



STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES
CHARLESTON 25306

ARCH A. MOORE, JR.
Governor

December 17, 1986

RONALD R. POTESTA
Director

MICHAEL A. FOTOS
Deputy Director

NOTICE OF AGENCY ADOPTION

RULE TITLE: Hunting and Trapping Regulations

RULE TYPE: Exempt

The attached rule constitutes the official amendment to the rule adopted by the Department of Natural Resources on the 15th day of August 1986 and filed that day with the Secretary of State.

A handwritten signature in cursive script, appearing to read "R. Potesta", written over a horizontal line.

Ronald R. Potesta
Director

FILED

1986 DEC 18 AM 9:45

SECRETARY OF STATE

which individual is applying.

(c) Be filled out completely and signed. Incomplete applications will be voided.

14.07. Only one application may be submitted per individual. Receipt of more than one application per individual will void all applications for that individual.

14.08. Concurrent hunting for small game is legal, however, no hunter except those legally participating in the special antlerless deer season shall be afield with any type gun with solid ball ammunition or shot shells containing larger than No. 4 shot or if using a combination rifle shotgun, one shall not have rifle ammunition in their possession. No person may actively participate (driving) in hunting antlerless deer unless they have a Class N License or are otherwise exempt from having a Class N License in any manner in any area open to antlerless deer hunting.

14.09. Class N Licenses are nontransferable.

Section 15. Class R and RR Special Deer Hunting Licenses for the Taking of An Additional Antlered Deer

15.01. General

(a) Class R or RR License must be signed to be valid.

(b) Class R or RR License is only valid the day after checking the first deer.

(c) Class R or RR License must be purchased prior to the opening day of season for which license is valid. ~~and is only valid in the counties or parts of counties having a Class N deer hunting season.~~

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(c) Be filled out completely and signed. Incomplete applications will be voided.

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The Honorable Ken Hechler
Secretary of State
Capitol Complex, Suite 157-K
Charleston, West Virginia 25305

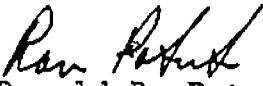
Re: Filing of Amendment to Exempt
Rules (Hunting and Trapping
Regulations, Series 11) by the
Department of Natural Resources

Dear Mr. Hechler:

Enclosed please find for your filing an amendment to the exempt rules of the Department of Natural Resources. We have discovered that a superceded provision in the 1985-1986 Hunting and Trapping Regulations was not deleted when those regulations were updated for the 1986-87 season and filed with your office on August 15, 1986. These regulations became effective on September 1, 1986 and are exempt from the provisions of the Administrative Procedures Act under Chapter 29A-1-3(c) of the West Virginia Code.

If you have any questions, please contact Mr. Jeffrey E. Herrold, Director's Office of Regulatory Affairs, at 348-2761.

Sincerely,


Ronald R. Potesta
Director

RRP/jhb

Enclosures

1986 DEC 18 AM 9 45
FRED

Title 47
Legis. & Code Rules

~~WEST VIRGINIA ADMINISTRATIVE REGULATIONS~~

DEPARTMENT OF NATURAL RESOURCES

Chapter ~~20-1~~ *C*

Series ~~IV~~ *11*

1986 AUG 15 12 30 PM
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF THE SECRETARY

FILED

Subject: Hunting and Trapping Regulations

Section 1. General

1.01. Scope. These regulations are promulgated to regulate hunting and trapping in West Virginia.

1.02. Authority. These regulations are issued under authority of the West Virginia Code, Chapter 20, Article 1, Section 17(7) and are exempt from provisions of the Administrative Procedures Act under Chapter 29A-1-3(c).

1.03. Effective Date. These regulations will be effective on the 1st day of September 1986 at 12:01 a.m.

1.03. Filing Date. These regulations were filed on August 15, 1986.

Section 2. Purpose

2.01. The purpose of these regulations is to establish opening and closing dates and bag limits for hunting and trapping seasons in West Virginia. All seasons, unless otherwise noted are statewide and subject to change. The opening and closing dates shall be inclusive, except as noted under exceptions. All time periods shall be prevailing time except as otherwise noted. All seasons shall close on previous Saturday if last day falls on Sunday. Sunday hunting is illegal with the exception of raccoon as noted. Should opening dates fall on Sunday the season will open on the following Monday.

