

**WEST VIRGINIA  
SECRETARY OF STATE  
JOE MANCHIN, III  
ADMINISTRATIVE LAW DIVISION**

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**FILED**

2002 APR -5 P 3: 24

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: BOC DNR Wildlife Resources Section TITLE NUMBER: 58

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 68

TITLE OF RULE BEING AMENDED: ISSUANCE OF HUNTING, TRAPPING AND  
FISHING LICENSES BY TELEPHONE AND  
OTHER ELECTRONIC METHODS

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

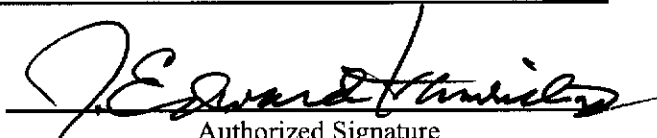
TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

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

AUTHORIZATION IS CITED IN (house or senate bill number) HB 4219

SECTION 64-10-5(g), PASSED ON March 9, 2002

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE  
FOLLOWING DATE: July 1, 2002

  
Authorized Signature

**SCANNED**

TITLE 58  
LEGISLATIVE RULE  
DIVISION OF NATURAL RESOURCES

FILED

2002 APR -5 P 3: 24

SERIES 68  
ISSUANCE OF HUNTING, TRAPPING AND FISHING LICENSES BY TELEPHONE  
AND OTHER ELECTRONIC METHODS

DEPARTMENT OF WEST VIRGINIA  
SECRETARY OF STATE

**§58-68-1. General.**

1.1. Scope and Purpose. -- This legislative rule establishes issuing fees and the method for selling West Virginia hunting, trapping and fishing licenses by telephone and by other electronic methods.

1.2. Authority. -- West Virginia Code §20-2-33

1.3. Filing Date. -- April 5, 2002

1.4. Effective Date. -- July 1, 2002

**§58-68-2. Definitions.**

2.1. "Electronic license" - means a hunting, trapping and fishing license facsimile prescribed in form, size and content by the director.

2.2. "Issuing fee" - means the fee paid to the license agent by the license purchaser at the time a transaction is effected.

2.3. "Point-of-sale license" - means an electronic license issued by a license agent at the site of their business and authorized by the director as prescribed in West Virginia Code §20-2-33.

2.4. "Transaction"- means one electronic purchase of any number of licenses for one license holder at one time. The purchase of a duplicate license qualifies as a transaction.

**§58-68-3. Licenses sold by telephone transaction.**

3.1. Except as otherwise provided by law, a purchaser of a license issued by telephone transaction shall carry the license as described in West Virginia Code §20-2-36. In cases where the license must be used before it is received in the mail by the purchaser, and until the license has been received, the purchaser shall carry the valid confirmation number produced by the license issuing system and a valid driver's license or picture identification card issued by the state of residence as a substitute for the license.

3.2. A purchaser of hunting, trapping and fishing licenses issued by telephone shall pay up to a five dollar (\$5.00) license issuing fee per transaction in addition to the cost of the licenses

purchased.

3.3. The license agent shall retain the fee and not remit it to the Division of Natural Resources. The licensing agent may charge one issuing fee per transaction.

**§58-68-4. Licenses sold by Internet transaction.**

4.1. Except as otherwise provided by law, any purchaser of a license issued by Internet transaction shall carry the license as described in West Virginia Code §20-2-36. In cases where the license must be used before it is received in the mail by the purchaser, and until the license has been received, the purchaser shall carry the valid confirmation number produced by the license issuing system and a valid driver's license or picture identification card issued by the state of residence as a substitute for the license.

4.2. A purchaser of hunting, trapping and fishing licenses issued by Internet transaction shall pay up to a five dollar (\$5.00) license issuing fee per transaction in addition to the cost of the licenses purchased.

4.3. The license agent shall retain the fee and not remit it to the Division of Natural Resources. The licensing agent may charge one issuing fee per transaction.

**§58-68-5. Licenses sold electronically at the point of sale**

5.1. Except as otherwise provided by law, any purchaser of a license issued by point of sale shall carry the license as described in West Virginia Code §20-2-36.

5.2. A purchaser of hunting, trapping and fishing licenses issued by a point of sale transaction shall pay up to a one dollar (\$1.00) license issuing fee per transaction in addition to the cost of the licenses purchased.

5.3. The license agent shall retain the fee and not remit it to the Division of Natural Resources. The licensing agent may charge one issuing fee per transaction.

5.4. Where it is not cost efficient or technically feasible, a non-electronic paper based licensing system shall be retained by license agents.