CHAPTER 503 - HUNTING, FISHING AND TRAPPING; MISCELLANEOUS PROTECTIVE MEASURES

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	FUR-BEARING MAMMALS AND TRAPPING
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Suspension of permit or license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of permit or license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

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GENERAL PROVISIONS

NRS 503.005 Manner of hunting: Killing bird or animal while flying in aircraft prohibited; exceptions; penalty.

- 1. Except as otherwise provided in subsection 2, a person shall not kill or attempt to kill any birds or animals while flying in an aircraft.
- 2. The Commission may promulgate rules and regulations whereby the Department may issue permits authorizing the hunting, killing or nonlethal control of coyotes, bobcats or ravens from an aircraft.
 - 3. Every person who willfully violates the provisions of subsection 1 is guilty of a misdemeanor. (Added to NRS by 1973, 1674; A 1991, 333; 1993, 1670; 2003, 1545)

NRS 503.010 Manner of hunting or trapping: Unlawful use of aircraft, helicopter, motor-driven vehicle, boat or transmitting evice.

1. Except as otherwise provided in this section or subsection 2 of <u>NRS 503.005</u>, it is unlawful to harass any game mammals or game birds with an aircraft, helicopter or motor-driven vehicle, including a motorboat or sailboat.

2. Except as otherwise provided in this subsection, it is unlawful to shoot at any game mammals or game birds with a weapon from an aircraft, helicopter or motor-driven vehicle. A person who is a paraplegic, has had one or both legs amputated or has suffered a paralysis of one or both legs which severely impedes the person's walking may shoot from a stopped motor vehicle which is not parked on the traveled portion of a public highway, but the person may not shoot from, over or across a highway or road specified in NRS 503.175.

3. It is unlawful to spot or locate game mammals or game birds with any kind of aircraft or helicopter and communicate that information, within 24 hours after the aircraft or helicopter has landed or in violation of a regulation of the Commission, by any means to a person on the ground for the purpose of hunting or trapping. The provisions of this subsection do not prohibit an employee or agent of the Department from providing general information to the public concerning the location of game birds or game mammals.

4. It is unlawful to use any information obtained in violation of the provisions of subsection 3 to hunt or kill game mammals or game birds.

- 5. It is unlawful to use a helicopter to transport game, hunters or hunting equipment, except when the cargo or passengers, or both, are loaded and unloaded at airports, airplane landing fields or heliports, which have been established by a department or agency of the Federal or State Government or by a county or municipal government or when the loading or unloading is done in the course of an emergency or search and rescue operation.
 - 6. It is unlawful to:
 - (a) Use any information obtained from a radio signal or other transmission received from any transmitting device;
 - (b) Make use of equipment designed to receive a radio signal or other transmission from a transmitting device; or
- (c) Use any location information obtained from records maintained by the Department within 1 year after the date on which the information was collected, including, without limitation, records of information received from a transmitting device, Ê to harass or take any game mammal, game bird or other wildlife.
- 7. It is unlawful to make use of equipment designed to receive a radio signal or other transmission from a transmitting device for any purpose without written authorization of the Department.
- 8. The provisions of subsection 1 do not apply to an employee or agent of the Department who, while carrying out his or her duties, conducts a survey of wildlife with the use of an aircraft.

9. As used in this section:

- (a) "Aircraft" includes, without limitation, any device that is used for navigation of, or flight in, the air.
- (b) "Game bird" does not include a raven, even if classified as a game bird pursuant to NRS 501.110.
- (c) "Harass" means to molest, chase, rally, concentrate, herd, intercept, torment or drive.
- (d) "Transmitting device" means any collar or other device which is attached to any game mammal, game bird or other wildlife or which is placed for the express purpose of detecting any game mammal, game bird or other wildlife and emits an electronic signal or uses radio telemetry or a satellite transmission to determine the location of the game mammal, game bird or other wildlife.

[Part 8:101:1947; A 1949, 292; 1943 NCL § 3035.08]—(NRS A 1969, 1355; 1981, 320; 1989, 731; 1991, 264, 333; 2005, 1311; 2015, 169)

NRS 503.015 Interference with person lawfully hunting or trapping.

1. It is unlawful for a person, or a group of people acting together, to intentionally interfere with another person who is lawfully hunting or trapping. For the purpose of this subsection, hunting or trapping is "lawful" only if permitted by the owner or person in possession of the land, other than the government, in addition to any requirement of license or permit from a public authority.

2. The provisions of subsection 1 do not apply to any incidental interference arising from lawful activity by users of the public land, including without limitation ranchers, miners or persons seeking lawful recreation.

(Added to NRS by 1983, 649; A 1991, 969)

Except as otherwise provided in this section, it is unlawful for any person to have in his or her control any wildlife or any part thereof, the killing of which is at any time prohibited, during the time when such killing is prohibited, and the possession of such wildlife shall be prima facie evidence that it was the property of the State at the time it was caught, taken or killed in this State when the killing was unlawful, and that such taking or killing occurred in the closed season.

2. Wildlife legally taken may be stored in the home of the owner after the end of the open season for hunting or fishing for it and may

be stored in a public warehouse or commercial refrigerator locker under such rules as may be adopted by the Commission, but in no case

shall more than the amount designated by law as the legal possession limit be so kept or stored.

The Commission is authorized to make rules requiring evidence of legal taking in this State, or legal taking under the laws of the state where taken, to be provided in the case of wildlife kept or stored after the appropriate open season ends in the form of tags, certificates or otherwise, if deemed necessary or convenient for the enforcement of this title. [87:101:1947; A 1949, 292; 1943 NCL § 3035.87]—(NRS A 1969, 1356)

NRS 503.035 Meat or game processor: Disposal for distribution by Department of game for which processing or storage charges are not paid; immunity; civil remedies.

"Meat or game processor" as used in this section means any person, firm or corporation that receives any game for the purpose of 1.

processing or storage or for the purposes of processing and storage

Any meat or game processor who receives any game for the purpose of processing or storage may, within 90 days after the receipt thereof, if such game remains in the possession of such meat or game processor, dispose of such game to the Department if the owner of such game has not paid such meat or game processor for the processing or storage thereof.

