

HOUSE BILL NO. HB0095

Game road kill.

Sponsored by: Representative(s) Zwonitzer, Burt, Gray,
Hunt, Newsome, Paxton, Sweeney and Wharff
and Senator(s) Driskill and Hutchings

A BILL

for

1 AN ACT relating to game and fish; authorizing rules to
2 provide for the collection of road killed animals;
3 providing restrictions; imposing a prior authorization fee;
4 and providing for an effective date.

5

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

7

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

9

10 **23-3-310. Possession of road killed wildlife.**

11

12 (a) The commission shall, in consultation with the
13 state transportation commission, adopt rules to establish a
14 program whereby any person desiring to possess wildlife
15 killed as a result of unintentional motor vehicle

1 collisions on any public road or highway in the state of
2 Wyoming is permitted to do so, provided that he collects
3 the entire road killed animal, both edible and inedible
4 portions and possesses one (1) of the following:

5
6 (i) A certificate of prior authorization from
7 the department. Certificates of prior authorization may be
8 issued through the director to any person or entity which
9 commits to putting road killed wildlife carcasses to a
10 beneficial use. A certificate shall only be issued for a
11 fee of forty dollars (\$40.00). The department shall deposit
12 fifty percent (50%) of the fees collected under this
13 paragraph into the Wyoming game and fish fund and the
14 remaining fifty percent (50%) shall be transmitted to the
15 state treasurer to be credited to the wildlife conservation
16 account created by W.S. 31-2-231(b);

17
18 (ii) A valid scientific or educational
19 collecting license for the specific species issued pursuant
20 to W.S. 23-1-302(a)(xiii); or

21
22 (iii) A donation certificate or Wyoming
23 interstate game tag issued by the department, including a

1 certificate or tag issued electronically. Unless otherwise
2 provided by rule of the commission, a person desiring to
3 possess a road killed animal shall contact the department
4 before taking possession of an animal to obtain a donation
5 certificate. The rules may provide that a person requesting
6 the donation certificate may have to present the animal for
7 inspection to verify its possession meets the criteria of
8 the regulation.

9

10 (b) None of the provisions of this section shall
11 apply to bighorn sheep, gray wolves within any area of the
12 state where gray wolves are classified as trophy game
13 animals, grizzly bears, mountain goats, wildlife species
14 covered under the federal Migratory Bird Treaty Act,
15 federal threatened or endangered species or those species
16 whose possession is prohibited by federal or state statute
17 or regulation.

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19 (c) Nothing in this section shall authorize the
20 possession of any illegally taken wildlife or wildlife
21 found dead.

22

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

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

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9 **23-3-106. Wyoming game and Wyoming interstate game**
10 **tags; when required.**

11

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

18

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

22

1 (ii) The transportation is by a properly
2 licensed bird or small game hunter in possession of not
3 more than his daily bag or possession limit~~i~~ or

4

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

7

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

9

10

(END)