

ENROLLED ACT NO. 58, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

AN ACT relating to game and fish; authorizing rules to provide for the collection of road killed animals; providing restrictions; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 23-3-310 is created to read:

23-3-310. Possession of road killed wildlife.

(a) The commission shall, in consultation with the state transportation commission, adopt rules to establish a program whereby any person desiring to possess wildlife killed as a result of unintentional motor vehicle collisions on any public road or highway in the state of Wyoming is permitted to do so, provided that he collects the entire road killed animal, both edible and inedible portions and possesses a donation certificate or Wyoming interstate game tag issued by the department, including a certificate or tag issued electronically. Unless otherwise provided by rule of the commission, a person desiring to possess a road killed animal shall contact the department before taking possession of an animal to obtain a donation certificate. The rules may provide that a person requesting the donation certificate may have to present the animal for inspection to verify its possession meets the criteria of the regulation. No person possessing a donation certificate shall donate a road killed animal to a nonprofit organization in accordance with W.S. 35-7-1302(b)(vii).

(b) None of the provisions of this section shall apply to bighorn sheep, gray wolves within any area of the state where gray wolves are classified as trophy game animals, grizzly bears, mountain goats, wildlife species

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covered under the federal Migratory Bird Treaty Act, federal threatened or endangered species or those species whose possession is prohibited by federal or state statute or regulation.

(c) Nothing in this section shall authorize the taking of wildlife or possession of any illegally taken wildlife.

(d) Upon request of the state transportation commission, the commission shall exempt segments of public road or highway from the program established pursuant to this section.

(e) Once a carcass is retrieved by the department of transportation, it becomes the property of the department and shall be disposed of in accordance with department procedures.

Section 2. W.S. 23-3-106(a)(i), (ii) and by creating a new paragraph (iii) is amended to read:

23-3-106. Wyoming game and Wyoming interstate game tags; when required.

(a) Except as provided in subsection (f) of this section and W.S. 23-2-302(e), no person shall ship, transport, or receive for shipment or transportation within Wyoming, any game animal, game bird, or any part thereof, unless tagged with a Wyoming game tag or Wyoming interstate game tag, or unless:

(i) The transportation is by a person accompanying the carcass of a big or trophy game animal who is in possession of a proper coupon; ~~or~~

ORIGINAL HOUSE
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(ii) The transportation is by a properly licensed bird or small game hunter in possession of not more than his daily bag or possession limit;~~;~~ or

(iii) The transportation is by a person possessing authorization pursuant to W.S. 23-3-310.

Section 3. This act is effective July 1, 2021.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk