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CHAPTER 70

REGULATION GOVERNING POSSESSION OF ROAD KILLED WILDLIFE

Section 1. Authority. This regulation is promulgated by authority of Wyoming Statutes § 23-3-106 and § 23-3-310.

Section 2. Definitions. Definitions shall be as set forth in Title 23, Wyoming Statutes, Commission Regulations and the Commission also adopts the following definitions:

(a) “Approved Landfill or Incinerator” means a landfill or incinerator permitted by the State of Wyoming Department of Environmental Quality to dispose of animal carcasses.

(b) “Public Road or Highway” (except as otherwise provided) means any roadway that is open to vehicular travel by the public. The road surface, the area between the fences on a fenced public road or highway, and an area thirty (30) feet perpendicular to the edge of the road surface on an unfenced public road or highway shall be considered the public road or highway for the purpose of this regulation. Two-track trails on public lands are not public roads.

(c) “Road Killed Wildlife” means any antelope, deer, elk, moose, wild bison or wild turkey killed as the result of an unintentional vehicle collision.

Section 3. Authorization to Possess Road Killed Wildlife. Any person who desires to possess road killed wildlife shall apply for and may receive from the Department an authorization to possess road killed wildlife from a public road or highway in accordance with this regulation prior to taking possession of any road killed wildlife. Department authorization may include, but not be limited to, an electronic reporting/authorization process, a Department issued permit to possess road killed wildlife, a donation coupon or an Interstate Game Tag.

(a) A Department authorization to possess road killed wildlife shall not be valid for any wildlife found to be taken illegally.

(b) Nothing in this regulation authorizes an individual to euthanize wildlife injured due to an unintentional vehicle collision on a public road or highway.

Section 4. Provisions for Collecting Road Killed Wildlife. A person shall have been issued a Department authorization to possess road killed wildlife prior to taking possession of any road killed wildlife. Nothing in this section shall allow a person to trespass onto private property to retrieve road killed wildlife without obtaining prior approval from the private landowner or an agent of the landowner. A person in possession of an authorization to possess road killed wildlife shall:

(a) Only take possession of road killed wildlife from a public road or highway from sunrise until sunset;

(b) Park the collection vehicle at least two (2) feet to the right of the roadway's solid white line and outside of the travel lane, or in the case of a paved or gravel road with no white line present, at least two (2) feet off the paved or gravel road surface, so as not to impede traffic while collecting road killed wildlife;

(c) Activate the emergency flashers on the collection vehicle during the entire time the collection vehicle is parked along a roadway. Collection vehicle emergency flashers shall be clearly visible from the front and rear of the vehicle;

(d) Immediately remove the entire road killed wildlife during the authorized time period, including both edible and inedible portions, from the public road or highway. Road killed wildlife shall not be field dressed within any public road or highway right-of-way; and,

(e) Upon request, present the road killed wildlife for inspection to a Department representative to verify the road killed wildlife in possession meets the requirements of this regulation.

Section 5. Public Roads or Highways Exempt from the Provisions Authorizing Possession of Road Killed Wildlife. In consultation with the Wyoming Transportation Commission and to address public safety, the following public roads or highways are prohibited from where a person may apply for and receive authorization to possess road killed wildlife:

(a) Interstate Highway 25;

(b) Interstate Highway 80;

(c) Interstate Highway 90;

(d) Any segment of a public road or highway designated as an active construction or maintenance zone; and,

(e) Any segment of a public road or highway within the exterior boundary of lands administered by the National Park Service.

Section 6. Disposal of Deer, Elk and Moose Road Killed Wildlife. Any person who receives an authorization to possess road killed wildlife shall properly dispose of any deer, elk and moose carcass in accordance with this section.

(a) Deer, elk and moose taken in Wyoming under an authorization to possess road killed wildlife may be transported within Wyoming to a camp, a private residence for processing, a taxidermist, a processor, or a chronic wasting disease (CWD) sample collection site in Wyoming. The head and all portions of the spinal column shall be disposed of in any approved landfill or approved incinerator in Wyoming.

(b) After undergoing processing, only the following parts of deer, elk or moose taken under an authorization to possess road killed wildlife may be transported in Wyoming: edible portions with no part of the spinal column or head; cleaned hide without the head; skull or skull plate or antlers that have been cleaned of all meat and brain tissue; teeth; or, finished taxidermy mounts.

(c) Only the following parts of any deer, elk or moose taken in Wyoming under an authorization to possess road killed wildlife may be transported to other states, provinces or countries: edible portions with no part of the spinal column or head; cleaned hide without the head; skull or skull plate or antlers that have been cleaned of all meat and brain tissue; teeth; or, finished taxidermy mounts.

(d) Whole deer, elk and moose carcasses taken in Wyoming under an authorization to possess road killed wildlife shall not be transported out of Wyoming.

Section 7. Making a False Statement to Obtain an Authorization to Possess Road Killed Wildlife. Any person who makes a false statement to obtain an authorization to possess road killed wildlife shall be in violation of this regulation.

WYOMING GAME AND FISH DEPARTMENT

Peter J. Dube, President

Dated: November XX, 2021