The Department shall distribute such game to public charities on a fair and equitable basis.

- No action may be commenced against such meat or game processor by the owner of such game after such game has been delivered to the Department under the provisions of this section.
- Nothing in this section deprives a meat or game processor of any remedy at law available to a creditor against a debtor for the recovery of any money or other legal consideration owing from the owner of the game to the meat or game processor for such processing or

(Added to NRS by 1959, 365; A 1969, 1356; 1993, 1671; 2003, 1545)

NRS 503.037 Commercial preservation facility: Maintenance of records; inspection.

1. Any commercial preservation facility, including any cold storage locker, trailer or walk-in facility offered by any commercial enterprise as a service to its customers or as an attraction to that enterprise, receiving, possessing or having in custody any game mammals, game birds or game fish shall maintain accurate records showing the numbers and kind of such wildlife, the dates received and disposed of, and the names and addresses of the persons from whom such wildlife were received and to whom such wildlife were delivered.

2. Any person authorized to enforce the provisions of this title may enter such facilities at all reasonable hours and inspect the records, premises and operations.

The records required to be maintained must be retained by the person or persons responsible for their preparation and maintenance for a period of 1 year following the end of the open season on such wildlife received. (Added to NRS by 1969, 1367; A 1991, 264)

NRS 503.040 Transportation of wildlife or raw furs taken within State.

- 1. Except as otherwise provided in this section, it is unlawful for any person at any time to transport or offer for transportation to any place within or outside of this State any game mammal, raw furs, wild mammal taken by trapping, game bird or game fish taken within this State.
- 2. Any person who has legally taken any game mammal, raw furs, wild mammal taken by trapping, game bird or game fish within this State may use his or her hunting license, trapping license or fishing license or tag or stamp, when required, as a permit to transport one possession limit to points within or outside the State.
- Any person who legally acquires ownership or custody of any game mammal, raw furs, wild mammal taken by trapping, game bird or game fish not taken by the person through hunting, trapping or fishing may transport such mammal, furs, bird or fish within the State without a transportation permit if such shipment does not exceed one possession limit and if such shipment is labeled with the name, address, number and class of license of the hunter, trapper or angler who legally took such mammal, furs, bird or fish and date taken, if the mammal, furs, bird or fish is not required by law or regulation to be tagged. Unless otherwise permitted by a regulation of the Commission, when tagged shipments are involved, a transportation permit is required as provided in this section.

4. Any other person who desires to transport any game mammal, raw furs, wild mammal taken by trapping, game fish or game bird to

a point within or without the State may do so only under the authority of a transportation permit as provided in this section.

5. The Department shall designate the form of the transportation permit and such permits may be issued for a fee of \$1 by any game warden or other such persons as may be specifically designated by the Department. The person legally in possession of the game mammals, raw furs, wild mammals taken by trapping, game birds or game fish to be transported must appear before the issuing agent to obtain a transportation permit. The permit must describe the wildlife to be transported and identify by name, address, license number and class the person who legally took the furs or wildlife and by name and address the person transporting it. Whenever raw furs or wildlife is to be transported by the postal service or by common carrier, freight or express agency, such an agency may be designated by name alone.

Game mammals, raw furs, wild mammals taken by trapping, game birds or game fish transported to another person shall be deemed

to be in the legal possession of the person making shipment until actual delivery is made.

- 7. Any package or container in which game birds, raw furs, wild mammals taken by trapping, game mammals or game fish are being transported by common carrier must have the name and address of the shipper and of the consignee and an accurate statement of the number and kinds of game birds, raw furs, wild mammals taken by trapping, game mammals or game fish contained therein attached to the outside thereof.
- The Commission may limit the number of shipments by any one person in any one season of any kind of game bird, game mammal or game fish.

[32:101:1947; 1943 NCL § 3035.32]—(NRS A 1969, 1357; 1979, 347; 1989, 732; 1991, 265; 1993, 1671; 2003, 1546)

NRS 503.050 Unlawful to waste game bird, mammal, fish or amphibian.

1. It is unlawful for any person to cause through carelessness, neglect or otherwise any edible portion of any game bird, game mammal, game fish or game amphibian to go to waste needlessly.

It is unlawful for any person to capture or destroy any game mammal, except a carnivore, and detach or remove from the carcass the head, hide, antlers, horns or tusks only and leave the carcass to waste.

3. For the purposes of subsection 1, "game bird" does not include a raven, crow or magpie even if classified as a game bird pursuant to NRS 501.110

[Part 87 1/2:101:1947; 1943 NCL § 3035.87a]—(NRS A 1969, 1358; 1971, 1541; 1991, 266, 334)

HUNTING

NRS 503.090 Unlawful to hunt except during open season. It is unlawful to hunt game mammals or game birds at any time during the year other than during an open season designated by the Commission pursuant to the provisions of this title.

[Part 62:101:1947; A 1949, 292; 1951, 494; 1953, 667]—(NRS A 1963, 66; 1969, 1359; 1991, 266)

NRS 503.120 Hunting game mammals: Designation of sex, age and physical characteristics of mammals which may be taken.

- 1. Open seasons as provided pursuant to this title for game mammals may designate the sex and age class or any obvious physical characteristic for the mammals which may be taken.
 - With regard to game mammals, the Commission may adopt regulations defining "bucks only" and "antlerless" mammals.

[61:101:1947; A 1949, 292; 1955, 86]—(NRS A <u>1969, 1359; 1981, 608; 1991, 266</u>)

NRS 503.135 Hunting of migratory waterfowl: Requirement of federal stamp. Except as otherwise authorized by federal law, it is unlawful for any person subject to the federal migratory bird hunting stamp tax to hunt any migratory waterfowl unless at the time of such hunting the person carries on his or her person an unexpired federal migratory bird hunting stamp validated by his or her signature written by the person in ink across the face of the stamp prior to the person's hunting such birds.

(Added to NRS by 1963, 197; A <u>1969, 1359</u>; <u>2015, 83</u>)

NRS 503.140 Hours of hunting.

