

Draft Amendment to AB 299  
Kyle Davis  
[kyle@davis-strategies.com](mailto:kyle@davis-strategies.com)  
775-338-6732

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

1. A peace officer who responds to an accidental vehicle collision in this State between a salvageable animal and a vehicle by which the salvageable animal was accidentally killed as a result of the vehicle collision may, pursuant to this section and as soon as practicable, allow ~~issue a salvage permit to~~ the driver of the vehicle or ~~to~~ another person to salvage the animal. If the peace officer allows for the animal to be salvaged, the peace officer shall document this permission and provide the person with a reference number or other identification of the documentation. A peace officer shall not allow for salvage of ~~issue a salvage permit for any~~ animal that has:

- (a) Been injured or killed as a result of any action that is not an accidental vehicle collision;
- (b) A tracking collar;
- (c) A tag indicating that the animal should not be consumed as a result of a chemical restraint or chemical immobilization; or
- (d) Obvious signs of disease or contamination.

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

2. A driver or other person who ~~has been issued a salvage permit pursuant to subsection 1 may salvage and take~~ takes possession of the salvageable animal shall provide the Department, within 48 hours, with the following information:

~~3. The Department shall create salvage permit forms and provide such salvage permit forms to peace officers on request. The salvage permit form shall require the following information:~~

- (a) The name and address of the driver or of any person who will be transporting or will be in possession of any portion or part of the salvageable animal, if different than the driver;
- (b) A description of the salvageable animal that was killed, including, without limitation, the species and sex of the salvageable animal;
- (c) Whether the salvageable animal was rendered crippled or helpless, was humanely killed and the method used to humanely kill the salvageable animal pursuant to subsection 5;
- (d) The date of the collision with the salvageable animal;
- (e) The specific location of the collision with the salvageable animal;
- (f) A description of the motor vehicle that hit the salvageable animal;
- (g) The destination or destinations, as applicable, to which the carcass of the salvageable animal will be transported;
- ~~(h) The name of the peace officer who issued the permit, and~~

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

4. A driver or other person who salvages and takes possession of a salvageable animal pursuant to this section must:

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

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

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

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

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

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

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

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

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

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

~~9. A salvage permit carries no representation or implication that any part of the carcass of a salvageable animal is edible.~~ A driver or other person who salvages and takes possession of the carcass of a salvageable animal does so at his or her own risk. The peace

officer, agency employing the peace officer and the Department are not liable with respect to any use made of the carcass of a salvageable animal.

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

- (a) A highway in this State that has a speed limit of 70 miles per hour or more;
- (b) An interstate highway;
- (c) Private property, unless the owner grants permission for such a salvage or taking;
- (d) The reservation lands of any Indian tribe in this State;
- (e) Any areas that are restricted and to which the public does not have permission to enter;
- (f) Any area under the possession or control the Department;
- (g) A disposal site; or
- (h) An area that the Department determines to contain diseased or contaminated animals.

11. A person who:

- (a) Intentionally hits and renders crippled or helpless or kills a salvageable animal shall be punished for a category E felony as provided in NRS 193.130; and
- (b) Except as otherwise provided in paragraph (a), violates any provision of this section, is guilty of a misdemeanor pursuant to NRS 501.385.

12. As used in this section:

- (a) "Disposal site" has the meaning ascribed to it in NRS 444.460.
- (b) "Peace officer" means:

- (1) A sheriff, deputy sheriff, undersheriff, officer of a metropolitan police department or city police officer;
- (2) A chief, inspector, supervisor, commercial officer or trooper of the Nevada Highway Patrol Division of the Department of Public Safety;
- (3) A game warden;
- (4) A ranger or employee of the Division of State Parks of the State Department of Conservation and Natural Resources who has the powers of a peace officer pursuant to NRS 289.260; or
- (5) A member of the police department of the Nevada System of Higher Education.

~~(c) "Salvage permit" means a permit issued pursuant to this section.~~

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

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

501.379 1. Except as otherwise provided in this section:

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

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

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

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

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

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

501.385 Except as otherwise provided by specific statute:

1. Any person who:

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

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

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

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

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

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

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

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

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

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