

TITLE 58
LEGISLATIVE RULE
BUREAU OF COMMERCE
DIVISION OF NATURAL RESOURCES

FILED

SERIES 50
DEER HUNTING REGULATIONS RULE

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COMMONWEALTH OF VIRGINIA
SECRETARY OF STATE

§58-50-1. General.

1.1. Scope and Purpose. -- The purpose of ~~these regulations~~ this rule is to establish rules that are to be complied with when pursuing and taking deer within the boundaries of this State.

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

1.3. Filing Date. -- ~~June 24, 1993.~~

1.4. Effective Date. -- ~~July 1, 1993.~~

§58-50-2. Definitions.

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

§58-50-3. Deer Hunting Rules.

3.1. After a person has killed a deer during any of the open seasons established in ~~the~~ Division of Natural Resources' Hunting and Trapping Regulations Rules (Exempt Rule), (58 C.S.R. 45), he or she may not participate further in deer hunting (e.g., driving deer) with a bow or a firearm in his or her possession for the remainder of the day of the kill. Provided, that: A ~~a~~ person may pursue ~~his or her second~~ additional legal deer, in accordance with the provisions of ~~the~~ Hunting and Trapping Regulations Rules (Exempt Rule) (58 C.S.R. 45), ~~on any following day which falls within an open deer season, provided after all previously taken~~ the first deer has ~~been~~ legally checked with a conservation officer or an official game checking station.

3.2. No person may hunt deer with a shotgun using ammunition loaded with more than one solid ball nor with any rifle of less than twenty-five (.25) caliber using rimfire ammunition.

3.3. No person may kill or wound a deer while the deer is in any stream, lake, or pond.

3.4. The hunting of small game is permitted beginning on the fourth day after the opening date of the bucks-only deer season. During this period, a hunter may carry ~~stags~~ solid ball ammunition and Number 4 or smaller shot with a shotgun prior to killing a deer.

3.5. In those counties, or portions ~~thereof~~ of counties, open to antlerless deer hunting, the hunting of deer with bow, the hunting of bear, ~~or the hunting of small game~~ and the hunting of waterfowl is permitted during the antlerless deer season provided that no hunter, except ~~those a~~

hunter having a valid Class N license or ~~those a hunter~~ legally participating in ~~bow-deer hunting~~ or bear hunting, may be afield with any firearm with solid ball ammunition or shells containing larger than Number 4 shot or, if using a combination rifle-shotgun, with rifle ammunition in his or her possession. During this period, a hunter may carry ~~slugs~~ solid ball ammunition and Number 4 or smaller shot with a shotgun prior to killing a deer.

3.5.1. In those counties, or portions of counties open to antlerless deer hunting, the hunting of waterfowl is permitted. Persons legally hunting waterfowl during the antlerless deer season may possess nontoxic shotshells containing shot larger than No. 4, but may not possess solid ball ammunition.

3.6. After killing a deer during any of the open seasons established in the Hunting and Trapping ~~Regulations Rules (Exempt Rule) (58 C.S.R. 45)~~, a hunter may not be afield for the remainder of the day of the kill with a firearm with solid ball ammunition or, if using a combination rifle-shotgun, he or she may not have rifle ammunition in his or her possession unless he or she is legally participating in bear hunting or pursuing another legal deer in compliance with Sub-Section 3.1 of this rule.

3.7. It is illegal to hunt small game during the bucks-only deer season with any centerfire rifle, with any rifle of larger than twenty-two (.22) caliber using rimfire ammunition, or with a shotgun using solid ball ammunition in a county that is not open to bucks-only deer hunting.

3.8. A firearm that has been converted into a muzzle-loader by use of a plug may not be used during muzzle-loading firearms deer season.

3.9. When being transported in or on a vehicle, a muzzle-loading firearm is considered to be unloaded when it is uncapped or the priming charge is removed from the pan.

3.10. No person may actively participate in the hunting of antlerless deer (e.g., driving deer) unless that person has a Class N license or is otherwise exempt from having a Class N license.

3.11. Applications as prescribed by the director for a Class N license to hunt in a county in which a limited number of Class N licenses are issued must be completed and mailed prior to the deadline date on the application. Only one application may be submitted per individual.

3.12. Purchasers of a Class R or Class RR license ~~must~~ shall choose a license for either archery deer hunting or firearms deer hunting but may purchase both types of license.

3.13. A Class R archery and Class RR archery license ~~must~~ shall be purchased prior to the opening day of the archery season. A Class R gun and Class RR gun license ~~must~~ shall be purchased prior to the opening day of the buck gun season. A Class R or Class RR license must be signed to be valid.

3.13.1. The Class R and RR archery licenses are valid in those counties open to bucks-only firearms hunting and in those counties ~~not open~~ closed to bucks-only firearms hunting; Provided the first archery deer was taken in a county open to firearms deer hunting; that, if two deer are taken in counties closed to bucks-only firearm hunting, one of the deer must be antlerless.

3.14. A Class N license is non-transferable.