- 1. It is unlawful for any person to hunt game mammals or game birds other than at the times of day which are set for such hunting by the Commission.
- 2. Where no time is set by the Commission, it is unlawful for any person at any time to hunt game mammals or game birds except between sunrise and sunset, the same to be considered according to government time reports.

[68:101:1947; A 1949, 292; 1955, 86]—(NRS A 1969, 1359; 1991, 266)

NRS 503.150 Manner of hunting game birds or mammals: Unlawful acts; carrying of certain handguns lawful during certain seasons.

1. Unless otherwise specified by Commission regulation, it is unlawful to hunt:

(a) Any game bird or game mammal with any gun capable of firing more than one round with one continuous pull of the trigger, or with any full steel, full steel core, full metal jacket, tracer or incendiary bullet or shell, or any shotgun larger than number 10 gauge.

(b) Big game mammals in any manner other than with a rifle, held in the hand, that exerts at least 1,000 foot-pounds of energy at 100 yards, or with a longbow and arrow which meet the specifications established by Commission regulation.

(c) Small game mammals in any manner other than with a handgun, shotgun, rifle, longbow and arrow or by means of falconry.

- (d) Game birds with any rifle or handgun, or in any manner other than with a shotgun held in the hand, with a longbow and arrow or by means of falconry.
 - (e) Migratory game birds with any shotgun capable of holding more than three shells.

(f) Any game bird or game mammal with the aid of any artificial light.

 (g) Any big game mammal, except mountain lions, with a dog of any breed.
 2. A person who is hunting during any period of an open season during which hunting is restricted to the use of only archery equipment or a muzzle-loading firearm:

(a) May carry for self-defense a handgun that:

(1) Has a barrel length of less than 8 inches; and

(2) Does not have a telescopic sight.

(b) May not use the handgun carried pursuant to paragraph (a) to hunt any wildlife.

Nothing in this section prohibits the use of dogs in the hunting of game birds or small game mammals.

[Part 2:101:1947; A 1949, 292; 1943 NCL § 3035.02]—(NRS A 1957, 175; 1959, 385; 1969, 1360; 1973, 671; 1991, 266; 2015, 973)

NRS 503.165 Carrying loaded rifle or shotgun in or on vehicle on or along public way unlawful; exceptions.

1. It is unlawful to carry a loaded rifle or loaded shotgun in or on any vehicle which is standing on or along, or is being driven on or along, any public highway or any other way open to the public.

2. A rifle or shotgun is loaded, for the purposes of this section, when there is an unexpended cartridge or shell in the firing chamber,

but not when the only cartridges or shells are in the magazine.

The provisions of this section do not apply to paraplegics, persons with one or both legs amputated or who have suffered a paralysis of one or both legs which severely impedes walking, or peace officers and members of the Armed Forces of this State or the United States while on duty or going to or returning from duty.

(Added to NRS by 1969, 1367; A 1971, 1542; 1981, 321; 1987, 596)

Penalty for discharging firearm from or over federal or state highway or county road. Unless a greater penalty is provided in NRS 202.287, a person who discharges a firearm from, upon, over or across any federal highway, state highway as described in NRS 408.285, or main or general county road as designated in NRS 403.170, is guilty of a misdemeanor. (Added to NRS by 1969, 1368; A 1979, 1174; 1989, 1242)

NRS 503.185 Hunting accident causing injury or death of person or property damage: Report; revocation of license.

1. Every person involved in a hunting accident where damage to property results, or which involves the injury of or death to another person, shall file a report of the accident with the Department within 30 days after the accident. The report must be on the form prescribed by the Department.

The Department shall revoke any hunting license held by a person convicted of violating NRS 503.165 or 503.175, if the violation results in an injury to or the death of another person. The Department shall not issue another such license to the person sooner than 2 years after the revocation.

(Added to NRS by <u>1987, 596</u>; A <u>1993, 1672</u>; <u>2003</u>, 1547)

NRS 503.200 Competitive field trials for hunting dogs and falconry; use of upland game birds for trials and training.

1. The Department is empowered to authorize, under permit and for such fee as may be provided in NRS 502.240, competitive field trials for hunting dogs or competitive field trials for falconry. The Commission shall prescribe the rules and regulations to be followed by those in charge of such trials insofar as conduct of the field trials has any effect or bearing upon wildlife and the laws of this State respecting closed and open seasons.

2. For the purpose of permitting such field trials, the Department may authorize shooting of legally acquired upland game birds

during any closed season on the species of bird or birds to be hunted.

3. All legally acquired upland game birds used in a field trial or for the purpose of training hunting dogs and for falconry training must be banded with legbands by the person in charge of such field trial or training. Such birds may only be released in an area first approved by the Department, after which the Department shall authorize, under permit and under such rules and regulations as the Commission may prescribe, the releasing of such legally acquired upland game birds for the foregoing purposes.

All birds killed under the provisions of this section must be accompanied by a receipt, giving the permit number, the date, the name of the person in possession, and signed by the permit holder. Birds killed and accompanied by a receipt under the provisions of this

section may be legally possessed.

[88 1/2:101:1947; Å 1951, 377]—(NRS A 1959, 385; <u>1967, 989; 1969, 1360; 1993, 1672; 2003, 1547</u>)

It is unlawful for any person to hunt, fish in nonnavigable waters or trap upon land which is private property where the person has been warned by the owner or occupant of the property not to trespass in the manner prescribed in NRS 207,200, or where signs are displayed forbidding hunting, trapping or fishing without permission obtained from the owner or occupant of the private property.

2. Any person using that private property for hunting, fishing or trapping shall comply with the provisions of NRS 207.220. [1911 C&P § 501; RL § 6766; NCL § 10448] + [1911 C&P § 502; RL § 6767; NCL § 10449]—(NRS A 1967, 598; 1969, 1361; 2005,

NRS 503.242 Unlawful to hunt alternative livestock. It is unlawful to hunt any alternative livestock reared on or derived from a farm or other operation that raises alternative livestock.