Section 3. Definition of Terms Used

3.01. Possession limit--means game which is in any way under the control of the hunter after the second day of the season except

raccoon. The daily bag limit of raccoon may be possessed for each day the season is open until the season limit is reached. Example, the total of all game in a car, trunk, home freezer, commercial food locker, or any other storage method or place.

3.02. Aggregate--means the total bag or possession limit of any similar kind of game animals or birds. Example: the possession limit for squirrels is 24 after the third day. This could be eight gray squirrels, eight fox squirrels, and eight black squirrels, or any combination of 24 squirrels, but not more than a total of six per day, nor more than a total of 24 in possession.

3.03. Protected--no open season. Hunting at any time shall be illegal for protected wildlife.

3.04. Prevailing Time--prevailing time shall be either Eastern Standard Time or Daylight Saving Time and shall be that time proclaimed by the Governor of the State.

3.05. Concurrent Hunting--hunting of other species during deer gun season.

3.06. Big Game--shall be black bear, deer, elk, wild turkey, and wild boar.

Section 4. General Hunting Rules

4.01. Hunting with a gun or bow is limited to open fields during the closed season on game birds and game animals.

4.02. Hunting and trapping are forbidden on: (1) All State Parks and Game Refuges; (2) Harpers Ferry National Monument; (3) All Safety Zones on State Forests and Public Hunting and Fishing Areas. All refuges are appropriately marked with official Department signs.

4.03. It shall be unlawful to use any poisons, chemicals, or explosives in taking any furbearing animals, game animal, game bird or protected song and insectivorous bird, provided that woodchucks or groundhogs may be controlled on private land by the landowner, his children or a bona fide resident tenant during the period of April 1 through September 30, provided further, that whenever protected birds are committing serious depredation of crops, property, or other interest, the director may authorize the killing of the offending bird.

4.04. No warming or other fires permitted on lands belonging to others without written permission of owners.

4.05. It is illegal to smoke any wildlife from dens, trees, rocks, or any other cover except as otherwise provided by law or regulation. Groundhogs may be controlled on private lands by the landowner.

4.06. Redwinged blackbirds, grackles, and pigeons may be controlled by chemicals registered with the West Virginia Department of Agriculture and the Environmental Protection Agency when prescribed and authorized by the director.

4.07. It shall be illegal to discharge a firearm or shoot an arrow from aircraft, motor-driven watercraft, motor vehicle, any land conveyance or from or across any public road.

4.08. Each person killing a deer, bear, wild boar or wild turkey found in a wild state shall immediately after removing 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.

Section 5. Hunting Seasons

5.01. Deer Firearms Season - Bucks-Only - First Monday preceding Thanksgiving for 13 consecutive days in the following counties: Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Marion, Marshall, Mason, Mercer, Mineral, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzell, Wirt, and Wood.

No bucks-only firearm deer season in McDowell, Logan, Wyoming and Mingo Counties.

(a) No person may legally take under any condition more than 5 deer per calendar year--one by bow during the archery season; one by gun or bow during the bucks-only season; one by either bow or gun during the special antlerless season; one antlered deer by bow on a Class R or RR license during the archery season; one antlered deer by gun or bow on a Class R or RR license during the bucks-only season; one by muzzleloader if one has not already taken more than one deer prior to the muzzleloading season. Provided; however, the Class R or RR license purchased for the archery season shall not be valid for the bucks-only season nor shall the Class R or RR purchased for the bucks-only season be valid for the archery season.

(b) After a person has killed a legal deer by either bow or firearm during the regular bow or firearms season, he may not

participate further in hunting with either a bow or firearm in his possession the remainder of the day. Such a person may, however, pursue his second legal deer any day following, provided it falls within the regular bow or gun season and the established season for the weapon in possession or use, and provided the first deer has been legally checked at an official checking station or by a conservation officer.

