

WYOMING GAME AND FISH COMMISSION

CHAPTER 35

HUNTING PERMIT REGULATIONS FOR PERSONS WITH DISABILITIES

Section 1. Authority. This regulation is promulgated by authority of W.S. § 23-1-302(a)(i), (a)(xxii) and (m), and W.S. § 23-3-306(a) and (f).

Section 2. Regulation Effective Date. This regulation shall become effective January 1, 2017, and shall remain in effect until modified or repealed by the Commission.

Section 3. Definitions. For the purpose of this regulation definitions shall be as set forth in Title 23, Wyoming Statutes, Commission regulations and the Commission also adopts the following definitions:

(a) “Animal” means big or trophy game animal, game bird, or small game animal.

(b) “Central Visual Acuity Disability” means a person’s vision permanently does not exceed 20/200 in the better eye with corrective lenses, or the widest diameter of the visual field is not greater than twenty (20) degrees.

(c) “Class III Cardiac Condition” means a person with cardiac disease with functional capacity according to standards established by the American Heart Association resulting in marked limitation of physical activity. Such a person is comfortable at rest. Less than ordinary activity causes fatigue, palpitation, dyspnea, or anginal pain.

(d) “Class IV Cardiac Condition” means a person with cardiac disease with functional capacity according to standards established by the American Heart Association resulting in inability to carry on any physical activity without discomfort. Symptoms of heart failure or the anginal syndrome may be present even at rest. If any physical activity is undertaken, discomfort is increased.

(e) “Disabled Hunter” means any person meeting any of the qualifications specified in Section 5 of this regulation who has been issued a Disabled Hunter Permit by the Department.

(f) “Disabled Hunter Companion” means a person or nonprofit organization who meets the provisions of Section 6 of this regulation, who assists a disabled hunter with dispatching or retrieving an animal wounded or killed by the disabled hunter, and who has been issued a Disabled Hunter Companion Permit by the Department.

(g) “Handicapped Hunter” means a hunter with a qualifying physical disability.

(h) “Nonprofit Organization Dedicated to Providing Hunting Opportunities to Individuals with Disabilities” means any organization that is registered with the Secretary of State of the organization’s state of incorporation or organization, and certifies that they are nonprofit and that the primary purpose or mission as stated in their charter is to provide hunting opportunities to individuals with disabilities.

(j) “Paraplegic” means a person who is permanently unable to move or feel both legs and the lower half of their body because of injury or illness.

(k) “Quadriplegic” means a person who is permanently unable to move or feel both arms and both legs because of injury or illness.

(l) “Qualifying Physical Disability” means a physical condition that necessitates the individual to, at all times, utilize a wheelchair, cane, crutches or some other mechanical device to assist the individual in moving to and from a vehicle.

(m) “Upper Extremity Disabled” means a person who has a permanent physical impairment due to injury or disease, congenital or acquired, which renders the person so severely disabled as to be physically unable to use any legal hunting weapon.

(n) “Vehicle” means any automotive vehicle, trailer, motor-propelled wheeled vehicle, or vehicle designed for travel over snow.

(o) “Walker” means a mechanical device that has multiple legs and requires the use of both hands to move.

Section 4. Permits Issued to Persons with Disabilities.

(a) Any person, except those applying for a permit pursuant to Sections 5(f) and 10(a)(ii), meeting the requirements set forth in Sections 3, 5, 8, 9 or 10 of this regulation, as attested to in writing by the applicant and certified by a medical doctor, nurse practitioner, physician assistant, optometrist or ophthalmologist licensed to practice medicine, or disabled hunter companion pursuant to Section 7, may apply on a form provided by the Department for a specific permit as identified in Sections 5, 7, 8, 9 and 10 of this regulation.

(b) Any person applying for a permit pursuant to Sections 5(f) and 10(a)(ii) may apply on a form provided by the Department and shall provide documentation from the United States Department of Veterans Affairs, or any branch of the Armed Forces of the United States, indicating the applicant’s percentage (%) of service connected disability.

(c) Permits shall be issued to qualified applicants by the Department’s License Section, regional offices or designated Department personnel.

