before the Nevada Board of Wildlife Commissioners. Note: Small business is defined as a "business conducted for profit which employs fewer than 150 full-time or part-time employees" (NRS233B.0382).

1. Describe the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary:

ANSWER:

Comment was not solicited from small businesses. This regulation does not affect small businesses as the changes are associated with individual customers of the Nevada Department of Wildlife.

2. Describe the manner in which the analysis was conducted:

ANSWER:

Agency personnel concluded that there would be no small businesses impact and no need for a small business impact analysis.

3. Describe the estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

- a.) Both adverse and beneficial effects:

ANSWER:

There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.

- b.) Both direct and indirect effects:

ANSWER:

There will be no direct or indirect economic effects from the proposed regulation on small business because it does not regulate the operation of any small business.

4. Describe the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods:

ANSWER:

There will be no impact from the proposed regulation on small businesses, therefore no methods were considered or taken by the agency.

5. Describe the estimated cost to the agency for enforcement of the proposed regulation:

ANSWER:

The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional cost to the agency above the current legislatively approved budget.

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:

ANSWER:

The proposed regulation does not provide new or increased fees.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary:

ANSWER:

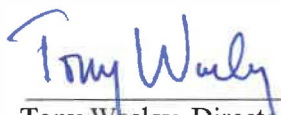
This regulation does not include provisions that duplicate or are more stringent than federal, state, or local standards.

8. The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses:

ANSWER:

The agency concluded that this regulation does not impact small businesses because the changes are associated with individual customers of the Nevada Department of Wildlife.

I hereby certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.



Tony Wasley, Director
Nevada Department of Wildlife