(c) Only deer having one or both antlers 3 inches or more in length above the hair will be legal game during the bucks-only hunting season.

(d) No person shall hunt deer with a shotgun using ammunition loaded with more than one solid ball, nor with any rifle using rimfire ammunition of less than .25 caliber.

(e) Any rifle using center-fire ammunition or muzzleloading rifle of .44 caliber or larger is legal for deer hunting.

(f) No person shall hunt deer between 1/2 hour after sunset and 1/2 hour before sunrise, or kill or wound any deer while the deer is in any stream, lake, or pond.

5.02. Concurrent Hunting During Deer Firearms Seasons:

(a) All hunting, except for deer, shall be prohibited during the first 3 days of bucks-only deer season in all counties having a bucks-only deer season, provided that hunting for waterfowl shall be permitted on lakes, rivers, and waterways during the open waterfowl season.

(b) Small game hunting permitted beginning the fourth day after the opening date of the bucks-only season.

(c) Shot No. 4 or smaller and slugs may be carried with a shotgun prior to killing a deer during the concurrent hunting period.

(d) A combination rifle-shotgun (over-under, etc.) is legal for deer hunting and during the concurrent small game period.

(e) After killing a legal deer, a successful hunter shall not be afield with any type gun with solid ball ammunition or, if using a combination rifle-shotgun he shall not have rifle ammunition in his possession unless he possesses a valid Class R or Class RR license.

(f) It shall be unlawful to hunt small game with any centerfire rifle or rifle larger than .22 caliber rimfire, or shotguns using solid ball ammunition in counties not open to firearm deer hunting.

5.03 Black Bear - (Adult Animals Only) - Firearms season - First Monday following the bucks firearms hunting season and 23 consecutive days thereafter. Bear season is open (county-wide) only in the following counties: Grant, Pendleton, Pocahontas, Randolph, Tucker, and that portion of Webster east of Route 20 from Webster Springs southwest to the Nicholas County line and that section east and south of State Route 15 from Webster Springs to the Randolph County line, that portion of Hardy County lying east of U.S. Route 220, that portion of Monroe County lying east of U.S. Route 219, and that portion of Hampshire County lying south of U.S. Route 50. Bear season is also open in that portion of Greenbrier County lying north of U.S. 60 from the Fayette County line to its intersection with County Route 9, north of County Route 9 between U.S. 60 and U.S. 219, and east of U.S. 219 from County Route 9 to its intersection with the Monroe County line.

Two exceptions to this are: Cranberry Closed Area (known as the Back Country) lying in Pocahontas, Greenbrier, and Webster counties and the Spruce Knob Closed Area lying in Pendleton and Randolph counties are closed to all bear hunting.

The Cranberry Closed Area is bounded as follows: Starting at Dyer on Forest Service Route #86, the boundary proceeds along Forest Service Route #86 east to Forest Service Route #76 (the Black Mountain Road) then the boundary follows Forest Service Route #76 (the Black Mountain Road) south to the intersection with the Highland Scenic Highway (State Route #150); the line then follows State Route #150 to State Route #39. The southern boundary of the Closed Area follows State Route #39 to the Nicholas County line; then proceeds north following the Nicholas County line to Forest Service Route #76; it then follows Forest Service Route #76 north to Forest Service Route #101. The boundary then follows Forest Service Route #101 north to Dyer.

The Spruce Knob Closed Area is bounded as follows: Starting at the intersection of U.S. Route #33 and the Spruce Knob National Recreation Area boundary about 8 miles west of the Mouth of Seneca, the boundary follows U.S. Route #33 east to the intersection of U.S. Route #33 and State Route 33/3 and then follows the Spruce Knob Recreation Area boundary south to Forest Service Route #55; the line then follows Forest Service Route #55 north to Forest Service Route #1; then proceeds west on Forest Service Route #1 to State Route #29. The boundary then follows State Route #29 north to State Route #29/4 north to the Spruce Knob National Recreation boundary; then follows

the Spruce Knob National Recreation boundary north to U.S. Route #33.

