### DEPARTMENT OF WILDLIFE Division of Law Enforcement Guide Program

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### Guide Regulations Nevada Administrative Code (NAC)

#### Licensing

NAC 504.600 General requirements; application for issuance or renewal of license. (NRS 501.105, 501.181, 504.390)

- 1. An applicant for a license as a master guide must:
- (a) Be a competent person of good moral character.
- (b) Be 21 years of age or older.
- (c) Demonstrate knowledge of the wildlife laws and regulations of the State relevant to the license for which the applicant is applying by passing the examination required pursuant to <u>NAC 504.608</u>.
  - (d) Submit proof with his or her application of current certification in:
    - (1) An American Red Cross course in standard first aid;
    - (2) An American Heart Association course in standard first aid; or
- (3) An equivalent course in standard first aid. The applicant must submit proof with his or her application that this course meets or exceeds the requirements of the American Red Cross or the American Heart Association.
- (e) Provide proof of his or her United States Coast Guard license, if applicable. If a boat will be used to provide a service to a client and a United States Coast Guard license is not required, the applicant must provide proof that he or she has obtained a minimum score of 80 percent on the boating safety examination in *Boat Nevada*, a booklet which may be obtained free of charge from the Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512.
- (f) If applying for a license for hunting services, provide proof that the applicant has successfully completed a course in the responsibilities of hunters approved by the Department.
- 2. Except as otherwise provided in subsection 6, in addition to the requirements of subsection 1, an applicant for a license as a master guide for hunting services or hunting and fishing services:
  - (a) Must submit:
- (1) Proof that he or she possessed a valid subguide license in Nevada, or held an equivalent position in another state, Canadian province or foreign country, for at least 3 of the 5 years immediately preceding the date of the application;
- (2) Four letters of recommendation written by clients whom the applicant personally guided during the period described in subparagraph (1); and
  - (3) Either:
- (I) A letter of recommendation written by the master guide, registered guide, professional guide or outfitter who employed the applicant as a subguide, or an equivalent position, during the period described in subparagraph (1); or
- (II) Proof that he or she spent a minimum of 15 days guiding clients in the field during the period described in subparagraph (1); or
- (b) Must submit proof that he or she held the position of, or was licensed in another state, Canadian province or foreign country as a master guide, registered guide, professional guide or outfitter and has at least 20 days of guiding experience for at least 2 of the 5 years immediately preceding the date of the application.
- 3. Except as otherwise provided in this subsection, an application for the issuance or renewal of a master guide license must be received by the Department on or before May 31 of the current year. An application for renewal received after May 31 but before July 1 will be processed and a warning letter will be issued for the first occurrence within 3 years. Any subsequent late application for renewal submitted within 3 years after the receipt of a late application will be denied. An application for renewal received on or after July 1 will not be processed, and all fees will be returned. The denial of or refusal to process an application for the issuance or renewal of a master guide

license pursuant to this subsection does not preclude the submission of a timely application for the issuance or renewal of such a license in the next ensuing license year.

- 4. An applicant for a license as a subguide must:
- (a) Satisfy the requirements outlined in paragraphs (a), (c), (d), (e) and (f) of subsection 1; and
- (b) Be 18 years of age or older.
- 5. An application for the renewal of a license as a master guide or subguide must include proof of current certification in standard first aid, as described in paragraph (d) of subsection 1.
  - 6. An applicant for a license as a master guide is not required to comply with the provisions of subsection 2 if:
  - (a) He or she is applying only to provide fishing services; and
- (b) His or her license as a subguide or an equivalent position, as applicable, is not currently suspended or revoked.
- 7. As used in subsection 2, "proof" means a copy of an official record maintained by a state agency or board that issues a license to act as a guide or outfitter.

