

**TITLE 800. DEPARTMENT OF WILDLIFE CONSERVATION
CHAPTER 25. WILDLIFE RULES**

RULEMAKING ACTION:

Notice of proposed permanent rulemaking

PROPOSED RULES:

Subchapter 5. General provisions for migratory game birds [AMENDED]

Subchapter 7. General Hunting Seasons [AMENDED]

Subchapter 13. Commercial Hunt Areas [NEW]

SUMMARY:

Modifies HIP requirements, add license requirements for youth hunters, adjust cost of turkey license, deletes special license requirements for furbearers, and allow the sales of five-day paper hunting licenses for winged upland game at licensed commercial hunt areas.

AUTHORITY:

Senate Bill 941, House Bill 3856, and Title 29 O.S., Section 3-103(D)(13), Article XXVI, Section 1 and 3 of the Constitution of Oklahoma; Oklahoma Wildlife Conservation Commission.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so on or before 4:30 p.m. on November 8, 2024, at the following address: Oklahoma Department of Wildlife Conservation, 1801 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105 (PO Box 53465, Oklahoma City, OK 73152) or online at www.wildlifedepartment.com.

PUBLIC HEARING:

Date: November 7, 2024

Time: 7:00 p.m.

Oklahoma City - OK Department of Wildlife Conservation, 1801 N. Lincoln Blvd., Oklahoma City, OK

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rules will be available to the public at 1801 N. Lincoln Blvd., Oklahoma City, OK 73105.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., 303(D), a rule impact statement is being prepared and will be available for review after October 11, 2024, at the above address for the Oklahoma Department of Wildlife Conservation.

CONTACT PERSON:

Bill Dinkines, Chief of Wildlife Division, 405/521-2739 or Tammy St. Yves 405/522-6279

SUBCHAPTER 5. MIGRATORY BIRD HUNTING SEASON

PART 1. DUCKS, MERGANSERS, COOTS, GEESE, MOURNING, WHITE-WINGED AND EURASIAN COLLARED DOVES, WOODCOCK, VIRGINIA AND SORA RAIL, COMMON MOORHEN, PURPLE GALLINULE, SNIPE, AND SANDHILL CRANE.

800:25-5-2.2. General provisions for migratory game birds

The following provisions apply to the taking of migratory game birds:

(1) **Hunting hours.** Unless otherwise provided, the hunting hours shall be one-half hour before official sunrise to official sunset.

(2) **Legal means of taking.** The legal means of taking shall be shotgun (conventional or muzzleloading), bow and arrow or legal raptors and as otherwise provided. Shotguns must not be larger than 10 gauge. No rifles, pistols or shotgun slugs. Shotguns must be incapable of holding more than three (3) shells in the magazine and chamber combined. Specific limitations otherwise provided by law shall control over the general requirements of this section.

- (3) **Nontoxic shot requirements.** All waterfowl and coot hunting is restricted to use of federally approved nontoxic shot in all areas of the state.
- (4) **Hunting from boats.** No person may take migratory game birds from any motor-boat or sailboat unless the motor has been shut off and/or the sails furled and the boat has stopped.
- (5) **Baiting.** Migratory game birds may not be baited or taken on or over any baited areas.
- (6) **Retrieving responsibility.** All hunters are required to make a reasonable effort to retrieve any migratory game bird killed and include such birds in their daily bag limit.
- (7) **Hunting in two states.** A hunter who hunts in two states having separate daily bag limits, may not exceed the largest number of birds that can legally be taken in one of the states in which they take birds.
- (8) **Wildlife management areas.** All management areas are open to migratory game bird hunting during designated seasons unless otherwise closed to hunting during those seasons.
- (9) **National Migratory Bird Harvest Information Program requirements.** ~~Licensed~~ Those who are required to be licensed to hunt migratory birds hunters, ~~including lifetime license holders who hunt migratory birds,~~ will be required annually to obtain and complete a Migratory Bird Harvest Information Program (HIP) permit and have the permit in their possession while hunting migratory birds. HIP permit is required for all migratory bird and waterfowl hunters under age 64, including lifetime license holders. Youth under 18 not hunting waterfowl, but hunting other migratory birds, are exempt. Hunters under sixteen (16) years of age, senior citizens (age sixty-four (64) or older or those who turn sixty-four (64) during the calendar year in which they intend to hunt migratory birds) and landowners Landowners hunting only on their own property are exempt from the requirements of the National Migratory Bird Harvest Information Program. HIP permits can be obtained at any hunting license dealer ~~as part of the Universal License form.~~ The effective dates that the HIP permits will be valid for any given migratory bird season will be from July 1 through June 30.