(a) No person may legally take more than one bear per calendar year.

(b) Nonresidents shall not train dogs in the state at any time except during the legal small game hunting season: Provided, that, in order to reciprocate with the State of Ohio, residents of the State of Ohio may train their dogs between the 16th day of August and the 30th day of April in accordance with the laws and regulations governing residents of the State of West Virginia: Provided, further, however, that residents of the State of Ohio shall not train a dog except during the legal small game hunting season in any county or portion thereof in which there is a legal bear hunting season.

(c) Residents in counties which have a legal bear hunting season may train their bear hunting dogs between August 24 and February 28, only, provided that except during the firearms bear season, they have no firearms, bow, or implement with which the bear could be taken in their possession or under their control.

(d) No person shall hunt bear during the established bear firearms hunting season between 1/2 hour after sunset and 1/2 hour before sunrise.

5.04. Fall Wild Turkey - Season shall be for twenty-two consecutive days starting with the second Saturday after the start of squirrel season, and for six consecutive days commencing on Monday following the second Saturday in December, only in the following counties: Berkeley, Grant, Greenbrier, Hampshire, Hardy, Mineral, Monroe, Morgan, Nicholas, Pendleton, Pocahontas, Randolph, Tucker, and

Webster.

Season shall be for 15 consecutive days starting with the second Saturday after the start of squirrel season only in Preston County.

Electronic calling devices are prohibited during fall turkey season.

5.05. Spring Turkey Regulations (Bearded Turkeys Only) - Fourth Monday in April and twenty-six consecutive days thereafter.

(a) Shooting hours--One-half hour before sunrise to 11:00 a.m. Eastern Standard Time.

(b) No hunters allowed in the woods after 12:00 noon.

(c) Electronic calling devices prohibited during spring turkey season.

(d) Dogs prohibited during spring season.

5.06. Raccoon hunting - Saturday nearest October 15 through last day in January.

(a) Legal only from 6:00 p.m. to 5:00 a.m. daily.

(b) Raccoon hunting may be continued until 5:00 a.m. on Sunday morning.

5.07. Squirrels - Gray, Black, Albino, and Fox - Saturday prior to the Saturday nearest October 15 through the first Saturday in January.

5.08. Ruffed Grouse (native pheasant) - Saturday nearest October 15 through last day in February.

5.09. Bobwhite Quail - First Saturday in November through last day in February.

5.10. Ring-necked Pheasant (cocks only) - First Saturday in

November through first Saturday in January.

5.11. Cottontail Rabbit - First Saturday in November through last day of February.

5.12. Snowshoe or Varying Hare - First Saturday in November through last day of February.

5.13. Red Fox, Gray Fox - First Saturday in November through last day of January.

5.14. Bobcat - First Saturday in November through last day of January.

5.15. Skunk, Opossum, Woodchuck or Groundhog, Weasel - Continuous open season.

5.16. Mountain Lion, Elk, and Otter - No open season. These species are totally protected.

5.17. Song and Insectivorous Birds, Hawks, and Owls - No open season, protected. (English sparrow, European starling, crow - open season year-round.)

5.18. Gallinules, Sora, Virginia Rails, Mourning Doves, Woodcock, Snipe, Ducks, and Geese - to be filed separately.

5.19. Wild Boar - Gun Season - First Thursday in November for three consecutive days in those areas designated by the director. Wild Boar - Archery Season - Third Saturday in October to the last day of October.

(a) All persons participating, in any manner, in the special boar seasons must possess a valid Class P license.

(b) Applicants applying for a Class P license must be West Virginia residents and at least 12 years of age.

(c) Class P licenses are nontransferable.

(d) Bona fide resident West Virginia landowners, their resident children, and bona fide resident tenants may hunt on their own land within the boar hunting area without a Class P License.

(e) Wild boar may be legally taken in the gun season with bow and arrow or any weapon using ammunition legal for taking of deer in West Virginia.

(f) A field tag must be completed and attached to the animal within one (1) hour or in any case prior to its removal from the site where it was killed.