(Added to $\bar{N}RS$ by 1993, 431)

NRS 503.245 Limitation on hunting upland game birds by nonresidents. Hunting by nonresidents of this State for upland game birds or one or more species of such class may be forbidden or the number of licenses for such birds issued to nonresidents limited by the Commission in any county, counties or in any portion of a county.

[Part 50a:101:1947; added 1949, 292; A 1953, 673]—(NRS A 1965, 1178; 1969, 1355; 1979, 901)

FISHING

NRS 503.270 Open season; hours of fishing.

It is unlawful for any person to fish in or from any of the waters of the State of Nevada except during the open season as designated by the Commission under the provisions of this title.

The Commission may by regulation allow fishing for any species of fish during any hour of the day or night.

[38:101:1947; 1943 NCL § 3035.38]—(NRS A 1961, 116; 1969, 1361)

NRS 503.290 Manner and means of fishing; requirements for use of second combination of hook, line and rod; taking frogs.

- 1. Except as otherwise provided in subsection 2, it is unlawful for any person to fish in or from any of the waters of the State of Nevada for any fish of any species in any manner other than with hook and line attached to a rod or reel closely attended in the manner known as angling. Only one combination of hook, line and rod must be used by one person at any time, except that a second combination of hook, line and rod may be used by a person if the person:
- (a) Purchases from the Department or a license agent of the Department a stamp, permit or such documentation as may be provided by

the Department for a second rod;

- (b) Uses the rod in the manner prescribed in this section; and
- (c) Has in his or her possession a valid fishing license, combined hunting and fishing license or permit to fish issued to the person by the Department, or such documentation as the Department provides as proof that the person has paid to the Department, for the licensing period that includes the time the person is fishing, the fee required pursuant to this section.
- È The fee for the stamp, permit or documentation is \$10, and the stamp, permit or documentation is valid only for the period for which it is issued.
- 2. The Commission may by regulation authorize other methods for taking fish. Frogs may be taken by spear, bow and arrow, hook and line or by other methods authorized by the Commission's regulation.
- 3. For the purposes of this section, "hook" includes not more than three baited hooks, not more than three fly hooks or not more than two plugs or similar lures. No more than two such plugs or lures, irrespective of the number of hooks or attractor blades attached thereto, may be attached to the line.

[Part 45:101:1947; A 1949, 125; 1953, 667]—(NRS A 1957, 175; 1959, 386; 1969, 1362; 1983, 853; 1995, 82; 2003, 1547, 2550)

NRS 503.300 Regulations of Commission: Types and use of bait; chumming.

- 1. The Commission may prescribe by regulation the types of bait and methods by which it may or may not be used in any designated water. It is unlawful for any person to use any bait prohibited by regulation.
 - The Commission may by regulation control the practice known as chumming.

[Part 45:101:1947; A 1949, 125; 1953, 667]—(NRS A 1969, 1362)

NRS 503.310 Live bait: Authority of Commission; permit required for sale.

- 1. The Commission may regulate or prohibit the use of live bait in fishing so that no undesirable species are introduced into the public waters of this State.
- 2. Any person engaged in the sale of live bait must first obtain a permit from the Department for the fee provided in NRS 502,240. The permit may be revoked for any violation of regulations.

3. The Commission may prescribe the species which may be held or sold by the permittee. [Part 43:101:1947; A 1949, 292; 1951, 494]—(NRS A 1961, 113; 1969, 1362; 1987, 562; 1993, 1673; 2003, 1548)

NRS 503.360 Unlawful fishing from hatcheries.

1. It is unlawful for any person at any time to fish from any state hatchery, or from any waters set aside or used for the purpose of rearing or growing fish for transplanting by the State.

2. Nothing in this section prohibits employees of the Department from handling, at any time, all such fish, as may be required in the propagation, care and distribution of the fish

[4Ĭ:101:1947; 1943 NCL § 3035.41]—(NRS A <u>1969, 1363; 1981, 543; 1993, 1673; 2003, 1548</u>)

NRS 503.380 Commercial taking of unprotected wildlife. The Department may take or permit the commercial taking of unprotected wildlife in any manner approved by the Commission. The Commission may fix a price to be paid for wildlife so taken. Unprotected wildlife taken under this authorization may be sold.

[Part 44:101:1947; 1943 NCL § 3035.44]—(NRS A 1969, 1363; 1987, 562; 1993, 1673; 2003, 1548)

NRS 503.400 Fishways and fish ladders: Construction and maintenance; penalty.

- 1. Every person who has erected, or who may hereafter erect, any dams, water weirs or other obstructions to the free passage of fish in the rivers, streams, lakes or other waters of the State of Nevada shall construct and keep in repair, to the satisfaction of the Department, fishways or fish ladders at all such dams, water weirs or other obstructions so that at all seasons of the year fish may ascend above such dams, water weirs or other obstructions to deposit their spawn.
- 2. Every person so placing, controlling or owning any such obstruction who fails to comply with the provisions of this section after having been notified in writing so to do by the Department, and every person who at any time willfully or knowingly destroys, injures or obstructs any fishway or fish ladder which is required by law is guilty of a misdemeanor. [29:101:1947; 1943 NCL § 3035.29]—(NRS A 1969, 1363; 1993, 1673; 2003, 1548)

NRS 503.410 Unlawful interference with flow of water through fish ladder.

1. It shall be unlawful for any person to dry up, impede or interfere with the free flow of water through any fish ladder upon any stream in this State, when there is sufficient unappropriated or unused water in such stream for use therein, by diverting the same from above and around such fish ladder by means of any ditch, canal or aqueduct, and permitting the same to waste, spill or flow back into the stream below such fish ladder by means of a spillway, tailrace, overflow, underpass, headgate or other appliance not equipped with an efficient and adequate fish ladder.

2. This section shall not be construed to impair any subsisting right to divert water from such stream for irrigation, domestic or culinary purposes.

[31:101:1947; 1943 NCL § 3035.31]

NRS 503.420 Fish screens: Installation and maintenance; unlawful acts.

