

DEPARTMENT OF WILDLIFE PROPOSED DRAFT AMENDMENT

Section 1.

Chapter 501 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A salvageable animal accidentally killed as a result of a vehicle collision in this State may be salvaged and possessed if a law enforcement officer, after responding to an animal-vehicle collision, determines the animal is salvageable, may issue a salvage permit on scene. No other cause of death or injury will be a valid cause for issuance of a salvage permit. Salvage permits will not be issued for any animal that has a tracking collar, or a tag indicating that the animal should not be consumed due past chemical immobilization, or has obvious signs of disease.

the

~~*driver of the vehicle that hit the salvageable animal or another person who did not hit the salvageable animal but found the killed salvageable animal obtains a salvage permit:*~~

~~*(a) From a peace officer who is at the scene of the accident;*~~

~~*(b) At an office established throughout this State pursuant to NRS 501.341 within 24 hours of the driver or person taking possession of the salvageable animal; or*~~

~~*(c) Through an electronic application and issuance process established by the Department within 24 hours of the driver or person taking possession of the salvageable animal.*~~

↳ A salvage permit shall be available at no cost to the driver or person seeking to obtain the salvage permit.

2. The Department of Wildlife shall create and provide salvage permit forms to peace officers on request. The salvage permit may only be issued in the name of the driver of the vehicle or the person who found the salvageable animal. The salvage permit is not transferable

The salvage permit form shall require the following information:

(a) The name and address of the driver or person;

(b) A description of the salvageable animal that was killed including species and sex;

(c) Whether the salvageable animal was rendered crippled or helpless and killed, and by what method, pursuant to subsection 44 or 5;

(d) The date of the collision or the finding of the salvageable animal;

(e) The specific location of the collision or the finding of the salvageable animal;

(f) A description of the motor vehicle that hit the salvageable animal, if applicable;

(g) The destination(s) to which the carcass of the salvageable animal will be transported;

(h) any individual(s) who will be transporting or in possession of any portion or parts of the salvaged animal

(i) ~~h~~ The name of the peace officer who issued the permit, if applicable; and

(j) ~~i~~ An acknowledgement that the carcass is being salvaged at the permit holder's own risk and that this State is not liable for any loss or damage arising out of the salvage, possession, use, transport or consumption of the salvageable animal.

3. A driver or person who salvages and takes possession of a salvageable animal pursuant to this section must:

(a) Completely remove the carcass of the salvageable animal from the road or road right-of-way by taking the entire carcass, including entrails;

(b) Ensure that any meat rendered from the salvageable animal is utilized for human consumption and is not used for bait or any other purpose; and

(c) Maintain possession of the salvage permit with the carcass of the listed animal until the permit is given to the Department in the manner set forth by the Department.

(d) Within 5 business days after taking possession of the carcass of the salvageable animal, deliver a completed copy of the salvage permit for that animal, and surrender the head, hide, antlers, or horns or tusks, if applicable, to the Department in the manner set forth by the Department.

4. A salvage permit may not be issued for the salvage, possession, transport or use of any salvageable animal that was rendered crippled or helpless as a result of a vehicle collision and then killed in a humane manner, unless the person seeking the salvage permit is:

~~(a) The driver of the vehicle that accidentally hit the salvageable animal, thus rendering it crippled or helpless; or~~

~~(b) Another person who did not hit the salvageable animal but found the salvageable animal crippled or helpless.~~

~~Any person who humanely kills a crippled or helpless salvageable animal pursuant to this subsection shall immediately report the killing to a peace officer or the Department.~~

45. A peace officer may humanely kill any salvageable animal rendered crippled or helpless by an accidental vehicle collision, and the Department or peace officer may thereafter issue a 1 salvage permit for the carcass. Chemical restraint upon the animal, of any type, renders the animal unfit for a salvage.

56. When a driver or person salvages and takes possession of a salvageable animal, the driver or person shall comply with all applicable rules and regulations governing the highways of this State.

