

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

Do Not Mark In This Box

2012 APR 30 PM 2: 20

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: DOC, DNR, Wildlife Resources Section TITLE NUMBER: 58

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 45A

TITLE OF RULE BEING AMENDED: Hunting, Trapping and Fishing Provisions

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 4220

SECTION 64-10-6(c), PASSED ON March 6, 2012

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE
FOLLOWING DATE: April 30, 2012

Angel R. Moore
Authorized Signature

FILED

**TITLE 58
INTERPRETIVE RULE
DEPARTMENT OF NATURAL RESOURCES**

2012 APR 30 PM 2: 20

**SERIES 45A
HUNTING, TRAPPING AND FISHING PROVISIONS**

OFFICE WEST VIRGINIA
SECRETARY OF STATE

§58-45A-1. General.

by the Division of Natural Resources.

~~1.1. Scope. The purpose of this rule is to provide interpretation and guidance, where needed, of current natural resource statutes and rules.~~

~~1.2. Authority. W. Va. Code §§20-1-7(30) and §29A-3-4.~~

~~1.3. Filing Date. July 6, 2005.~~

~~1.4. Effective Date. August 6, 2005.~~

§58-45A-2. General.

~~2.1. The West Virginia Legislature, during the 2005 regular session, passed House Bill 2890. Furthermore, during the 2011 regular session passed House Bill 3000. Included in these bills are the terms "amber, and red and green lights" which is found in §20-2-5(3). For purposes of interpretation, "amber, and red and green lights" means artificial lights which are amber, and red and green in color. These lights are legally used to hunt coyotes at night during the established season. This provision does not allow the use of laser lights or any telescopic sight that emits a laser light.~~

~~2.2. For purposes of interpretation, a "trap" is a device that is used to catch and hold animals. A trap may be legally used during the trapping season to catch fur-bearing animals and coyotes and includes leg foot hold traps, killer type or body gripping traps, box traps, encapsulating traps and snares. Legal and illegal traps are further defined in the General Trapping Rule 58CSR53.~~

§58-45A-3. Applicability.

~~3.1. The above interpretations will be used unless otherwise specified in the West Virginia Code or Legislative Rules promulgated~~