SUBCHAPTER 7. GENERAL HUNTING SEASONS

PART 1. GENERAL PROVISIONS

800:25-7-3. General provisions

- (a) Any person hunting any wildlife in open areas during the youth deer gun, bear muzzleloader, deer muzzleloader, deer gun, holiday antlerless deer gun (in open zones), elk gun (in open counties) or September antelope gun (in open areas) seasons with a shotgun and rifled slug, or any rifle or handgun larger than a .22 caliber long rifle, must possess a valid bear, deer, elk, or antelope license, unless otherwise exempt. Any person hunting feral hogs in open areas during the deer gun, deer primitive, elk, bear or antelope season with a shotgun and rifled slug, or any rifle or handgun larger than a .22 caliber rimfire, must possess a filled or unfilled deer, elk, bear, or antelope license appropriate for that season unless otherwise exempt.
- (b) No person while in the field may possess or attempt to harvest any wildlife, except waterfowl and crane, with shotgun utilizing shot larger than #4 buckshot. Any person hunting any wildlife with an air powered arrow rifle during any open season when rifles are a legal means of take must possess a valid air powered arrow rifle permit.
- (c) Any person participating in primitive firearms season, deer gun seasons, elk season, antelope season and bear gun season must conspicuously wear both a head covering and an outer garment above the waistline, both totaling 500 square inches or more of clothing, both consisting of daylight fluorescent orange color totaling not less than 400 square inches [Title 29 O.S., Section 5-205, Part A]. All other hunters, except those hunting waterfowl, dove, crow or crane, or while hunting furbearing animals at night must wear either a head covering or upper garment of fluorescent orange clothing during the deer primitive firearms season, deer gun seasons, elk season, antelope season and bear primitive firearms season, or bear gun season in zones where these seasons are open.
- (d) For purposes of pheasant, turkey, deer, elk, bear and antelope regulations, 'final destination' shall be the hunter's residence or place of consumption.
- (e) No person may possess any game bird, animal or other wildlife, or portions thereof that have been taken by another person unless such game bird, animal or other wildlife, contain information giving the taker's name, customer identification number, date taken and the number and kind of game bird, animal or wildlife. In addition, information on deer, elk, antelope, bear and turkey must include the

confirmation number as proof that the animal's harvest has been properly reported. The person's name and address receiving said wildlife must also appear on the written information.

(f) No person shall concentrate, drive, molest, hunt, take, capture or kill; or attempt to take any wildlife by the aid of any fire or smoke whether man-made or natural.

(g) No person may hunt, chase, capture, shoot at, wound or kill any moose or Rocky Mountain bighorn sheep, except as otherwise provided by statute or Commission rule.

(h) Private landowner regulations regarding any items covered by these rules may be more restrictive, but not less restrictive than these rules.

(i) Dogs may be used in taking all game species in these rules except bear, deer, elk, antelope and turkey. Exceptions to this rule would be the use of a leashed dog to track downed game after notification to the game warden of location and having no means of take on person while tracking.

(j) Except as otherwise provided for by law or Commission rule, nothing shall prohibit the year-round pursuit of game, which may be lawfully hunted with the use of hunting dogs, for dog training or sport only. However, unless otherwise provided, no person in pursuit of game with hunting dogs outside of the regular harvest season shall have in their possession the means to harvest such game.

(k) Harvest tagging of game - All persons taking a deer, elk, antelope, bear, or turkey must immediately secure their name, customer identification number, date and time of harvest to the carcass.

(l) Harvest reporting of game - All deer, elk, antelope, bear, or turkey taken must be reported by the hunter to the Department within 24 hours of leaving the hunt area. Instructions for reporting of harvest will be provided in the Oklahoma Fishing and Hunting Regulations and on the Department's website. Once reported, a carcass tag or online confirmation number will be issued. This tag or confirmation number must remain with the carcass to its final destination or through processing and/or storage at a commercial processing or storage facility. Evidence of sex must remain naturally attached to the carcass until the harvest has been properly reported.

(m) All resident and nonresident youth under 18 must have a youth super license to hunt deer, elk, pronghorn, bear, turkey, waterfowl, furbearers, and trapping. Youth hunters under the age of 18 hunting all other species not listed are exempt from the youth super license.

PART 5. UPLAND GAME

800:25-7-19. Wild turkey - general provisions [AMENDED]

The following general provisions apply to the taking of turkey:

(1) Tom turkey description. A tom turkey is any bearded turkey, regardless of sex.

(2) Hunting hours. The hunting hours shall be one-half hour before sunrise to sunset.

(3) Baiting. Turkeys may not be taken within 100 yards of any bait. "Bait" shall mean the placing, exposing, depositing, distributing or scattering of shelled, shucked or unshucked corn, wheat or other grain or other feed so as to constitute for such birds a lure, attraction or enticement to, on or over any area where hunters are attempting to take them. Nothing in this section shall prohibit the taking of wild turkey over standing crops, grain crops, properly shucked on the field where grown or grain found scattered solely as the result of normal agricultural operations.

(4) Roost shooting. Roost shooting is prohibited.

(5) Decoys and recorded calls. Hunting turkey with artificial decoys is permitted. Live decoys and recorded calls are prohibited.