[Bd. of Fish & Game Comm'rs, No. 14 § 21.01-9 & part § 21.01-7, eff. 5-1-72; A 5-17-73]—(NAC A 5-1-82; A by Bd. of Wildlife Comm'rs, 9-15-89; 6-20-90; R054-04, 8-25-2004, eff. 10-1-2004; R006-10, 6-30-2010; R053-13, 6-23-2014)

#### NAC 504.608 Examinations. (NRS 501.105, 501.181, 504.390)

- 1. Before submitting an application for the issuance of an initial license as a master guide or subguide for:
- (a) Any hunting service, a person must pass an examination related to hunting established by the Department with a minimum score of 80 percent.
- (b) Any fishing service, a person must pass an examination related to fishing established by the Department with a minimum score of 80 percent.
- (c) Hunting and fishing services, a person must pass the examinations described in paragraphs (a) and (b) with minimum scores of 80 percent.
- 2. A master guide licensed by the Department who desires to add a fishing or hunting service to his or her license must pass an examination established by the Department with a minimum score of 80 percent.
- 3. Except as otherwise provided in subsection 5, the Department shall administer the examinations required by this section by appointment at its regional offices located in Las Vegas, Reno and Elko from January 1 to December 31 of each year.
  - 4. A person may only take the examinations required by this section twice in a calendar year.
- 5. A person may, by prior arrangement with the Department, take any examination required by this section at a location other than those specified in subsection 3.

(Added to NAC by Bd. of Wildlife Comm'rs by R054-04, 8-25-2004, eff. 10-1-2004; A by R110-05, 10-31-2005; R006-10, 6-30-2010; R053-13, 6-23-2014)

### NAC 504.661 Master guides: Action by Department on applications; timely submission of application for renewal of license. (NRS 501.105, 501.181, 504.390)

- 1. The Department will make such additional investigation of an applicant for a license as a master guide and his or her qualifications as it deems necessary. A preliminary decision of the Department:
- (a) Upon an application for renewal of an existing license, will be made not later than 60 days after the date of receipt of the complete application; and
- (b) Upon an initial application for a license, will be made not later than 90 days after the date of receipt of the complete application.
- → A licensee who is in good standing and whose application for renewal is received on or before May 31 is entitled to a new license for the next ensuing license year upon complying with the provisions of NAC 504.590 to 504.711, inclusive. If a licensee submits his or her application for renewal on or before May 31, the current license issued by the Department will remain in effect until the Department issues a new license or notifies the licensee in writing that it has denied the application for renewal.
- 2. If an applicant fails to include proof of certification in first aid or proof of the successful completion of a course in the responsibilities of hunters with his or her application as required in NAC 504.600, the Department will notify the applicant, in writing or electronically, of the deficiency. The applicant must submit the required documents to the Department before the Department will process the application. If the Department does not receive

the requisite documentation on or before July 31, the Department will consider the application to be incomplete, return the application to the applicant and take no further action on the application.

- 3. If an application is denied for a reason listed in <u>NAC 504.671</u>, the Department will notify the applicant, in writing or electronically, of the reasons for denial. The applicant may appeal such a denial to the Commission.
- 4. Except as otherwise provided in <u>NAC 504.600</u>, the Department will only accept an application for the issuance or renewal of a license as a master guide beginning on April 1 and ending on May 31 of each year.

[Bd. of Fish & Game Comm'rs, No. 14 § 21.01-23, eff. 5-1-72]—(NAC A 5-1-82; A by Bd. of Wildlife Comm'rs, 6-20-90; 3-13-97; R054-04, 8-25-2004; R006-10, 6-30-2010; R053-13, 6-23-2014)

### NAC 504.663 Master guides: Requirements for liability insurance or self-insurance bond. (NRS 501.105, 501.181, 504.390)

- 1. If the Department approves an application for a license to be a master guide pursuant to <u>NAC 504.661</u>, the applicant must provide proof to the Department within 30 days after the notification that he or she carries liability insurance for a Nevada guiding business or a self-insurance bond in the following amounts:
  - (a) At least \$100,000 for each person with a claim.
  - (b) At least \$300,000 for each occurrence.
  - (c) At least \$25,000 for damage to property.
- 2. The Department shall issue a master guide license to the applicant upon receiving proof of liability insurance or proof of the self-insurance bond required pursuant to subsection 1.
- 3. The policy for liability insurance or the bond must remain in effect during the entire time the master guide is licensed to guide.
- 4. A master guide must submit proof to the Department that he or she continues to carry the liability insurance or self-insurance bond required pursuant to subsection 1 when the master guide renews his or her insurance policy or bond

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 9-15-89; A 9-13-91; R054-04, 8-25-2004; R006-10, 6-30-2010)

