

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulation  
Department of Natural Resources  
(DLS Control No. 20-076)**

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## **Overview and Legal and Fiscal Impact**

This regulation alters the process for an individual to legally take possession of a deer or turkey killed by means other than hunting.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

## **Regulation of COMAR Affected**

### **Department of Natural Resources:**

Wildlife: Forest Wildlife: COMAR 08.03.04.03

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## **Legal Analysis**

### **Background**

According to the Department of Natural Resources, currently the only way for an individual to legally take possession of a deer or turkey killed by means other than hunting is by obtaining a paper, nonhunter kill tag from the department or applicable local law enforcement agency. The regulation establishes an internet-based process for reporting and obtaining a confirmation record for taking possession of a deer or turkey that has been killed by means other than hunting, such as a vehicle collision.

### **Summary of Regulation**

The regulation amends COMAR 08.03.04.03 by establishing a process for an individual to legally take possession of a deer or turkey killed by means other than hunting. Specifically, the regulation authorizes an individual to report possession of the deer or turkey within 24-hours of taking possession of the animal by registering the kill on the department's internet-based checking system and obtaining a confirmation number. A paper field tag must be attached prior to taking possession and transporting the deer or turkey until a confirmation number has been obtained. If a confirmation number is obtained, a field tag is not required if the deer or turkey remains in the person's possession. Deer must be reported before removing the head or hide, and turkeys must be

reported prior to processing. The individual must keep a record of the confirmation number and make the number available to the department upon request.

### **Legal Issues**

The regulation presents no legal issue of concern.

### **Statutory Authority and Legislative Intent**

The department cites §§ 10-205 and 10-415 of the Natural Resources Article as statutory authority for the regulation. Section 10-205 authorizes the Secretary of Natural Resources to adopt regulations that restrict the possession of wildlife. Section 10-415 requires an individual who harvests a turkey or deer to report the harvest in accordance with regulations adopted by the department.

The authority is correct and complete. The regulation complies with the legislative intent of the law.

### **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

### **Agency Estimate of Projected Fiscal Impact**

The department advises that the regulation has no impact on State or local governments. The Department of Legislative Services concurs.

### **Impact on Budget**

There is no impact on the State operating or capital budget.

### **Agency Estimate of Projected Small Business Impact**

The department advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

### **Contact Information**

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