



**WEST VIRGINIA SECRETARY OF STATE**

**MAC WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

6/30/2021 11:16:21 AM

Office of West Virginia  
Secretary Of State

**NOTICE OF PUBLIC COMMENT PERIOD**

AGENCY: Natural Resources

TITLE-SERIES: 58-67

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Lifetime Hunting, Trapping and Fishing Licenses

CITE STATUTORY AUTHORITY: §20-2B-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/29/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Wendy L. Greene

ADDRESS: 324 4th Avenue, Room 343

South Charleston, WV 25303

EMAIL: [dnrcomments@wv.gov](mailto:dnrcomments@wv.gov)

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

This legislative rule establishes fees and the method for determining fees of lifetime hunting and fishing licenses for West Virginia residents.

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN THE RULE AND A STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE:

Revisions to this rule reflect changes necessary due to the passage of SB 502 during the 2021 Regular Legislative session.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

There is no anticipated economic impact on the revenue of the state.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

There is no anticipated impact on special revenue accounts.

C. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

There is no anticipated impact on special revenue accounts.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2021 Increase/Decrease (use "-" )	2022 Increase/Decrease (use "-" )	Fiscal Year (Upon Full Implementation)
<b>1. Estimated Total Cost</b>	0	0	0
<b>Personal Services</b>	0	0	0
<b>Current Expenses</b>	0	0	0
<b>Repairs and Alterations</b>	0	0	0
<b>Assets</b>	0	0	0
<b>Other</b>	0	0	0
<b>2. Estimated Total Revenues</b>	0	0	0

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

There are no anticipated changes to administrative costs or revenues.

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.**

Yes

**Jack M Rife -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**

TITLE 58  
LEGISLATIVE RULE  
DIVISION OF NATURAL RESOURCES

SERIES 67  
LIFETIME HUNTING, TRAPPING AND FISHING LICENSES

**§58-67-1. General.**

1.1. Scope and Purpose. -- This legislative rule establishes fees and the method for determining fees of lifetime hunting and fishing licenses for West Virginia residents.

1.2. Authority. -- W. Va. Code §20-2B-7 & ~~20-2-42~~.

1.3. Filing Date. -- ~~May 8, 2009~~.

1.4. Effective Date. -- ~~August 8, 2009~~.

1.5. Sunset Provision. -- This rule shall terminate and have no further force or effect on August 1 five years from the effective date.

**§58-67-2. Definitions.**

~~2.1. "Director" means the Director of the West Virginia Division of Natural Resources.~~

~~2.2.~~ 2.1. "Division" means the West Virginia Division of Natural Resources.

~~2.3. "Infant" means a West Virginia resident who has not yet reached the age of two years.~~

~~2.4. "Resident" means any person who is a citizen of the United States and who has been domiciled in the state of West Virginia for a period of thirty (30) consecutive days immediately prior to the date of his or her application for a license.~~

2.2. All other terms shall have the meaning prescribed in W. Va. Code §20-1-2.

**§58-67-3. Lifetime Hunting, Trapping and Fishing License Requirements.**

3.1. Applicants ~~shall~~ must be residents of the state of West Virginia to be eligible for a lifetime license.

3.2. A parent or legal guardian submitting an application for ~~an infant child who has not reached his or her 15th birthday~~ shall attach to the application a certified birth certificate or other notarized record of birth. A parent or legal guardian submitting an application for an adopted child or foster child who has not reached his or her 15th birthday shall also attach to the application a certified copy of the order or decree of adoption or placement into foster care.

~~3.2.1.~~ 3.3. ~~The infant's~~ A child's parent or legal guardian shall sign an application for a child and provide his or her own West Virginia driver's license number or a West Virginia Division of Motor

Vehicles nondriver identification card number, except, a child who possesses a West Virginia driver's license or West Virginia Division of Motor Vehicles nondriver identification card number may provide his or her own information on an application.

3.3.1. Parents of foster children submitting an application for a child who has not reached his or her 15th birthday must have the application signed and notarized by the case worker and Multidisciplinary Team of the foster child.

~~3.2.2.~~ 3.4. The Division shall not issue infant licenses for which applications have been received by the Division, or postmarked, after the infant's second birthday. Applications received by the Division or are postmarked on or after the child's 15th birthday will not be processed for a child's discounted lifetime license.

~~3.3.~~ 3.5. If applying for a lifetime license that includes hunting privileges, each license applicant born on or after January 1, 1975 shall must present proof of successful completion of an approved Hunter Education course at the time of application for the license if they have successfully completed the course at that time. Any person holding a lifetime hunting license obtained prior to his or her fifteenth birthday shall obtain a certificate of training as provided for in W. Va. §20-2-30a before hunting or trapping pursuant to the license.

3.6. Any person holding a lifetime hunting license who does not hold proof of successful completion of an approved Hunter Education Course must obtain a certificate of training as provided for in W. Va. Code §20-2-30a before hunting or trapping unaccompanied by a licensed adult pursuant to W. Va. Code §20-2-27.

**§58-67-4. Fees for Lifetime Hunting, Trapping and Fishing Licenses.**

4.1. In accordance with the provisions of W.Va. Code §20-2B-7, the fees for lifetime licenses are ~~twenty three~~ 23 times the fee for the equivalent annual licenses or stamps.

~~4.2.~~ 4.1.1. The fee for a Class A-L lifetime hunting and trapping licenses is \$782.

~~4.3.~~ 4.1.2. The fee for a Class AB-L lifetime hunting, trapping and fishing license is \$805.

~~4.4.~~ 4.1.3. The fee for a Class B-L lifetime fishing license is \$552.

~~4.5.~~ 4.1.4. The fee for a Class O-L lifetime trout license is \$230.

~~4.6. The fees for all infant lifetime licenses shall be one half the price of the equivalent adult lifetime licenses rounded up to the nearest dollar.~~

4.2. In accordance with the provisions of W. Va. Code §21-2B-7, the fees for lifetime licenses for residents who have not reached his or her 15<sup>th</sup> birthday are:

4.2.1. Forty percent of the adult fee for any resident who has not reached his or her first birthday.

4.2.2. Fifty-five percent of the adult fee for any resident who is over one year old but has not reached his or her fifth birthday.

4.2.3. Seventy-five percent of the adult fee for any resident who is over five years old but has not reached his or her 10th birthday.

4.2.4. Ninety percent of the adult fee for any resident who is over 10 years old but has not reached his or her 15th birthday.

**§58-67-5. Fees for Issuing Duplicate Lifetime Hunting, Trapping and Fishing Licenses.**

5.1. Upon verification that an individual is a valid lifetime licensee, the Division shall issue a duplicate lifetime hunting, trapping, and fishing license to replace any lost, destroyed, or damaged lifetime hunting, fishing or trapping license.

5.2. The fee for issuing a duplicate lifetime hunting, trapping, or fishing license card is six ~~(6)~~ dollars.