## NAC 504.666 Subguides: Action by Department on applications; timely submission of application for renewal of license. (NRS 501.105, 501.181, 504.390)

- 1. The Department will make such additional investigation of an applicant for a license as a subguide and his or her qualifications as the Department deems necessary. The final decision of the Department:
- (a) Upon an application for renewal of an existing license, will be made not later than 60 days after the date of receipt of the completed application; and
- (b) Upon an initial application for a license, will be made not later than 90 days after the date of receipt of the completed application.
- → A licensee who is in good standing and whose application for renewal is received on or before December 1 is entitled to a new license for the next ensuing license year upon complying with the provisions of NAC 504.590 to 504.711, inclusive. If a licensee submits his or her application for renewal on or before December 1, the current license issued by the Department will remain in effect until the Department issues a new license or notifies the licensee in writing that it has denied the application for renewal.
- 2. If an applicant fails to include proof of certification in first aid or proof that he or she completed successfully a course in the responsibilities of hunters with his or her application as required by NAC 504.600, the Department will notify the applicant, in writing or electronically, of the omission. The applicant must submit the required documentation to the Department within 60 days after he or she receives the formal notification from the Department of the omission. If the Department does not receive the documentation within the 60-day period, the Department will consider the application to be incomplete and will take no further action on the application.
- 3. If an application is denied for reasons set forth in <u>NAC 504.671</u>, the Department will notify the applicant, in writing or electronically, of the reasons for denial. The applicant may appeal such a denial to the Commission.
- 4. The Department will deny the application for a license as a subguide if the applicant holds a current restricted nonresident deer tag.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 3-13-97; A by R054-04, 8-25-2004; R053-13, 6-23-2014)—(Substituted in revision for NAC 504.605)

NAC 504.669 Use of services of another master guide or subguide in emergency. (NRS 501.105, 501.181, 504.390) In an emergency, a master guide may use the services of:

- 1. Another currently licensed master guide; or
- 2. A subguide licensed under another master guide,
- → for a period not to exceed 10 consecutive days. A master guide who uses the services of a master guide or subguide as described in this section shall give notice of the use to the Division of Law Enforcement of the Department by telephone before beginning or within 24 hours after beginning the use, and electronically or in writing within 10 days after beginning the use.

(Added to NAC by Bd. of Wildlife Comm'rs by R054-04, eff. 8-25-2004; A by R053-13, 6-23-2014)

# NAC 504.671 Grounds for denial, revocation or suspension of license. (NRS 501.105, 501.181, 504.390) The Department may deny an application for or revoke or suspend a guide's license for any of the following:

- 1. Fraud or deception in procuring a license.
- 2. Fraudulent, untruthful or misleading advertising.
- 3. A conviction of any:
- (a) Felony; or
- (b) Crime involving physical violence, theft or fraud.
- 4. A conviction of having violated a regulation of a federal land management agency.
- 5. Immoral, unethical or dishonorable conduct in the licensee's relation to his or her guest, client, patron or a member of the public while providing guide services.
  - 6. A conviction of having violated a provision of:
- (a) <u>Chapter 488</u> or title 45 of NRS, or any regulation adopted pursuant thereto, or for a conviction of having violated an equivalent provision in the law or regulations of any other state or the Federal Government; or
- (b) NRS 444.630 or 445A.465, or any regulation adopted pursuant thereto, relating to the conduct of the guide while providing guide services.
- → For the purposes of this subsection, the term "conviction" means a final conviction. A forfeiture of bail or collateral deposited to secure a defendant's appearance or a plea of nolo contendere is equivalent to a conviction.
- 7. A guide's substantial breach of any contract with any person utilizing the guide's services, as determined by a court of competent jurisdiction.
- 8. Operation by a guide in an area other than that for which the guide is specifically authorized by the federal land management agency having jurisdiction.
  - 9. The employment or use of an unlicensed subguide by a master guide.
- 10. Two or more convictions of any provision of <u>chapters 484A</u> to <u>484E</u>, inclusive, or chapter <u>488</u> of NRS or an equivalent provision of law of any other state or the Federal Government relating to driving a motor vehicle or operating a boat while under the influence of an intoxicating liquor or a controlled substance within the 7 years immediately preceding the application for a license to be a guide.
- 11. A conviction of any provision of <u>chapter 453</u> of NRS or an equivalent provision of law of any other state or the Federal Government relating to controlled substances within the 5 years immediately preceding the application for a license to be a guide.
- 12. Failing to report to the Division of Law Enforcement of the Department, without undue delay, any violation of the wildlife laws or regulations pertaining to the unlawful killing, possession or waste of any wildlife of which the guide has personal knowledge.
  - 13. Shooting, killing or taking a client's wildlife.
  - 14. Failing to comply with any provision of <u>NAC 504.663</u>, <u>504.685</u> or <u>504.688</u>.
- 15. Providing guide services relating to hunting or fishing on public land or public waters without having the necessary special use permit issued by the federal land management agency having jurisdiction within the wildlife management area or unit.
  - 16. Providing guide services relating to hunting or fishing on private land in violation of NRS 503.240.