1. Any person, firm or corporation owning in whole or in part any canal, ditch or any artificial watercourse, taking or receiving its waters from any river, creek or lake in which fish have been placed or may exist, shall place or cause to be placed, and such persons shall maintain at the intake or inlet of such canal, ditch or watercourse, a grating, screen or other device, either stationary or operated mechanically, of such construction, fineness, strength and quality as may be designated by the Department, to prevent any fish from entering such canal, ditch or watercourse.

If such person, firm or corporation, after due notice from the Department, fails to install or maintain such grating, screen or device, the Commission is authorized to enter upon lands adjacent to the inlet of such canal, ditch or watercourse, and may install therein, and

thereafter maintain, such grating, screen or device as in the discretion of the Department is proper.

3. It is unlawful for any person or persons, except a game warden, to remove, tamper with, destroy or in any way molest such screens when the same have been installed.

[30:101:1947; 1943 NCL § 3035.30]—(NRS A 1969, 1363; 1993, 1673; 2003, 1549)

NRS 503.425 Dredging operations: Permits; unlawful acts.

- 1. Before a person may use any vacuum or suction dredge equipment in any river, stream or lake of this State, the person must submit an application to the Department. The application must be accompanied by a fee of \$15 and must specify the type and size of equipment to be used and its location. If the Department determines that the operations will not be deleterious to fish, it shall issue a permit to the applicant.
- 2. A permit issued pursuant to subsection 1 does not authorize the recipient to use any equipment in any navigable body of water unless the recipient has obtained the appropriate permit for such a use from the State Land Registrar.

3. It is unlawful for any person to:

(a) Conduct dredging operations without securing a permit pursuant to subsection 1;

(b) Operate any equipment other than that specified in the permit; or

(c) Conduct a dredging operation outside the area designated on the permit. (Added to NRS by 1969, 1368; A 1981, 357; 1993, 1459, 1674; 1995, 579; 2003, 1549, 2551)

NRS 503.430 Water pollution: Deposit of substance deleterious to fish or wildlife; penalties. Except as otherwise provided in NRS 445A.615 or unless a greater penalty is prescribed by NRS 459.600, every person who places or allows to pass, or who places where it can pass or fall, into or upon any of the waters of this State at any time, any lime, gas tar, slag, acids or other chemical, sawdust, shavings, slabs, edgings, mill or factory refuse, sewage, garbage or any substance deleterious to fish or wildlife is guilty of a misdemeanor for the first offense and a gross misdemeanor for any subsequent offense.

[28:101:1947; 1943 NCL § 3035.28]—(NRS A 1957, 176; 1987, 562; 1989, 1269; 1991, 830)

FUR-BEARING MAMMALS AND TRAPPING

NRS 503.440 Open season for fur-bearing mammals.

Except as otherwise provided in NRS 503.470, it is unlawful to trap or kill fur-bearing mammals at any time during the year other than during an open season as designated by the Commission pursuant to the provisions of this title.

2. The Commission, in its sole discretion, may set the open season for fur-bearing mammals. [73:101:1947; A 1949, 292; 1943 NCL § 3035.73]—(NRS A 1969, 1364; 1991, 267)

NRS 503.450 Manner of hunting fur-bearing mammals. It is unlawful for any person at any time to hunt any fur-bearing mammal in any manner other than by trap, gun or bow and arrow. [Part 74:101:1947; 1943 NCL § 3035.74]—(NRS A 1983, 854; 1991, 267)

NRS 503.452 Registration or marking of traps, snares and similar devices; exceptions; fee for registration; unlawful possession of trap registered to another person without written permission; confidentiality of registration information.

1. Except as otherwise provided in subsection 2, each trap, snare or similar device used by a person in the taking of wild mammals may be registered with the Department before it is used. Each registered trap, snare or similar device must bear a number which is assigned by the Department and is affixed to or marked on the trap, snare or similar device in the manner specified by regulations adopted by the Commission. The registration of a trap, snare or similar device is valid until the trap, snare or similar device is sold or ownership of the trap, snare or similar device is otherwise transferred.

The provisions of subsection 1 do not apply to a trap, snare or similar device used:

(a) Exclusively on private property which is posted or fenced in accordance with the provisions of NRS 207.200 by the owner or occupant of the property or with the permission of the owner or occupant;

(b) For the control of rodents by an institution of the Nevada System of Higher Education;

(c) By any federal, state or local governmental agency; or

- (d) For the taking of wild mammals for scientific or educational purposes under a permit issued by the Department pursuant to NRS 503.650.
- 3. A registration fee of \$10 for each registrant is payable only once by each person who registers a trap, snare or similar device. The fee must be paid at the time the first trap, snare or similar device is registered.

It is unlawful:

- (a) For a person to whom a trap, snare or similar device is registered to allow another person to possess or use the trap, snare or similar device without providing to that person written authorization to possess or use the trap, snare or similar device.
- (b) For a person to possess or use a trap, snare or similar device registered to another person without obtaining the written authorization required pursuant to paragraph (a). If a person obtains written authorization to possess or use a trap, snare or similar device pursuant to paragraph (a), the person shall ensure that the written authorization, together with his or her trapping license, is in his or her possession during any period in which he or she uses the trap, snare or similar device to take fur-bearing mammals.

A person to whom a trap, snare or similar device is registered pursuant to this section shall report any theft of the trap, snare or similar device to the Department as soon as it is practical to do so after the person discovers the theft.

6. Any information in the possession of the Department concerning the registration of a trap, snare or similar device is confidential and the Department shall not disclose that information unless required to do so by law or court order. (Added to NRS by 1979, 346; A 1983, 854; 1991, 267; 1993, 1674; 1995, 898; 2003, 1549, 2551; 2013, 1001; 2015, 3062)

Every person who takes fur-bearing mammals by trap, snare or similar device or unprotected mammals by trapping or sells raw furs for profit shall procure a trapping license.

2. It is unlawful to remove or disturb the trap, snare or similar device of any holder of a trapping license while the trap, snare or similar device is being legally used by the holder on public land or on land where the holder has permission to trap.