(g) All boar killed must be taken to an official game checking station in the county of kill within 24 hours.

(h) The use of dogs during any phase of boar hunting is prohibited.

(i) No person shall hunt wild boar between 1/2 hour after sunset and 1/2 hour before sunrise.

(j) The use of baits is prohibited.

(k) There will be concurrent hunting only with shotguns or bows during the wild boar seasons in the boar hunting area.

(l) An applicant must choose either archery or firearm season. They may not apply for both. Those who apply for a firearm season boar hunting license are not eligible for an archery boar hunting license. Violation of these terms will be cause for disqualification.

Section 6. Hunting Bag and Possession Limits

6.01. Deer - One per day, 5 per calendar year. One deer may be taken by bow during the archery season; one by bow or gun during the

bucks-only season; one by either bow or gun during the special antlerless season; one antlered deer by bow on a Class R or RR license during the archery season; one antlered deer by gun or bow on a Class R or RR license during the bucks-only season; one by muzzleloader if one has not already taken more than one deer prior to the muzzleloading season. Provided; however, the Class R or RR purchased for the archery season shall not be valid for the bucks-only season nor shall the Class R or RR purchased for the bucks-only season be valid for the archery season.

6.02. Black Bear - Only one adult bear by means of gun or bow.

6.03. Wild Turkey - Two turkeys per year only one of which may be taken in fall season. No person may legally take more than two turkeys per calendar year. Two bearded turkeys may be taken in the spring or one bearded turkey in the spring and one of either sex in the fall. In the spring, only one bird may be taken per day.

6.04. Raccoon - the bag limit during any 11-hour period beginning at 6:00 p.m. and ending at 5:00 a.m. is two raccoons for one person or group of persons as a party, and 20 per season.

6.05. Squirrels - Gray, Black, Albino, and Fox - Six in aggregate of all species per day. Possession limit is 24 after third day.

6.06. Ruffed Grouse (native pheasant) - Four per day. Possession limit is 16 after third day.

6.07. Bobwhite Quail - Seven per day, 21 in possession after second day.

6.08. Ring-necked Pheasant - Two per day, two per season.

6.09. Cottontail Rabbit - Five per day, possession limit 20 after third day.

6.10. Snowshoe or Varying Hare - Two per day, possession limit 8 after third day.

6.11. Red or Gray Fox (Combined) - Twenty-five per day and 25 per season.

6.12. Bobcat - Two per day and two per season.

6.13. Skunk, Opossum, Woodchuck or Groundhog, Weasel - No daily or season limit.

6.14. Mourning Doves, Ducks, Geese, Woodcock, Snipe, Gallinules, Virginia and Sora Rails- filed separately in accordance with Federal guidelines.

6.15. Wild Boar - One per day, one per season.

Section 7. General Bow and Arrow Hunting Regulations

7.01. A long bow or compound bow may be substituted for a gun during any season for which firearms are legal except during the muzzleloading season.

7.02. Unlawful to hunt on Sunday with a bow except for legal aquatic life.

7.03. For bow and arrow fishing, a resident is required to have a fishing license, a nonresident is required to have a nonresident bow or gun hunting license.

7.04. Unlawful to have bow in woods during closed season on game animals and nonmigratory game birds.

Section 8. Bow and Arrow Hunting Seasons

8.01. Deer - Bow and Arrow - Saturday nearest October 15 until

December 31. Deer of either sex may be hunted statewide with a bow, except that bucks only may be hunted statewide with a bow during the bucks-only season.

8.02. Bear - Bow and Arrow - Saturday nearest October 15 through the Saturday preceding deer buck season.

(a) Adult bear only.

(b) Bow hunting for black bear is restricted to those counties or parts of counties open to gun hunting.

(c) The use of dogs while bow hunting for black bear shall be unlawful except during the legal firearms season.

8.03. Small game and turkey - Bow seasons coincide with small game firearms season and turkey firearms season respectively.

Section 9. General Trapping Regulations

9.01. No traps shall be set before 8:00 a.m. on the first day of the season or either set or left set after 12:00 noon on the last day of the season.