- 17. Intimidating, threatening or intentionally interfering with a person who is lawfully hunting, fishing or trapping, or who is attempting to do so.
- 18. Revocation of a hunting, fishing or trapping license of the guide in any state for the current hunting, fishing or trapping season.
  - 19. An outstanding warrant for the arrest of the applicant or guide issued in any state.

[Bd. of Fish & Game Comm'rs, No. 14 § 21.01-27, eff. 5-1-72; A 9-20-75]—(NAC A 5-1-82; A by Bd. of Wildlife Comm'rs, 9-15-89; 9-13-91; R054-04, 8-25-2004; R110-05, 10-31-2005; R006-10, 6-30-2010; R053-13, 6-23-2014)

#### NAC 504.676 Termination of employment of subguide. (NRS 501.105, 501.181, 504.390)

- 1. A master guide shall notify the Department electronically or in writing within 10 days after terminating the employment of a subguide.
  - 2. Upon receipt of the notification required pursuant to subsection 1, the Department shall:
  - (a) If the subguide is licensed under only one master guide, immediately suspend the license of the subguide; or
- (b) If the subguide is licensed under more than one master guide, suspend the portion of the subguide license that pertains to the master guide described in subsection 1.

(Added to NAC by Bd. of Wildlife Comm'rs by R054-04, eff. 8-25-2004; A by R053-13, 6-23-2014)

#### NAC 504.681 Habitual violators. (NRS 501.105, 501.181, 504.390)

- 1. An application for a license as a master guide or a subguide may be permanently denied if the applicant is a habitual violator.
- 2. For the purposes of this section, "habitual violator" means a person who has been previously convicted of three or more violations, or combination of violations, of title 45 or <u>chapter 488</u> of NRS, including regulations adopted pursuant thereto, or the equivalent provisions of the law of any other state or federal law within any 7-year period.

[Bd. of Wildlife Comm'rs, No. 120 § 17, eff. 11-5-81]—(NAC A 9-13-91; R053-13, 6-23-2014)

#### **Operation**

#### NAC 504.685 Contracts with clients. (NRS 501.105, 501.181, 504.390)

- 1. Before providing a service to a client, a licensed master guide must furnish the client with a contract:
- (a) Stating:
- (1) The type of service to be provided, including, without limitation, food, lodging, transportation, caping, field dressing services and the packing out of harvested wildlife.
  - (2) The dates on which guide services are to be provided.
  - (3) The fee schedule for the guide's services.
  - (4) The maximum number of clients which may accompany a guide on any one occasion.
  - (5) The master guide's policy regarding the cancellation and amendment of a contract for guide services.
  - (6) The master guide's policy regarding the return of a deposit if the contract is cancelled.
  - (7) Whether the client can expect to be guided by a person other than the master guide.
  - (b) Signed by the master guide and the client.
  - 2. A contract must be provided to every client whether or not the master guide does the actual guiding.
- 3. A master guide shall provide the client with a contract signed by the master guide within 30 days after receipt of a deposit for future guide services.
  - 4. Only the master guide may enter into a contract with a client.
- 5. A subguide, with authorization from the master guide, may present a contract to a client for the purpose of obtaining the client's signature. If a subguide presents a contract to a client:
  - (a) The contract must contain the original signature of the master guide;
- (b) The subguide shall not alter the provisions of the contract unless he or she receives authorization from the master guide; and
  - (c) If applicable, the subguide shall initial and date any alterations made to the contract.
  - 6. The master guide shall retain all original signed contracts for not less than 3 years.