(Added to NRS by 1979, 347; A 1983, 854; 1991, 267, 1575; 2013, 1002)

NRS 503.470 Control of fur-bearing mammals doing damage.

1. Fur-bearing mammals injuring any property may be taken or killed at any time in any manner by the owner or occupant of the

property or with the permission of the owner or occupant.

When the Department has determined from investigations or upon a petition signed by the owners of 25 percent of the land area in any irrigation district or the area served by a ditch company alleging that an excessive population of beaver or ofter exists or that beaver or otter are doing damage to lands, streams, ditches, roads or water control structures, the Department shall remove such excess or depredating beaver or otter.

[Part 75:101:1947; R 1953, 671; added 1953, 671]—(NRS A 1967, 1201; 1969, 1364; 1991, 267; 1993, 1674; 2003, 1549; 2015,

NRS 503.540 Authority of Department to enter land and remove beaver or otter. Whenever the Department determines that beaver or otter are doing damage and that it will be necessary to remove beaver or otter from the land of a person to protect the lands of another landowner, the Department is not prevented from taking such beaver or otter by the refusal of the landowner to allow the employees of the Department to enter upon the land of the landowner. The Department is authorized to enter upon the lands of such owner and remove beaver or otter for the relief of other landowners and the protection of the public welfare.

[Part 75:101:1947; R 1953, 671; added 1953, 671]—(NRS A <u>1969, 1365; 1993, 1674; 2003, 1550</u>)

NRS 503.570 Minimum visitation of traps, snares and similar devices not designed to cause immediate death; removal of mammals; regulations.

A person taking or causing to be taken wild mammals by means of traps, snares or similar devices which do not, or are not designed to, cause immediate death to the mammals, shall, if the traps, snares or similar devices are placed or set to take mammals, visit or cause to be visited each trap, snare or similar device at a frequency specified in regulations adopted by the Commission pursuant to subsection 3 during all of the time the trap, snare or similar device is placed, set or used to take wild mammals, and remove therefrom any mammals caught therein.
2. The pro-

The provisions of subsection 1 do not apply to employees of the State Department of Agriculture or the United States Department

of Agriculture when acting in their official capacities.

The Commission shall adopt regulations setting forth the frequency at which a person who takes or causes to be taken wild mammals by means of traps, snares or similar devices which do not, or are not designed to, cause immediate death to the mammals must visit a trap, snare or similar device. The regulations must require the person to visit a trap, snare or similar device at least once each 96 hours. In adopting the regulations, the Commission shall consider requiring a trap, snare or similar device placed in close proximity to a populated or heavily used area by persons to be visited more frequently than a trap, snare or similar device which is not placed in close proximity to such an area.

[1:107:1937; 1931 NCL § 3153.01] + [2:107:1937; 1931 NCL § 3153.02]—(NRS A 1967, 599; 1969, 1365; 1979, 348; 1981, 608; 1991, 268, 334; 1993, 1674; 1999, 3626; 2013, 1002)

NRS 503.575 Sale of live beaver by Department. The Department, with the approval of the Commission, may sell live beaver. [Part 75:101:1947; R 1953, 671; added 1953, 671]—(NRS A 1969, 1365; 1993, 1675; 2003, 1550)

NRS 503.580 Unlawful to set trap within 200 feet of public road or highway; exception.

For the purposes of this section, "public road or highway" means:
 (a) A highway designated as a United States highway.

(b) A highway designated as a state highway pursuant to the provisions of NRS 408.285.

(c) A main or general county road as defined by NRS 403.170

It is unlawful for any person, company or corporation to place or set any steel trap, used for the purpose of trapping mammals, larger than a No. 1 Newhouse trap, within 200 feet of any public road or highway within this State.

This section does not prevent the placing or setting of any steel trap inside, along or near a fence which may be situated less than 200 feet from any public road or highway upon privately owned lands.

[1:155:1931]+[2:155:1931]—(NRS A 1960, 229; 1967, 599; 1969, 1365; 1979, 1175; 1991, 268)

RAPTORS

NRS 503.582 Permit required to hunt, trap, possess or sell birds of prey or parts thereof; regulations. Except as otherwise provided in this section, it is unlawful for any person to hunt, trap, possess or sell any species, native or otherwise, of owl, hawk or other birds of prey, including all raptors or the parts thereof, without first obtaining a permit from the Department. The Commission may adopt regulations:

Covering the hunting, trapping, possession or sale of any of those species.

2 Authorizing a person to hunt, trap, possess or sell any of those species without obtaining a permit pursuant to the provisions of this section.

(Added to NRS by 1969, 774; A 1971, 1542; 1993, 1675; 1995, 118; 2003, 1550)

NRS 503.583 Falconry license for practicing falconry or training birds of prey: Requirement; fee; limit; banding; limitations on capture and killing; exception in regulations.

Except as otherwise provided in this section, any person who practices falconry or trains birds of prey must obtain a falconry license from the Department upon payment of a license fee as provided in NRS 502.240.

The licensee, under permit, may obtain from the wild only two birds per year. All such birds of prey must be banded in accordance with regulations adopted by the Commission.

Birds of prey may not be taken, captured or disturbed during the months in which they breed.

This section does not prohibit the capture or killing of a hawk or an owl by holders of scientific collecting permits.

The Commission may adopt regulations authorizing a person to practice falconry or train birds of prey without obtaining a falconry license pursuant to the provisions of subsection 1.

(Added to NRS by 1969, 774; A 1969, 1376; 1971, 1542; 1981, 608; 1993, 1675; 1995, 118; 2003, 1550)

NRS 503.5833 Submission of certain information regarding holder of permit or license to Division of Welfare and Supportive Services of Department of Health and Human Services. Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] The Department shall, upon request of the Division of Welfare and Supportive Services of the Department of Health and

Human Services, submit to the Division of Welfare and Supportive Services the name, address and social security number of each person who holds a permit or license issued pursuant to NRS 503.582 or 503.583 that does not expire less than 6 months after it is issued and any pertinent changes in that information.