(d) Transfer of permits issued in accordance with this regulation to another person shall not be permitted.

(e) Disabled Hunter Permits, Disabled Hunter Companion Permits, Central Visual Acuity Disability Permits, Shoot from a Vehicle Permits and Disabled Hunter Season Extension Permits shall not be valid for use in Grand Teton National Park (Elk Hunt Areas 75 and 79) or on the National Elk Refuge (Elk Hunt Area 77).

(f) Persons exercising any privileges under a permit issued in accordance with this regulation shall:

(i) Only take animals in accordance with state statutes and Commission rules and regulations.

(ii) Be in possession of their valid specific permit in the field while hunting.

(iii) Possess a valid hunting license, stamp and permit issued under authority of Title 23, Wyoming Statutes or Commission rules and regulations, unless exempt by statute from the need to possess a valid hunting license, stamp and permit.

Section 5. Disabled Hunter Permit. Any person may be issued a Disabled Hunter Permit if the person:

- (a) Is permanently unable to walk, at all times, without the use of, or assistance from, a wheelchair, scooter, or walker;
- (b) Is restricted by lung disease to the extent the person's forced expiratory volume for one (1) second, when measured by a spirometer, is less than thirty-five (35%) percent predicted, or arterial oxygen tension is less than fifty-five (55) mm/Hg on room air at rest;
- (c) Has a cardiac condition to the extent the person's functional limitations are classified in severity as Class III or Class IV, according to standards established by the American Heart Association and defined in Section 3 of this regulation;
- (d) Has a permanent, physical impairment that prevents the person, at all times, from holding or shooting a firearm or bow in hand;
- (e) Has a central visual acuity disability; or,
- (f) Can produce to the Department a decision letter, issued within the immediately preceding five (5) years from the date of application, by the United States Department of Veterans Affairs or any branch of the Armed Forces of the United States showing the person to have a service connected disability of at least seventy (70%) percent.

Section 6. Disabled Hunter Permit Provisions.

- (a) Disabled Hunter Permits only allow a disabled hunter permit holder to be accompanied by a person with a Disabled Hunter Companion Permit who may take any animal the disabled hunter has lawfully wounded.
- (b) The same person shall not be issued a Disabled Hunter Permit and a Disabled Hunter Companion Permit.
- (c) A disabled hunter may be assisted by more than one (1) Disabled Hunter Companion.

Section 7. Disabled Hunter Companion Permit.

- (a) Disabled Hunter Companion Permits may be issued to an individual or to a nonprofit organization dedicated to providing hunting opportunities to individuals with disabilities.
- (b) Persons engaged in the activity of a Disabled Hunter Companion shall be at least fourteen (14) years of age.
- (c) A Disabled Hunter Companion Permit shall be valid for the calendar year in which it was issued, unless revoked by the Department.
- (d) Disabled Hunter Companion Permits issued to a non-profit organization dedicated to providing hunting opportunities to individuals with disabilities may also be used by volunteers working for the organization.
- (e) The disabled hunter companion shall:
 - (i) Be in possession of the Disabled Hunter Companion Permit in the field while taking a wounded animal or retrieving an animal killed by the disabled hunter;

(ii) Only take a wounded animal in accordance with state statute and Commission rule and regulation, and shall not take an animal under the authority of a Disabled Hunter Companion Permit that has not been wounded by a disabled hunter and for which a license is required for the disabled hunter;

(iii) Be in possession of the disabled hunter's license and carcass coupon while taking any animal that has been wounded by the disabled hunter for which a carcass coupon is required or while retrieving such animal killed by the disabled hunter, and shall detach, and date the disabled hunter's carcass coupon prior to leaving the site of kill;

(iv) Be accompanied by the disabled hunter to the location where the disabled hunter wounds an animal.

(f) Animals taken, tagged, or retrieved by a disabled hunter companion on behalf of a disabled hunter shall become part of the disabled hunter's bag or possession limit and do not count against the disabled hunter companion's bag or possession limit.

(g) A person may be issued more than one (1) Disabled Hunter Companion Permit.