- 7. If requested, the master guide shall provide any contracts to an agent of the Department authorized to enforce the provisions of NAC 504.590 to 504.711, inclusive.
- 8. Whenever guiding in this State, a nonresident master guide shall keep copies of all contracts for clients guided in the State during the current calendar year readily available for inspection by any agent of the Department.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 9-15-89; A by R054-04, 8-25-2004)—(Substituted in revision for NAC 504.665)

#### NAC 504.688 Records regarding clients. (NRS 501.105, 501.181, 504.390)

- 1. Licensed master guides and subguides shall keep and have available complete, current and accurate records regarding their clients.
- 2. Records regarding clients must be written on forms furnished by the Department to all licensed master guides. These forms will include spaces for:
  - (a) The client's name.
  - (b) The client's hunting or fishing license number, whichever is applicable.
  - (c) The client's tag or permit number, if a tag or permit is required by the Department.
  - (d) The dates, specifying the days, months and years, on which the client was guided.
- (e) The date, specifying the day, month and year, on which each species of wildlife was harvested, the species harvested and the number of the species harvested.
  - (f) The point class of the animal harvested if the animal is a deer or elk.
  - (g) The management unit where each animal was harvested.
  - (h) The name of each of the guides who guided the client.
  - 3. A guide shall:
- (a) Make the initial entry in the records that are required pursuant to subsection 2 on the first day that he or she provides guide services to the client; and
- (b) Make the final entry in the records required pursuant to subsection 2 on the final day guide services are provided to the client.
- 4. The master guide shall submit to the Department all original record forms for his or her clients for the immediately preceding license year, including the record forms of any subguides employed by the master guide, by certified mail, return receipt requested, not later than the last day of May of the year for which the guide is currently licensed. If:
- (a) No clients were guided during the immediately preceding license year, the master guide shall submit one page from his or her client record book and one page from the client record book of each subguide employed by the master guide, with the notation "no clients" written on the page.
- (b) A master guide fails to submit the record forms for his or her clients on or before the last day of May, the Department will give the master guide electronic or written notice of that fact. If the master guide fails to submit the required forms on or before June 30, the Department may deny the master guide's application for renewal for the next ensuing license year.
- (c) A master guide fails to submit the record forms for his or her clients on or before the last day of May two or more times within a 3-year period, the Department may deny the master guide's application for renewal for the next ensuing license year.
- 5. The master guide and subguide shall present his or her clients' records for inspection at any reasonable hour or place to any agent of the Department authorized to enforce the provisions of <u>NAC 504.590</u> to <u>504.711</u>, inclusive.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 9-15-89; A 3-13-97; R054-04, 8-25-2004; R110-05, 10-31-2005; R053-13, 6-23-2014)

NAC 504.693 Possession or availability of license, special use permit and annual letter of authorization while with client. (NRS 501.105, 501.181, 504.390) At all times while transporting, providing a service to or otherwise in the company of a client, a master guide or subguide shall carry on his or her person or otherwise have readily available:

- 1. His or her valid master guide or subguide license issued by the Department or a legible, unaltered copy of the license; and
- 2. If applicable, the valid original or a legible, unaltered copy of the portion of the special use permit and annual letter of authorization issued to the master guide by the federal land management agency having jurisdiction within the wildlife management area or unit that contains the:

- (a) Name of the master guide or the name of his or her guiding business; and
- (b) Description of the wildlife management area or unit, or other geographic area where the master guide is authorized to guide pursuant to the special use permit.

(Added to NAC by Bd. of Wildlife Comm'rs by R054-04, eff. 8-25-2004; A by R053-13, 6-23-2014)

NAC 504.696 Maintenance of certification in first aid. (NRS 501.105, 501.181, 504.390) While licensed by the Department as a master guide or subguide, a person must maintain current certification in the administration of standard first aid.

