

## Form #2

11-10-1964

\$3.40

## **CIRCUMSTANCES REQUIRING THE PROPOSED RULE**

The Division of Natural Resources proposes one day special youth hunts to be held statewide. The youth must be under fifteen (15) years of age and accompanied by an adult twenty-one (21) years or older. Special youth hunts provide the opportunity for young hunters to hunt on specially designated days or areas under the supervision of an adult.

The Division requires each deer and wild turkey be delivered to a conservation officer or an official game checking station for checking and retagging within 72 hours of the time of kill or within 24 hours of the close of the respective season or whichever comes first. The management of wildlife depends on maintaining a timely game check system that provides the division with the necessary data.

The Division proposes to require all hunters to wear at least 400 square inches of blaze orange over their outer clothing during any deer firearms season. Persons engaged in agricultural activities and waterfowl hunters would be exempt. Wearing blaze orange has proven to be an effective hunter safety tool. This rule extends the blaze orange requirement to most hunters during firearms deer season.

The Division proposes to require any person who, while in the act of hunting, shoots another person, shall render immediate aid and assistance to the victim. Currently there is no requirement for a person to render aid to a hunting accident victim.

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## **SUMMARY OF THE RULE**

Title 58, Series 49, General Hunting Regulations establishes general hunting regulations that will provide for the safety of the hunter and the proper management of wildlife within the boundaries of this State.

## FISCAL NOTE FOR PROPOSED RULE

**Rule Title:** Series 47, General Hunting Regulations

**Type of Rule**      X      **Legislative**                  **Interpretive**                  **Procedural**

**Agency**    Division of Natural Resources, Wildlife Resources Section

**Address**    Capitol Complex

Building 3, Room 842

Charleston, WV 25305

### 1. Effect of Proposed Rule

	ANNUAL			FISCAL YEAR	
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	0	0	0	0	0
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

**2. Explanation of above estimates:** No cost to enact and enforce this rule.

**3. Objectives of these rules:** To allow youth under fifteen (15) to participate in special youth hunts while accompanied by an adult twenty-one (21) years or older; to require a hunter to check deer and turkey within 72 hours of the time of kill or within 24 hours of the close of the season or whichever comes first; to require all hunters to wear at least 400 square inches of blaze orange on their outer clothing during any deer firearms season, excluding waterfowl hunters and persons engaged in agricultural activities; and to require any person who shoots another person while hunting to render immediate aid and assistance to the victim.

**4. Explanation of overall Economic Impact of Proposed Rule.**

**Rule Title:** Series 47, General Hunting Regulations

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**A. Economic Impact on State Government:** No impact.

**B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:** No impact.

**C. Economic Impact on Citizens/Public at Large:** No impact.

**Date:** 5/27/97

**Signature of Agency or  
Authorized Representative:**



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ROBERT A. REINTSEMA, COMMISSIONER

TITLE 58  
LEGISLATIVE RULE  
BUREAU OF COMMERCE  
DIVISION OF NATURAL RESOURCES

SERIES 49  
GENERAL HUNTING REGULATIONS

RECEIVED  
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OFFICE OF THE  
SECRETARY OF COMMERCE

**§58-49-1. General.**

1.1. Scope. -- The purpose of these regulations is to establish general hunting regulations that will provide for the safety of the hunter and the proper management of wildlife within the boundaries of this State.

1.2. Authority. -- W. Va. Code §20-1-7(30).

1.3. Filing Date. --

1.4. Effective Date. --

**§58-49-2. Definitions.**

2.1. All terms have the meaning prescribed to them in the Regulations Defining The Terms To Be Used Concerning All Hunting and Trapping Regulations (58 C.S.R. 46).

**§58-49-3. General Hunting Rules.**

3.1. A long bow or compound bow may be substituted for a firearm during any season for which firearms are legal except during the muzzle-loading firearms deer season.

3.2. Each person killing a bear or wild boar found in a wild state must immediately after removing its entrails, but in any event within one hour and before transporting or removing the carcass in any manner from where it was killed, complete and attach a game tag. The tag must bear, in plain English, the name and address of the hunter, the date and county where the game was killed, and, unless he or she is legally exempted from the licensing requirements of this State, the license number of the hunter.

3.3. Any youth under fifteen (15) years of age who participates in a special youth hunt designated by the director must be accompanied by an adult licensed hunter twenty-one (21) years or older.

3.34. No person under the age of fifteen (15) years may hunt or chase wild animals or wild birds on the lands of another unless he or she is accompanied by a licensed adult who remains in a position near enough to him or her to render advice and assistance.

3.45. A person may only use bows, single-shot muzzle-loading firearms, or shotguns loaded with T or smaller shot to hunt wildlife within the boundaries of the Green Bottom Wildlife Management Area.

3.56. Each deer or wild turkey must be delivered to a conservation officer or an official game checking station for checking and retagging within 72 hours of the time of kill or within 24 hours of the close of the respective season, whichever comes first.

3.7. All hunters must wear at least 400 square inches of blaze orange over their outer clothing during any deer firearms season: provided, that persons engaged in agricultural activities and waterfowl hunters shall be exempt from this provision.

3.8. Any person who, while in the act of hunting, shoots another person, shall render immediate aid and assistance to the victim.