Section 8. Shoot from a Vehicle Permit. Any person may be issued a Shoot from a Vehicle Permit if the person has a qualifying physical disability as defined in Section 3.

(a) Any person with a qualifying physical disability shall be allowed to shoot from a stationary vehicle to take wildlife after receiving from the Department a Shoot from a Vehicle Permit. The permit shall not allow a hunter with a qualifying physical disability to hunt, shoot or attempt to take any wildlife from, along or across any public road or highway.

(b) A permanent Shoot from a Vehicle Permit shall be valid as long as the applicant continues to have a qualifying physical disability.

(c) A temporary Shoot from a Vehicle Permit shall be valid for the calendar year in which issued as long as the applicant continues to have a qualifying physical disability.

Section 9. Central Visual Acuity Disability Permit. Any person may be issued a Central Visual Acuity Disability Permit if the person meets the qualifications of having a central visual acuity disability as defined in Section 3.

(a) Any person having a Central Visual Acuity Disability Permit may use a scope that projects a visible light onto a target to take any animal.

Section 10. Hunting Season Extension Permits.

(a) Any person may be issued a Hunting Season Extension Permit which allows a qualified applicant to hunt antelope, deer or elk five (5) days prior to the earliest opening date in the hunt area(s) and for the sex of antelope, deer or elk set forth by limitations of their license as specified in Section 2 of the current regulation for that species (Commission Regulations Chapter 5, Antelope Hunting Seasons, Chapter 6, Deer Hunting Seasons; Chapter 7, Elk Hunting Seasons), provided the person requesting the hunting season extension permit:

(i) Has a Central Visual Acuity Disability, is quadriplegic, upper extremity disabled, paraplegic, permanently paralyzed over at least fifty (50%) percent of their body or otherwise physically disabled so as to be permanently confined to a wheelchair (or similar device); or,

(ii) Can produce a decision letter issued by the United States Department of Veterans Affairs, or any branch of the armed forces of the United States, showing the person to have a one hundred (100%) percent service connected disability; or,

(iii) Meets the requirements set forth in W.S. § 23-1-705(j); (is twenty (20) years of age or younger with a life threatening illness and is sponsored by a nonprofit charitable organization whose mission it is to provide opportunities and experiences to persons with a life threatening or serious illness).

Section 11. Revocation or Denial of a Permit.

(a) The Department may deny or revoke any permit issued pursuant to this regulation for the following reasons:

(i) The Department cannot verify all information and documentation provided by the applicant;

(ii) The applicant made false statements on the application to secure a permit;

(iii) The permittee is convicted of violating any provision of Title 23, Wyoming Statutes or any Commission rules and regulations governing the taking of wildlife while exercising any privilege of the permit;

(iv) The disabled hunter companion, while assisting the disabled hunter, allows the disabled hunter to violate any provision of Title 23, Wyoming Statutes, or any Commission rule and regulation governing the taking of wildlife; or,

(v) The permittee no longer qualifies for the specific permit as specified in this regulation.

(b) Any person who has a permit application denied by the Department may appeal the Department's decision to the Fiscal Division Chief in accordance with Commission rules and regulations.

(c) Any person who has a permit issued pursuant to this regulation revoked by the Department may appeal the Department's decision to the Commission in accordance with Commission rules and regulations.

Section 12. Fees for Permits. There shall be no fee for a Disabled Hunter Permit, Shoot from a Vehicle Permit, Central Visual Acuity Disability Permit or a Hunting Season Extension Permit. The fee for the Disabled Hunter Companion Permit shall be five (\$5) dollars.

Section 13. Making False Statements to Obtain a Permit. Any person who makes a false statement on an application to obtain a permit or any medical doctor, nurse practitioner, physician assistant, optometrist, or ophthalmologist who makes a false statement on an application in order that a person might fraudulently obtain a permit shall be in violation of this regulation and such violation shall be punishable as provided by Title 23, Wyoming Statutes.

WYOMING GAME AND FISH COMMISSION

By: _____
T. Carrie Little, President

Dated: July 8, 2016