(Added to NAC by Bd. of Wildlife Comm'rs by R054-04, eff. 8-25-2004)

NAC 504.701 Guiding hunt for mountain lion, black bear or bobcat. (NRS 501.105, 501.181, 504.390) A master guide who is hired to guide a hunt for a mountain lion, black bear or bobcat shall ensure that his or her client physically accompanies the master guide or his or her subguide within close proximity during the entire pursuit and taking of the mountain lion, black bear or bobcat.

(Added to NAC by Bd. of Wildlife Comm'rs, 1-22-87, eff. 2-1-87; A 9-13-91; R053-13, 6-23-2014)

#### NAC 504.706 Transportation of big game mammals. (NRS 501.105, 501.181, 504.390)

- 1. A licensed master guide or subguide may transport a big game mammal taken by his or her client from the location where the mammal was harvested without first obtaining a transportation permit in accordance with <u>NRS</u> 503.040 if:
- (a) The big game mammal has been tagged in accordance with <u>NAC 502.400</u> and the tag has been properly validated in accordance with <u>NAC 502.390</u>; and
- (b) The master guide or subguide transports the big game mammal in accordance with the conditions established on his or her master guide license only to a commercial or private facility within the State, including any cold storage locker, trailer or walk-in facility offered as a service to its customers, for the purpose of preserving the meat or carcass of the big game mammal.
- 2. During any reasonable hour, upon the request of an agent of the Department authorized to enforce the provisions of title 45 of NRS, a master guide or subguide shall present any big game mammal which he or she is transporting or has transported pursuant to this section.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 3-13-97; A by R054-04, 8-25-2004)—(Substituted in revision for NAC 504.656)

NAC 504.711 Prohibited acts. (NRS 501.105, 501.181, 504.390) A master guide licensed by the Department shall not:

- 1. Enter into a contract to provide a service in a wildlife management area or unit for which the guide does not possess a valid special use permit, if applicable, issued by the federal land management agency having jurisdiction within the wildlife management area or unit.
- 2. Sign or submit an application for a restricted nonresident deer tag pursuant to NAC 502.4231 related to a wildlife management area or unit, or for a hunter choice number representing a wildlife management area or unit, for which the master guide does not possess a valid special use permit required by the federal land management agency having jurisdiction within the wildlife management area or unit.

(Added to NAC by Bd. of Wildlife Comm'rs by R054-04, eff. 8-25-2004; A by R053-13, 6-23-2014)

#### **NEVADA REVISED STATUTES (NRS)**

NRS 502.149 Restricted nonresident deer tags: Guide to accompany hunter during hunt. A restricted nonresident deer hunter must be accompanied at all times during the restricted nonresident deer hunt by the licensed master guide who cosigned the application or one of the master guide's licensed subguides.

NRS 504.390 Licensing; records; regulations. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

- 1. As used in this section, unless the context otherwise requires:
- (a) "Compensation" means any remuneration given in exchange for providing guide service which is predicated on a business relationship between the parties. The term does not include any reimbursement for shared trip expenses, including, without limitation, expenses for gasoline, food or any other expenses that are generally associated with persons who are engaging in recreational hunting or fishing together.
- (b) "Guide" means to assist another person for compensation in hunting wild mammals or wild birds and fishing and includes the transporting of another person or the person's equipment to hunting and fishing locations within a general hunting and fishing area whether or not the guide determines the destination or course of travel.
- 2. Each person who provides guide service for compensation or provides guide service as an incidental service to customers of any commercial enterprise, whether a direct fee is charged for the guide service or not, must obtain a master guide license from the Department. Such a license must not be issued to any person who has not reached 21 years of age.
- 3. Except as otherwise provided in this subsection, each person who assists a person who is required to have a master guide license and acts as a guide in the course of that activity must obtain a subguide license from the Department. Such a license must not be issued to any person who has not reached 18 years of age. The provisions of this subsection do not apply to a person who:
- (a) Is employed by or assists a person who holds a master guide license solely for the purpose of cooking, cutting wood, caring for, grooming or saddling livestock, or transporting a person by motor vehicle to or from a public facility for transportation, including, without limitation, a public airport.
- (b) Holds a master guide license which authorizes the person to provide services for the same species and in the same areas as the guide who employs him or her or requests the person's assistance and has submitted to the Department a notarized statement which indicates that the person is employed by or provides assistance to the guide. The statement must be signed by both guides.
  - 4. Fees for master guide and subguide licenses must be as provided in NRS 502.240.
- 5. Any person who desires a master guide license must apply for the license on a form prescribed and furnished by the Department. The application must contain such information as the Commission may require by regulation. If that person was not licensed as a master guide during the previous licensing year, the person's application must be accompanied by a nonrefundable fee of \$1,500.
- 6. Any person who desires a subguide license must apply for the license on a form prescribed and furnished by the Department. If that person was not licensed as a subguide during the previous licensing year, the person's application must be accompanied by a nonrefundable fee of \$50.
- 7. It is unlawful for the holder of a master guide license to operate in any area where a special use permit is required without first obtaining a permit unless the holder is employed by or providing assistance to a guide pursuant to subsection 3.
- 8. The holder of a master guide license shall maintain records of the number of hunters and anglers served, and any other information which the Department may require concerning fish and game taken by such persons. The information must be furnished to the Department on request.
- 9. If any licensee under this section, or person served by a licensee, is convicted of a violation of any provision of this title or <u>chapter 488</u> of NRS, the Commission may revoke the licensee of the licensee and may refuse issuance of another licensee to the licensee for a period not to exceed 5 years.
  - 10. The Commission may adopt regulations covering the conduct and operation of a guide service.