9.02. All traps must be checked and tended each calendar day.

9.03. Should any person unintentionally trap and kill more than the limit fixed by regulation as a season bag limit, he shall within 24 hours thereafter deliver said animals to a conservation officer.

9.04. Each trapper shall present beaver, bobcat, and fisher pelts to a game checking station or representative of the Department of Natural Resources within 30 days after the close of trapping season. A tag provided by the department shall be affixed to each beaver, bobcat, and fisher pelt and remain attached to the skin until such skin has been sold, tanned, or mounted.

9.05. Foot snares are legal when (a) the snare loop does not exceed 6 1/2 inches in diameter and (b) the snare loop is at ground level and horizontal to ground level.

9.06. All traps used for taking wildlife shall be marked with a durable plate or tag attached to the trap, trap chain or set bearing the owner's name and address.

9.07. Any traps set during the month of February shall be water sets only for the taking of mink, beaver, and muskrat.

9.08. IT SHALL BE UNLAWFUL:

(1) To have in possession an untagged beaver, bobcat, or fisher hide or parts thereof, between the last day of March and the first Saturday in November.

(2) To use or set deadfalls for taking wildlife.

(3) To set or use traps with an open jaw spread of more than 6 1/2 inches: Except that traps with an open jaw spread of more than 6 1/2 inches may be used under water for beaver.

(4) To set or maintain any trap or trapping device in human foot trails and/or livestock paths.

(5) To use conibear or mohawk type traps for terrestrial trapping: Provided that conibear or mohawk type traps may be used in water sets.

(6) To set or maintain neck or body-gripping snares or spring pole snares: Provided that neck and body-gripping snares can be used in water sets.

(7) To use exposed baits in the form of animal or bird carcasses or part thereof to lure an animal to a trap set: Provided that animal

or bird carcasses or parts thereof that are completely covered and concealed from sight, may be used as a lure.

(8) To trap except on one's own lands without first having obtained the written permission of the landowner as required by law.

(9) To use steel jaw traps with any teeth on or attached to them.

(10) To set or maintain any trap, trap set, or snare upon any tree, post, or other natural or man-made object at any point more than 3 lineal feet from the surface of the earth (whether such surface is water, soil, or rock) measured at a right angle from the surface to the trap or trap set: Provided that nothing herein shall apply to traps or trap sets set or maintained on natural earthen mounds, such as ant hills, or muskrat houses constructed without human assistance.

(11) To hunt, catch, take, kill, trap, injure or pursue with firearms or other implements by which wildlife may be taken after the hour of 5:00 a.m. on Sunday any wild animals or birds: Provided that traps previously and legally set may be tended after the hour of 5:00 a.m. on Sunday, if the person so doing shall not have firearms or a bow of any description in his possession.

(12) To catch, take or kill by seine, net, bait, trap, deadfall, snare or like device of any kind, any wild turkey, ruffed grouse, pheasant, quail, deer, bear, boar, or migratory bird.

Section 10. Trapping Seasons

10.01. Raccoon Trapping - First Saturday in November until last day of January.

10.02. Mink Trapping - First Saturday in November until last day

of February.

10.03. Muskrat Trapping - First Saturday in November until last day of February.

10.04. Fisher Trapping - First Saturday in November until last day of January.

10.05. Beaver Trapping - First Saturday in November until last day of February.

10.06. Red Fox and Gray Fox - First Saturday in November until last day of January.

10.07. Bobcat - First Saturday in November until last day of January.

Section 11. Trapping and Possession Limits

11.01. Raccoon - Daily (any 24-hour period) and seasonal bag limits for raccoon trapping shall be the same as for hunting.

11.02. Mink - No limit.

11.03. Muskrat - No limit.

11.04. Fisher - Daily limit one; season limit one.

11.05. Beaver - Daily limit 25; season limit 25.

11.06. Bobcat - Daily limit 2; season limit 2.

11.07. Gray Fox and Red Fox (Combined) - Daily limit 25; season limit 25.

Section 12. Public Hunting and Fishing Areas and State Forests

12.01. Rules and regulations governing hunting and trapping on state-owned and leased lands shall be as follows:

(a) Public Hunting and Fishing Areas - Hunting and trapping as on adjacent lands except as follows:

(1) Trapping permit required on all areas. Permit is available from District Game Biologist.

