

# **The Vermont Statutes Online**

## **Title 10APPENDIX : Vermont Fish And Wildlife Regulations**

### **Chapter 001 : Game**

#### **Subchapter 001 : General Provisions**

(Cite as: 10APPENDIX V.S.A. App. § 7)

#### **§ 7. Bear Management Rule**

##### 1.0 Authority

1.1 This rule is adopted pursuant to 10 V.S.A. § 4081(a). In adopting this rule, the Fish and Wildlife Board is following the policy established by the General Assembly that the protection, propagation, control, management, and conservation of fish, wildlife and fur-bearing animals in this State is in the interest of the public welfare and that the safeguarding of this valuable resource for the people of the State requires a constant and continual vigilance.

1.2 In accordance with 10 V.S.A. § 4082, this rule is designed to maintain the best health, population and utilization levels of the bear population.

1.3 In accordance with 10 V.S.A. § 4084, this rule establishes season and possession limits for game; prescribes the manner and means of taking; and establishes territorial limits for the taking of bears.

##### 2.0 Purpose

The purpose of this regulation is to establish seasons for the taking of bear, to establish legal methods of taking bears, and to establish limits on the number of bears to be taken annually.

##### 3.0 Definitions:

3.1 "Bait" means as any animal, vegetable, fruit or mineral matter placed with the intention of attracting wildlife.

3.2 "Baited area" means an area where meat, carrion, honey, or any other substance capable of luring or attracting bear has been placed or deposited including, but not limited to, bird feeders.

3.3 "Bear Dog Permit" or "Permit" means a permit to take bear with the aid of dogs issued by the Commissioner to a person who owns dogs wishes to hunt, pursue or take bear with the aid of said dogs.

3.4 "Commissioner" means the Commissioner of the Vermont Fish and Wildlife Department.

3.5 "Control of Dog/Dogs" means control shall be construed as the transportation, loading or unloading of dogs from vehicle(s); handling, catching, restraining or releasing dogs; use of telemetry to locate or track dogs.

3.6 "Department" means the Vermont Fish and Wildlife Department.

3.7 "Dog Registration" means a numbered dog license valid for the current calendar year issued to the dog's owner by the town for the purpose of identification of the individual dog and the owner of the dog.

3.8 "Legal means" or "Legal method" means the taking of a bear by muzzleloader, rifle, handgun, or archery equipment.

3.9 "Pack of Dogs" means pack of dogs shall be defined as one to six dogs, acting as a unit during the pursuit of bear. Dogs may be added to the pack during the course of a hunt, up to a total of 6 dogs forming an original pack of dogs.

3.10 "Nonresident Dog Owner" means an individual person who is a nonresident as defined in 10 V.S.A. § 4001(21) whose dog is kenneled in another state other than in Vermont and has a dog license issued by a town not in Vermont valid for the current calendar year.

3.11 "Non-hunting person" means an individual person may accompany the permit holder as long as he or she does not have control of dog/dogs. The non-hunting person does not require having a valid hunting license.

3.12 "Hunting party" means two or more hunters hunting in a group, all using firearms, muzzleloaders, or archery equipment that is engaged in the act of hunting together and who are in contact with at least one other member of the party.

3.13 "Registered Dog" means a dog that has a numbered dog license valid for the current calendar year issued to the dog's owner by the municipality for the purpose of identification of the individual dog and the owner of the dog.

3.14 "Relaying Dogs/Packs" means the removal and replacement of one or more dog or dogs to the trail of a bear to the original pack of dogs consisting of a maximum of a six dog unit, once the pursuit has begun.

3.15 "Resident Dog Owner" means a person who is a Vermont resident as defined in 10 V.S.A. § 4001(20) whose dog is kenneled in Vermont and has a dog license issued by a Vermont municipality valid for the current calendar year.

3.16 "Sub-permittee permit" means a written authorization issued by the Department that allows a person to assist a permit holder in taking a bear with the aid of dogs.

3.17 "Sub-Permittee" means any person designated or recognized by the permit holder to assist or take a bear with the aid of dogs.