(Added to NRS by <u>1997, 2086</u>; A <u>2003, 1550</u>)

NRS 503.5835 Suspension of permit or license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of permit or license. Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child

support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a permit or license issued pursuant to NRS 503.582 or 503.583 that does not expire less than 6 months after it is issued, the Department shall deem the permit or license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department receives a letter issued to the holder of the permit or license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the permit or license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560

2. The Department shall reinstate a permit or license issued pursuant to NRS 503.582 or 503.583 that has been suspended by a district court pursuant to NRS 425.540 if the Department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose permit or license was suspended stating that the person whose permit or license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

(Added to NRS by 1997, 2086; A 2003, 1550)

PROTECTION AND PROPAGATION OF NATIVE FAUNA

NRS 503.584 Legislative finding; conservation, protection and propagation of selected species.

The Legislature finds that:

- (a) The economic growth of the State of Nevada has been attended with some serious and unfortunate consequences. Nevada has experienced the extermination or extirpation of some of the State's native species of animals, including fish and vertebrate wildlife. Serious losses have occurred and are occurring in other species of native wild animals with important economic, educational, historical, political, recreational, scientific and aesthetic values.
- (b) The people of the State of Nevada have an obligation to conserve and protect the various species of native fish and wildlife that are threatened with extinction.

The purpose of NRS 503.584 to 503.589, inclusive, is to provide a program for the:

(a) Conservation, protection, restoration and propagation of selected species of native fish and other vertebrate wildlife, including migratory birds; and

(b) Perpetuation of the populations and habitats of such species. (Added to NRS by 1969, 773)

NRS 503.585 Placement of animal threatened with extinction on list of fully protected species; special permit for capture, removal or destruction. A species or subspecies of native fish, wildlife and other fauna must be regarded as threatened with extinction when the Commission, after consultation with competent authorities, determines that its existence is endangered and its survival requires assistance because of overexploitation, disease or other factors or its habitat is threatened with destruction, drastic modification or severe curtailment. Any animal so declared to be threatened with extinction must be placed on the list of fully protected species, and no member

of its kind may be captured, removed or destroyed at any time by any means except under special permit issued by the Department. (Added to NRS by 1969, 774; A 1969, 1376; 1993, 1675; 2003, 1551)

NRS 503.586 Translocation or destruction of endangered species found to be destructive. Where any bird, mammal or other wildlife which is declared to be in danger of extinction pursuant to NRS 503.585 is found to be destructive of domestic animals or fowl or a menace to health, the Department may provide for its destruction or its removal, alive, for translocating. (Added to NRS by 1969, 774; A 1969, 1376; 1993, 1675; 2003, 1551)

NRS 503.587 Duties of Commission. The Commission shall use its authority to manage land to carry out a program for conserving, protecting, restoring and propagating selected species of native fish, wildlife and other vertebrates and their habitats which are threatened with extinction and destruction.

(Added to NRS by <u>1969, 774</u>; A <u>1979, 901</u>)

NRS 503.588 Duties of Governor. The Governor shall review the programs which the Governor administers and, to the extent practicable, utilize such programs in furtherance of the purpose of NRS 503.584 to 503.589, inclusive, and shall encourage other state and federal agencies to use their authorities in such a manner.

(Added to NRS by <u>1969, 774</u>)

NRS 503.589 Powers and duties of Director. In carrying out the program authorized by NRS 503.584 to 503.589, inclusive, the Director shall cooperate, to the maximum extent practicable, with other states and with the counties in the State of Nevada, and the Director may enter into agreements with such other states and counties and with other legal entities for the administration and management of any area established pursuant to NRS 503.584 to 503.589, inclusive, for the conservation, protection, restoration and propagation of species of native fish, wildlife and other fauna which are threatened with extinction.

(Added to NRS by <u>1969, 774</u>; A <u>1993, 1676</u>; <u>2003, 1551</u>)

MISCELLANEOUS PROTECTIVE MEASURES

NRS 503.590 Noncommercial collections of live wildlife; regulations concerning fencing or containment of collections of wildlife; provisions inapplicable to alternative livestock.

Except as otherwise provided in this section, a person may maintain a noncommercial collection of legally obtained live wildlife

(a) Such a collection is not maintained for public display nor as a part of or adjunct to any commercial establishment; and

- (b) The wildlife contained in such a collection is of a species which may be possessed in accordance with regulations adopted by the Commission pursuant to subsection 2 of NRS 504.295.
- 2. The Commission may adopt reasonable regulations establishing minimum standards for the fencing or containment of any collection of wildlife.

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

[1:72:1947; 1943 NCL § 3154.05] + [2:72:1947; 1943 NCL § 3154.06] + [3:72:1947; A 1955, 196] + [4:72:1947; 1943 NCL § 3154.08]—(NRS A 1959, 387; 1967, 1126; 1969, 1366, 1453; 1971, 1187; 1981, 609; 1993, 431)

NRS 503.595 Prevention or alleviation of damage caused by wildlife. After the owner or tenant of any land or property has made a report to the Department indicating that such land or property is being damaged or destroyed, or is in danger of being damaged or destroyed, by wildlife, the Department may, after thorough investigation and pursuant to such regulations as the Commission may promulgate, cause such action to be taken as it may deem necessary, desirable and practical to prevent or alleviate such damage or threatened damage to such land or property

[8.5:101:1947; added 1955, 73]—(NRŚ A <u>1969, 1551; 1971, 1542; 1973, 287; 1993, 1676; 2003, 1551)</u>

NRS 503.597 Introduction or removal of aquatic life or wildlife: Approval required; investigation; regulations; penalties.

- 1. Except as otherwise provided in this section, it is unlawful, except by the written consent and approval of the Department, for any person at any time to receive, bring or have brought or shipped into this State, or remove from one stream or body of water in this State to any other, or from one portion of the State to any other, or to any other state, any aquatic life or wildlife, or any spawn, eggs or young of any of them.
- The Department shall require an applicant to conduct an investigation to confirm that such an introduction or removal will not be detrimental to the wildlife or the habitat of wildlife in this State. Written consent and approval of the Department may be given only if the results of the investigation prove that the introduction, removal or importation will not be detrimental to existing aquatic life or wildlife, or any spawn, eggs or young of any of them.