(2) McClintic Wildlife Station - Waterfowl hunting only in accordance with the special rules set up for the area.

(3) A camping permit and fee are required on all public hunting and fishing areas. (See regulations posted on each area.)

(4) Camping is lawful only in designated areas.

(b) State Forests - Appropriate legal hunting and trapping licenses are the only license requirements for hunting in State Forests.

Section 13. Special Muzzleloading Deer Hunting Season

13.01. Season - That Saturday following the last day of antlerless deer season.

13.02. Bag limit and possession limit - One deer per season. If a hunter has killed more than one deer this season, he or she is ineligible to participate in the muzzleloading season.

13.03. General

(a) Only single shot muzzleloading rifles with iron sights and a minimum caliber of .44 may be used.

(b) A single shot weapon that has been converted to a muzzleloader using a plug shall not be used.

(c) Double barreled or swivel barreled muzzleloaders may not be used.

(d) Telescopic sights may not be used.

(e) Deer of either sex may be taken during this season with muzzleloading rifles in all counties or portions of counties open

for the taking of antlerless deer, as provided in the special antlerless deer (Class N) season. Antlered deer only may be taken in all other counties having a regular season for the taking of deer with firearms.

(f) When being transported in or on a vehicle muzzleloaders will be considered unloaded when uncapped or when the priming charge is removed from the pan.

(g) Concurrent hunting is permitted during the muzzleloading season.

Section 14. Class N Special Deer Hunting License

14.01. The antlerless deer season will be the Friday and Saturday following the two weeks bucks-only season.

14.02. Bag limit will be one antlerless deer per day, one per season.

14.03. No deer with an antler over 3 inches, as measured from the hairline, shall be legal.

14.04. Counties or parts thereof open to antlerless deer hunting will be determined by the director and published annually.

14.05. Only West Virginia residents will be eligible to apply for a Class N License. Only West Virginia residents holding a valid hunting license, or those legally exempt from purchasing a hunting license are eligible to purchase a Class N License.

14.06. All applications for antlerless deer licenses shall:

(a) Be on the prescribed department form.

(b) Be received in the Department of Natural Resources Office at Elkins, West Virginia, no later than June 30, of year for

which individual is applying.

(c) Be filled out completely and signed. Incomplete applications will be voided.

14.07. Only one application may be submitted per individual. Receipt of more than one application per individual will void all applications for that individual.

14.08. Concurrent hunting for small game is legal, however, no hunter except those legally participating in the special antlerless deer season shall be afield with any type gun with solid ball ammunition or shot shells containing larger than No. 4 shot or if using a combination rifle shotgun, one shall not have rifle ammunition in their possession. No person may actively participate (driving) in hunting antlerless deer unless they have a Class N License or are otherwise exempt from having a Class N License in any manner in any area open to antlerless deer hunting.

14.09. Class N Licenses are nontransferable.

Section 15. Class R and RR Special Deer Hunting Licenses for the Taking of An Additional Antlered Deer

15.01. General

(a) Class R or RR License must be signed to be valid.

(b) Class R or RR License is only valid the day after checking the first deer.

(c) Class R or RR License must be purchased prior to the opening day of season for which license is valid and is only valid in the counties or parts of counties having a Class N deer hunting season.

(d) Bona fide resident landowners or their resident children, or resident parents, or bona fide resident tenants of such land, are not required to have a Class R License to hunt antlered deer with bow or gun on their own land; provided, however, that the county is open to bucks-only firearm hunting.

(e) Legal antlered deer for the Class R and RR Stamps are the same as legal antlered deer for the bucks-only season; that is, deer having one or both antlers 3 inches or more in length above the hair.

(f) The Class R and Class RR Stamps are valid in those counties that are open to bucks-only firearm hunting.