

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE
SUMMARY OF AMENDMENTS
EFFECTIVE AUGUST 10, 2024

The following rules are amended to simply clarify the rule language which the department believes will increase understanding, reduce uncertainty and impose no additional burdens and costs to persons regulated by the rules:

- 1.) **R12-4-101. Definitions:** Transfer the definition of “handgun” to R12-4-301 (definitions) because the term is only used in the Article 3 rules and is more appropriate.
- 2.) **R12-4-216. Crossbow Permit:** Allow a person who possesses both a CHAMP and Crossbow Permit to use a pre-charged pneumatic weapon using bolts/arrows, capacity of holding and firing one arrow/bolt at a time during an archery-only season.
- 3.) **R12-4-301. Definitions:** Transfer the definition of "handgun" from R12-4-101 (see item #1, above).
- 4.) **R12-4-303. Unlawful Devices, Methods, and Ammunition:** Restrict the discharge of an atlatl spear within ¼ mile of occupied structure, to ensure consistency with restrictions for similar methods that are otherwise lawful for taking big game.
- 5.) **R12-4-305. Possessing, Transporting, Importing, Exporting, and Selling Carcasses or Parts of Wildlife:**
 - ✓ Remove references to where a person attaches a pheasant tag as the department no longer issues tags for the take of pheasant.
 - ✓ Reference R12-4-302(E) (use of tags) and electronic tag to increase consistency between Commission rules.
 - ✓ Clarify that a person who has harvested quail must retain evidence of legality while the quail possessed/transported from the field.
 - ✓ Prohibit a person from disposing of any remaining unused cervid tissue that is a byproduct of processing on public or private property.
 - ✓ Require a person to ensure the unused tissue cervid is placed in a domestic or commercial trash receptacle designated for disposal at a commercial landfill or incinerator, provided the spinal column and inedible organs are properly disposed of before entering Arizona.
 - ✓ Define "CWD Management Zone."
 - ✓ Replace references to R12-4-316 (repealed rule) with R12-4-314 (possession, transportation, or importation of aquatic wildlife) to increase consistency between rules within Article 3.
- 6.) **R12-4-306. Bison Hunt Requirements:**
 - ✓ Reflect current bison hunt procedures to ensure bison hunts meet Fair Chase protocols and management objectives.
 - ✓ Reference the electronic tag to increase consistency between Commission rules.
- 7.) **R12-4-308. Wildlife Inspections; Check Stations; Roadblocks; Harvest Reporting; Hunt Surveys:** Establish the reporting time-frames for hunter surveys to better manage Arizona's game populations. This change is in response to customer comments.
- 8.) **R12-4-311. Exemptions from Requirement to Possess an Arizona Fishing License or Hunting License While Taking Wildlife:**
 - ✓ Correct the reference to decollate snails, including their scientific name (*Rumina decollata*).
 - ✓ Add examples of crustaceans, *Armadillidium vulgare* and *A.nasatum*, to help make the rule more concise.
- 9.) **R12-4-322. Pickup and Possession of Wildlife Carcasses or Parts:** Reference A.R.S. § 17-319 and clarify statutory requirements are separate from the requirements of the rule.
- 10.) **R12-4-609. Commission Orders:** Add limited-entry permit-tags to the list of exemptions provided under subsection (B) to make the rule more effective and provide the Commission with greater flexibility in offering these limited-entry opportunities.

The following rules are amended to support Fair Chase ethics and/or the tenets of the North American Model of Wildlife Conservation which are critically important to the survival of hunting and angling

Article 3. Summary of Amendments Continued

because these pursuits are the cornerstones of the North American Model of Wildlife Conservation and are the primary source of funding for conservation efforts in Arizona:

- 1.) **R12-4-303. Unlawful Devices, Methods, and Ammunition:**
 - ✓ Prohibit a guide whose license is revoked by the Commission for a period of five years or more from assisting anyone in the field in the taking or locating wildlife for the purpose of take.
 - ✓ Prohibit the use of listening technology for the purpose of taking or assisting with the take of terrestrial wildlife.
- 2.) **R12-4-318. Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles:**
 - ✓ Prohibit the use of a vertical foregrip or any form of fixed, detachable, or collapsible buttstock, or any apparatus or extension capable of being used to steady the handgun against the body while firing (HAM). This change is in response to customer comments.
- 3.) **R12-4-319. Use of Aircraft to Take Wildlife:** Add a culpable mental state (knowingly) to the prohibition preventing the use an aircraft, including drones, to locate wildlife.