(6) Evidence of Sex. Beard or one foot must be naturally attached.

(7) Turkey License and Fee. All persons hunting wild turkeys, unless otherwise exempt, must possess a turkey license. A separate turkey license is required for each bird hunted. Fee for turkey license will be ~~\$9.00 plus \$1.00 vendor fee~~ \$19.00 for residents and \$39 for non-residents, plus \$1.00 vendor fee for each license sold.

PART 15. FURBEARERS

800:25-7-60. General provisions for furbearers

The following general provisions apply to the taking of furbearers:

- (1) **Sale of carcass.** The skinned carcass of any legal furbearer or predator may be sold, offered or displayed for sale or bartered at any time. The sale of scent glands from furbearers or predators is permitted.
- (2) **Bobcat and River Otter export tag.**
 - (A) No bobcat or river otter pelt may be held in possession after 10 working days after the close of furbearer season by the taker or buyer, sold, purchased or bartered within Oklahoma, nor taken out of Oklahoma without having first affixed a permanent tag to the pelt. This tag shall serve as an export tag.
 - (B) The tag must be affixed by an authorized employee of the Oklahoma Department of Wildlife Conservation, a designated agent, or a private tagging station. Private tagging station may charge \$0.75 per tag fee.
 - (C) It is the responsibility of the possessor of the bobcat or river otter pelt, not the Department, to ensure that the pelt is legally tagged.
 - (D) No untagged bobcat or river otter harvested in another state may be possessed in Oklahoma.
- (3) **Possession of carcasses or hides.**
 - (A) It shall be illegal to possess live animals, carcasses or raw furs of swift fox, ringtail, or spotted skunk, unless proven that each carcass or hide was taken legally outside of the State of Oklahoma.
 - (B) Proof of legality or origin for carcasses or green hides shall be a tag or other marking device attached to or imprinted on each and every hide in such a way that it cannot be removed intact. The tag or marking must be the official method used by the issuing agency. If any identification is not required by the issuing agency, a hunting or trapping license appropriate to the species taken is required as proof.
- (4) **Night hunting of coyotes.** It shall be unlawful to hunt, take or attempt to take coyotes within the period of dark to daylight with the aid of any artificial light and/or any sight dog. Persons hunting at night must first obtain permission from the County Game Warden. Anyone hunting at night must use a shotgun, utilizing size 6 shot or smaller.
- (5) **Special license requirement.** ~~A special Bobcat-Raccoon-River Otter-Gray/Red Fox License is required for all who take these species by any means. Holders of an Oklahoma Department of Wildlife Conservation lifetime hunting or lifetime combination license, senior citizen hunting or senior citizen combination license are exempt. No individual may purchase more than one special license. This license is valid through seasons currently in effect for bobcat, raccoon, river otter, gray fox and red fox. Said fee for Oklahoma resident is \$9.00 plus \$1.00 vendor fee, non-resident is \$50.00 plus \$1.00 vendor fee. Beginning July 1, 2024, a trapping license will be included in the privileges for resident annual, resident youth super, resident 3-year, disability license, non-resident annual, non-resident 5-day, non-resident youth super license, and non-resident 5-day youth super license.~~
- (6) **Intent to hold form requirement.** Any person who takes a pelt or pelts during the season shall have until the end of March to sell or dispose of the pelts or to provide written notification to the Department of Wildlife Conservation that the person intends to hold the pelts for later sale. Written notification shall be made on a form prescribed by the Department.
- (7) **Trap placement.** No trap so used may be set in paths, roads, or runways commonly used for recreational purposes by persons, domestic animals or dogs.
- (8) **Trap check requirement.** Any trap set for the purpose of catching any wildlife shall be tended once during each twenty-four (24) hour period. All traps shall bear the name, or customer identification number, of the owner of the traps, except for any traps set on property owned or leased by the owner of the traps. Any person violating this subsection shall, in addition to any criminal penalty, be civilly liable for all damages caused by such violation.
- (9) **Posting of signage.** On any lands where smooth-jawed double-spring offset no less than 1/8 inch or smooth-jawed coil-spring offset no less than 1/8 inch traps are used, the posting of signs shall be required at all entrances from public roads and highways. The requirement to post signs shall not apply if the person is trapping on private property. Signs shall be no less than 5" by 8" and clearly state the word "TRAPS".

SUBCHAPTER 13. COMMERCIAL HUNT AREAS

800:25-13-12. Five-Day Paper Hunting License

(a) Beginning November 1, 2024, the Department may provide a five-day paper hunting licenses for hunting upland winged game, excluding wild turkeys, at a licensed Commercial Hunt Area.

(b) The fee per license shall be \$5.00.

(c) Licenses will be sold in books of no fewer than ten (10) licenses to Commercial Hunt Area operators in a manner determined by the Department. License holder information is to be completed on each license as instructed and copies shall be returned to the Department prior to the renewal of the Commercial Hunt Area license.