3.18 "Tag" means a document issued by the Department authorizing the taking of a bear.

3.19 "Unregistered Dog" means a dog that does not have a valid numbered dog license as described in 3.13.

4.0 Seasons and Shooting Hours

#### 4.1 Early and Late Season

a) Early Season: September 1 through the day before the first day of the Regular Deer Season.

b) Late Season: The first day of the Regular Deer Season through the second Sunday of the Regular Deer Season.

4.2 Shooting hours: One half hour before sunrise until one half hour after sunset.

#### 5.0 Tags and Bag Limit

5.1 To take a bear during the Early Season, a person must, in addition to a having a valid Big Game Hunting license, obtain an Early Season Tag issued separately by the Department.

5.2 To take a bear during the Late Season, a person must have a valid Vermont Hunting license issued with a Late Season tag.

5.3 A person shall not take more than one bear per calendar year, not to include animals taken pursuant to 10 V.S.A. § 4827.

#### 6.0 The taking of bear with the aid of dogs

6.1 Licenses and Permits Any person hunting, pursuing, harvesting, or in any manner involved in the taking of a bear with the use of dogs must hold a valid Vermont Hunting License and valid bear dog permit, and valid bear tag or be a bona fide sub-permittee of a valid bear dog permit holder. The permit shall:

a) Be carried at all times by the permittee while taking bear and exhibited to a game warden upon demand.

b) Specify the particular dog(s) to be included in the permit, including the town dog license number(s).

6.2 A person shall not take a bear into his/her actual possession except by killing the bear by lawful means by the use of firearm, muzzleloader, or archery equipment.

#### 6.3 Dogs and Packs

a) A person shall not take black bear with the aid of dogs unless the person is in control of the dog or dogs.

b) A person may only take a bear with the aid of a dog that is listed on the permittee's valid bear dog permit.

c) A person taking bear with the aid of dogs shall attach a metal identification name plate with the person's name, address and telephone number to the dog's collar.

d) A person shall not take black bear with the aid of more than six dogs acting as a unit to pursue bear. The person shall not pursue black bear by relaying dogs/packs, unregistered dog/dogs, or dog/dogs not listed on the person's bear dog permit

e) Two or more permit holders may hunt together and combine dog(s) listed on each permit holder's permit. The combined permit holders shall not take black bear with the aid of more than six dogs combined forming a unit of a single pack of dogs. The combined permit holders shall not pursue black bear by relaying dogs/packs, or dogs not listed on their bear dog permits.

6.4 A Vermont resident shall not list a dog(s) owned by a nonresident on any resident bear dog permit application. A nonresident shall list a dog(s) owned only by a nonresident of the same state as the nonresident applicant.

#### 6.5 Sub-Permittees and Parties

a. The sub-permittee may have control of the dog(s) while assisting the permit holder. The sub-permittee must have a valid Vermont Hunting License.

b. The sub-permittee must be given a sub-permittee permit by the permit holder and must carry it on their person during the hunt. The permit holder must collect the sub-permittee's permit at the end of the sub-permittee's involvement in the hunt of that particular day.

c. Permittees and sub-permittees may pursue bear as members of a party so long as one member of the party possesses a valid unused bear tag.

d. The sub-permittee may take a bear with the aid of dogs only while accompanying a permittee.

e. The Permit holder may automatically receive six sub-permittee permits with an issued bear dog permit. The Permit holder may request additional sub-permittee permits in writing to the Commissioner as needed.

#### 7.0 Prohibitions

7.1 No person shall take bear by using bait or in a baited area.

7.2 A person shall not advertise, barter, exchange goods or services, expose or otherwise sell the use of a dog or dogs for the purpose of taking any black bear. (Added 1972, Fish and Game Board Reg. No. 845, eff. \_\_\_\_\_/t ; amended 1982, Fish and Game Board Reg. No. 935, § 1, eff. Sept. 1, 1982; 2007, Fish and Game Board Reg. No. 935, § 1, eff. June 1, 2007; 2012, Fish and Wildlife Board Reg. eff. January 1, 2013.)