

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

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2011 APR 25 AM 9:12

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Form #6

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: Dept. of Commerce, Div. of Natural Res. Wildlife Resources TITLE NUMBER: 58

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 49

TITLE OF RULE BEING AMENDED: General Hunting

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

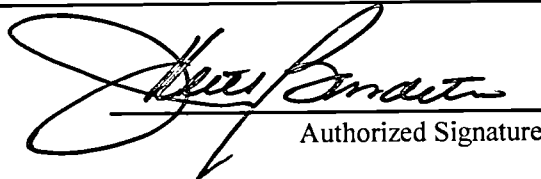
TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB 2626

SECTION 64-10-2(c), PASSED ON March 9, 2011

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE
FOLLOWING DATE: April 25, 2011



Authorized Signature

**TITLE 58
LEGISLATIVE RULE
DEPARTMENT OF COMMERCE
DIVISION OF NATURAL RESOURCES**

**SERIES 49
GENERAL HUNTING**

Promulgation History

Filed June 15, 2010 – Notice of a Comment Period on a Proposed Rule

Filed July 22, 2010 – Notice of Agency Approval of a Proposed Rule and Filing with
Legislative Rule-Making Review Committee

**TITLE 58
LEGISLATIVE RULE
DEPARTMENT OF COMMERCE
DIVISION OF NATURAL RESOURCES**

**SERIES 49
GENERAL HUNTING**

FILED

2011 APR 25 AM 9:13

OFFICE OF THE
SECRETARY OF STATE

§58-49-1. General.

1.1. Scope. -- The purpose of this rule is to establish general hunting rules 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. -- April 25, 2011

1.4. Effective Date. -- April 25, 2011

§58-49-2. Definitions.

2.1. All terms have the meaning prescribed to them in the Division of Natural Resources Rule, Rule Defining The Terms To Be Used Concerning All Hunting and Trapping Rules (58 C.S.R. 46).

§58-49-3. General Hunting Rules.

3.1. A hunter may use a long bow or compound bow instead of 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 shall 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 shall 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 person under fifteen (15) years of age who participates in a special youth season approved by the Commission and published annually by the director shall be accompanied by a licensed adult hunter. The accompanying adult shall not hunt or possess implements for the taking of wildlife.

3.4. A person under the age of fifteen (15) years may not 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.

3.5. A hunter 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.

3.6. A hunter shall deliver each deer or wild turkey 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 hunting season, whichever comes first: Provided that all deer killed in Logan, McDowell, Mingo, or Wyoming Counties shall be checked and retagged at an official game checking station in the four-county area within 24 hours of the time of kill. Deer killed outside Logan, McDowell, Mingo or Wyoming Counties shall not be checked within this four-county area.

3.7. A hunter shall wear at least 400 square inches of blaze orange over his or her outer clothing during any deer firearms season. A person engaged in agricultural

activities and waterfowl hunters is exempt from this requirement.

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