3. The Commission may through appropriate regulation provide for the inspection of such introduced or removed creatures and the

inspection fees therefor.

- 4. The Commission may adopt regulations to prohibit the importation, transportation or possession of any species of wildlife which the Commission deems to be detrimental to the wildlife or the habitat of the wildlife in this State.
- 5. A person who knowingly or intentionally introduces, causes to be introduced or attempts to introduce an aquatic invasive species or injurious aquatic species into any waters of this State is guilty of:

(a) For a first offense, a misdemeanor; and

- (b) For any subsequent offense, a category E felony and shall be punished as provided in NRS 193.130.
- 6. A court before whom a defendant is convicted of a violation of subsection 5 shall, for each violation, order the defendant to pay a civil penalty of at least \$25,000 but not more than \$250,000. The money must be deposited into the Wildlife Account in the State General Fund and used to:
 - (a) Remove the aquatic invasive species or injurious aquatic species;
 - (b) Reintroduce any game fish or other aquatic wildlife destroyed by the aquatic invasive species or injurious aquatic species;

(c) Restore any habitat destroyed by the aquatic invasive species or injurious aquatic species;

- (d) Repair any other damage done to the waters of this State by the introduction of the aquatic invasive species or injurious aquatic species; and
- (e) Defray any other costs incurred by the Department because of the introduction of the aquatic invasive species or injurious aquatic species.

The provisions of this section do not apply to:

- (a) Alternative livestock and products made therefrom; or
- (b) The introduction of any species by the Department for sport fishing or other wildlife management programs.

As used in this section:

- (a) "Aquatic invasive species" means an aquatic species which is exotic or not native to this State and which the Commission has determined to be detrimental to aquatic life, water resources or infrastructure for providing water in this State.
- (b) "Injurious aquatic species" means an aquatic species which the Commission has determined to be a threat to sensitive, threatened or endangered aquatic species or game fish or to the habitat of sensitive, threatened or endangered aquatic species or game fish by any means, including, without limitation:
 - (1) Predation;
 - Parasitism;
 - (3) Interbreeding; or
 - (4) The transmission of disease

[Part 43:101:1947; A 1949, 292; 1951, 494]—(NRS A 1957, 175; 1969, 1358; 1993, 431, 1676; 1995, 514; 2003, 1552; 2011, 2401;

NRS 503.610 Protection of bald eagle and golden eagle.

1. Except as otherwise provided in subsection 2, it is unlawful for any person, firm, company, corporation or association to kill, destroy, wound, trap, injure, possess dead or alive, or in any other manner to catch or capture, or to pursue with such intent the birds known

as the bald eagle and the golden eagle, or to take, injure, possess or destroy the nests or eggs of such birds.

2. The Department may issue permits to take bald eagles or golden eagles whenever it determines that they have become seriously injurious to wildlife or agricultural or other interests in any particular area of the State and the injury complained of is substantial and can only be abated by taking some or all of the offending birds. The issuance of such permits must be consistent with federal law.

[66:101:1947; 1943 NCL § 3035.66] + [1911 C&P § 546; RL § 6811; NCL § 10492]—(NRS A 1963, 1277; 1969, 1366; 1993, 1676;

NRS 503.620 Protection of birds included in Migratory Bird Treaty Act. Except as otherwise provided by this title or a regulation adopted pursuant thereto, it is unlawful for any person to hunt or take any dead or alive birds, nests of birds or eggs of birds protected by that certain Act of Congress commonly known and referred to as the Migratory Bird Treaty Act of July 3, 1918, as amended, 16 U.S.C. §§ 703 et seq., or protected by a regulation of the Commission. [67:101:1947; 1943 NCL § 3035.67] + [1911 C&P § 547; RL § 6812; NCL § 10493]—(NRS A 1969, 1367; 2005, 1312)

NRS 503.631 Dogs running at large: Unlawful to permit tracking, harassing or killing of big game mammal.

1. Except as otherwise provided in NRS 503.150, it is unlawful for the owner of any dog to permit such dog to run at large if such dog is actively tracking, pursuing, harassing, attacking or killing any big game mammal within this State.

Any such dog running at large may be destroyed by any peace officer without criminal or civil liability therefor.

(Added to NRS by 1973, 845; A 1991, 268)

NRS 503.636 Dogs running at large: Unlawful to permit tracking, harassing or killing of wildlife in state-owned area for management of wildlife.

- 1. It is unlawful for the owner of any dog to permit such dog to run at large if such dog is actively tracking, pursuing, harassing, attacking or killing any wildlife in a state-owned wildlife management area, as provided in NRS 504.143
 - Any such dog running at large may be destroyed by any peace officer, without criminal or civil liability therefor. (Added to NRS by <u>1973, 845</u>)

NRS 503.650 Collection or shipping of wildlife for scientific or educational purposes; fee for permit. Nothing in this title:

Prohibits any person, upon the written permit of the Department, from taking, killing, possessing or banding any species of wildlife, or collecting the nest or eggs thereof, for strictly scientific or educational purposes, the number and species of wildlife to be limited by the Department.

2. Prevents shipping into any other county or state, under a written permit issued by the Department, any wildlife for scientific or

E The amount of the fee for a permit to collect wildlife for scientific or educational purposes is \$50. [72:101:1947; 1943 NCL § 3035.72]—(NRS A 1969, 1367; 1971, 1543; 1981, 357, 609; 1991, 268; 1993, 1676; 2003, 1552, 2551)

NRS 503.655 Shed antlers: Regulations.

The Commission shall adopt regulations for the taking of shed antlers.
 As used in this section, "shed antlers" means antlers which have been naturally shed by any big game mammal in this State. (Added to NRS by 2011, 1347)

NRS 503.660 Unlawful manner of camping near water hole. It is unlawful for any person to camp within 100 yards of a water hole in such a manner that wildlife or domestic stock will be denied access to such water hole. (Added to NRS by 1975, 1453)