67. A peace officer ~~will~~ may inspect the carcass, and may, if applicable, inspect the motor vehicle before issuing the salvage permit, if applicable. The carcass and motor vehicle, if applicable, are subject to inspection by a game warden within 20 days after the issuance of a salvage permit if the Department so desires. If the carcass has been processed or if the motor vehicle has been repaired, the game warden may inspect the invoices or other documents recording the processing or repair.

78. A driver or person who salvages and takes possession of the carcass of a salvageable animal pursuant to this section may place all or part of the carcass in storage or may make a gift of the carcass to another person, after following the provisions of subsection 3(d). No portion of any carcass of a salvageable animal salvaged and possessed pursuant to this section may be sold, bartered or exchanged.

89. A salvage permit carries no representation or implication that any part of the carcass of a salvageable animal is edible. A driver or person who salvages and takes possession of the carcass of a salvageable animal does so at his or her own risk. The

peace officer, agency employing the peace officer and the Department are not liable with respect to any use made of the carcass of a salvageable animal.

910. This section does not authorize the salvage or taking possession of salvageable animals from:

- a. private property without permission of the owner, or;*
- b. the reservation lands of any Indian tribe in this State;*
- c. Any restricted areas which the public does not have permission to enter;*
- d. Any Department Wildlife Management Areas;*
- e. Public waste disposal facilities;*
- f. Areas deemed by the Department to contain diseased or contaminated animals;*

10. A person who:

(a) Intentionally hits and renders crippled or helpless or kills a salvageable animal shall be punished for a category E felony as provided in NRS 193.130; and

(b) Except as otherwise provided in paragraph (a), violates any provision of this statute ~~ection~~, is guilty of a misdemeanor pursuant to NRS 501.385.

11. As used in this section:

(a) "Peace officer" means:

(1) A sheriff, deputy sheriff, undersheriff, officer of a metropolitan police department or city police officer;

(2) A chief, inspector, supervisor, commercial officer or trooper of the Nevada Highway Patrol Division of the Department of Public Safety;

(3) A game warden;

(4) A ranger or employee of the Division of State Parks of the State Department of Conservation and Natural Resources who has the powers of a peace officer pursuant to NRS 289.260; or

(5) A member of the police department of the Nevada System of Higher Education.

(b) "Salvage permit" means a permit issued pursuant to this section.

(c) "Salvageable animal" means a big game mammal, ~~fur-bearing mammal~~, game mammal or upland game bird. The term does not include alternative livestock, migratory game birds or any protected, threatened, or sensitive mammals, as described in the regulations of the Board of Wildlife Commissioners.

Sec. 2. NRS 501.379 is hereby amended to read as follows:

501.379 1. Except as otherwise provided in this section:

(a) It is unlawful for any person to sell or expose for sale, to barter, trade or purchase or to attempt to sell, barter, trade or purchase any species of wildlife, or parts thereof, except as otherwise provided in this title or in a regulation of the Commission.

(b) The importation and sale of products made from the meat of game mammals, game birds or game amphibians raised in captivity is not prohibited if the importation is from a licensed commercial breeder or commercial processor.

~~(c) It is unlawful for any person to sell, barter or exchange or -expose for sale, to barter or exchange or to attempt to sell, barter or exchange any portion of a carcass of a salvageable animal in violation of section 1~~ of this act.

2. The provisions of this section do not apply to alternative livestock and products made therefrom.

3. As used in this section, “salvageable animal” has the meaning ascribed to it in section 1 of this act.

Sec. 3. NRS 501.385 is hereby amended to read as follows:

501.385 Except as otherwise provided by specific statute:

1. Any person who:

- (a) Performs an act or attempts to perform an act made unlawful or prohibited by a provision of this title;
- (b) Willfully fails to perform an act required of the person by a provision of this title;
- (c) Obstructs, hinders, delays or otherwise interferes with any officer, employee or agent of the Department:
 - (1) In the performance of any duty while enforcing or attempting to enforce any provision of this title or any regulation adopted pursuant thereto; or
 - (2) While lawfully obtaining or attempting to obtain biological samples of wildlife, hunting, fishing or trapping data, or any other biological data or information relating to wildlife;