11. The Department may issue master guide and subguide licenses that are valid only in certain management areas, management units or administrative regions in such a manner as may be determined by the regulations of the Commission.

[Part 84:101:1947; A 1949, 292; 1943 NCL § 3035.84]—(NRS A 1969, 1374; 1971, 577; 1985, 1353; 1987, 1454; 1989, 1781; 1991, 269, 1576; 1993, 1680; 1997, 2087; 2003, 1556, 2552; 2005, 1312, 1313; 2009, 446, 447, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 504.393 Submission of certain information regarding holder of license to Division of Welfare and Supportive Services of Department of Health and Human Services. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] The Department shall, upon request of the Division of Welfare and Supportive Services of the Department of Health and Human Services, submit to the Division of Welfare and Supportive Services the name, address and social security number of each person who holds a master guide license or subguide license and any pertinent changes in that information.

(Added to NRS by 1997, 2086; A 2003, 1557)

#### NRS 504.395 Acting as guide without license; penalty; forfeiture; revocation.

- 1. Any person who purposefully or knowingly acts as a master guide or as a subguide without first obtaining a license pursuant to NRS 504.390 is guilty of:
  - (a) For a first offense, a gross misdemeanor.
  - (b) For a second or subsequent offense, a category E felony and shall be punished as provided in NRS 193.130.
- 2. Any vessel, vehicle, aircraft, pack or riding animal or other equipment used by a person operating in violation of subsection 1 is subject to forfeiture upon the conviction of that person of a gross misdemeanor or felony if that person knew or should have known that the vessel, vehicle, aircraft, animal or equipment would be used in violation of subsection 1.
- 3. In addition to any penalty imposed pursuant to subsection 1, if a person is convicted of violating a provision of that subsection, the Commission shall:
  - (a) Revoke any license, permit or privilege issued to that person pursuant to this title; and
  - (b) Refuse to issue any new license, permit or privilege to the person for 5 years after the date of the conviction. (Added to NRS by 1987, 1454; A 2009, 449)

#### NRS 504.397 Compensation of master guide or subguide; proof of licensure; penalty.

- 1. A person shall not, directly or indirectly, knowingly compensate a person who holds himself or herself out as providing guide service or engaging in business as a master guide or subguide, or acting in any other capacity for which a master guide license or subguide license is required pursuant to NRS 504.390, unless the person acting in that capacity provides proof that he or she is a holder of such a master guide license or subguide license to the person providing the compensation.
  - 2. A person who violates the provisions of subsection 1 is guilty of a misdemeanor. (Added to NRS by  $\underline{2009}$ ,  $\underline{446}$ )
- NRS 504.398 Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]
- 1. If the Department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a master guide license or subguide license, the Department shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Department shall reinstate a master guide license or subguide license that has been suspended by a district court pursuant to NRS 425.540 if the Department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

(Added to NRS by <u>1997</u>, <u>2086</u>; A <u>2003</u>, <u>1557</u>)