The following rules are amended to increase opportunity for resident/nonresident hunters and anglers (most of these changes are in response to customer comment):

- 1.) **R12-4-101. Definitions:** Define “one-horned ram” to further implement amendments made to R12-4-318 (see item #5 below).
- 2.) **R12-4-301. Definitions:** Define the term "atlatl" to further amendments made to R12-4-304/R12-4-318.
- 3.) **R12-4-304. Lawful Methods for Taking Wild Mammals, Birds, and Reptiles:**
 - ✓ Allow the use of shotgun shooting slugs for the take of bison.
 - ✓ Allow the use of an atlatl throwing dart no less than five feet in length and no more than eight feet in length, equipped with a sharpened head having a blade no less than 7/16 inch cutting radius from the center of the shaft with metal, ceramic-coated metal, or ceramic cutting edges for the take of javelina and turkey.
 - ✓ Establish lawful devices and methods for the take of hooved nongame mammals.
- 4.) **R12-4-313. Lawful Methods of Take and Season for Aquatic Wildlife:** Allow greater flexibility for further specifying methods of take on specific waters via Commission Order.
- 5.) **R12-4-318. Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles:**
 - ✓ Allow the use of an atlatl throwing dart for javelina and turkey hunts/season. This change is in response to customer comments.
 - ✓ Implement a Pioneer license holder one-horned ram season to increase opportunity. This change is in response to customer comments.
- 6.) **R12-4-308. Wildlife Inspections; Check Stations; Roadblocks; Harvest Reporting; Hunt Surveys:** Require the submission of biological samples when required by Commission Order to better manage Arizona's game populations.

The following rules are amended to reduce costs and burdens to those persons who are regulated by the rule and to increase customer service:

- 1.) **R12-4-308. Definitions:** The Commission proposes to amend the rule with modifications to “muzzleloading rifle” and “muzzleloading shotgun” definitions, which will allow newer, encapsulated charge technology to be used with these devices. The department believes this change provides the public with an additional device option that is easier and safer to unload, while still retaining the muzzleloading characteristics for the projectiles used in them.
- 2.) **R12-4-305. Possessing, Transporting, Importing, Exporting, and Selling Carcasses or Parts of Wildlife:**
 - ✓ Allow a person to possess, transport, and import the quartered carcass of a cervid directly to a licensed meat processor in this State, provided the spinal column and inedible organs are properly

Article 3. Summary of Amendments Continued

- disposed of before entering Arizona.
 - ✓ Allow a person to possess, transport, and import edible organs, such as heart, liver, and kidneys, that have been removed from the cervid's body cavity.
 - ✓ Allow a person to possess, transport, and import clean skulls and skull plates with antlers with no brain tissue or spinal column attached, including antlers in the velvet stage provided the cervid skull, skull plate, and antlers are being transported directly to a licensed taxidermist in this State.
- 3.) **R12-4-306. Bison Hunt Requirements:** Streamline the hunt check-out process to reduce burdens and costs to persons regulated by the rule.
- 4.) **R12-4-308. Wildlife Inspections; Check Stations; Roadblocks; Harvest Reporting; Hunt Surveys:** Require a hunter to also provide their email address when available, as part of the harvest report.

The Commission's intent in proposing the amendments listed above is to address the ethical taking and handling of wildlife, increase hunter opportunity, and encourage hunter recruitment and retention. These areas include the use of tags, lawful and unlawful methods of taking and possessing wildlife and wildlife parts, seasons, check-in/check-out requirements, and reporting requirements.

The Commission believes the majority of the rule amendments are intended to benefit persons regulated by the rule and the department by increasing consistency between Commission Order and rule, reducing regulatory ambiguity, clarifying rule language to ease enforcement, creating consistency among existing Commission rules, providing greater opportunities for hunting and fishing, reducing the burden on persons regulated by the rules where practical, allowing the department additional oversight to handle advances in hunting and angling technology and protecting the spirit of fair chase.

In the broadest sense, hunters are guided by a conservation ethic, but the most common term used to describe the actual ethical pursuit of an animal is "fair chase." "Fair Chase" means the ethical and lawful pursuit and take of free-range wildlife in a manner that does not give the hunter or angler improper or unfair advantage over such wildlife.