

R657. Department of Natural Resources, Wildlife Resources.

R657-46. The Use of Game Birds in Dog Field Trials and Training.

R657-46-1. Purpose and Authority.

Under authority of Sections 23-14-18, 23-14-19 and 23-17-9 this rule provides the requirements, standards, and application procedures for the use of game birds in dog field trials and training.

R657-46-2. Definitions.

(1) Terms used in this rule are defined in Section 23-13-2.

(2) In addition:

(a) "Field trial" means an organized event where the abilities of dog handlers and their dogs are evaluated, including the ability of the dogs to hunt or retrieve game birds.

(b) "Game bird" means:

(i) crane;

(ii) dusky, ruffed, sage, sharp-tailed, and spruce grouse;

(iii) chukar, red-legged, and gray partridges;

(iv) pheasant;

(v) band-tailed pigeon;

(vi) northern bobwhite, California, Gambel's, Montezuma, mountain, and scaled quail;

(vii) waterfowl;

(viii) common ground, Inca, mourning, and white-winged dove;

(ix) wild or pen-reared wild turkey of the following subspecies:

(A) eastern;

(B) Florida or Osceola;

(C) Gould's;

(D) Merriam's;

(E) ocellated; and

(F) Rio Grande; and

(x) ptarmigan.

(c) "Quad flyer test" means throwing pen-reared game birds by hand from four fixed stations and shooting of the pen-reared game birds one immediately after the other.

(d) "Train" or "training" means the informal handling, exercising, teaching, instructing, and disciplining of dogs in the skills and techniques of hunting and retrieving game birds characterized by absence of fees, judging, or awards.

R657-46-3. Application for a Field Trial Certificate of Registration.

(1)(a) A person may conduct a field trial using pen-reared game birds provided that person applies for and obtains a certificate of registration from the Division of Wildlife Resources, except as provided in Subsection (b).

(b) A person may conduct a field trial using pen-reared game birds on a commercial hunting area without obtaining a certificate of registration.

(2) Applications are available at any division office.

(3) The application must include written permission from the owner, lessee, or

land management agency of the property where the field trial is to be conducted.

~~—— (4)(a) Applications must be submitted to the appropriate regional division office where the field trial is being held.~~

~~—— (b) Applications must be received at least 45 days prior to the date of the field trial.~~

~~—— (5) The division will not approve any application for an area where, in the opinion of the division, the field trial or the release of pen-reared game birds interferes with wildlife, wildlife habitat or wildlife nesting periods.~~

~~—— (6) Field trials may be held only during the dates and within the area specified on the field trial certificate of registration.~~

~~R657-46-4. Use of Pen-Reared Game Birds for Field Trials.~~

~~—— (1) Legally acquired pen-reared game birds may be possessed or used for field trials.~~

~~—— (2) Any person using pen-reared game birds must have an invoice or bill of sale in their possession showing lawful personal possession or ownership of such birds.~~

~~—— (3) Pen-reared game birds may not be imported into Utah without a valid veterinary health certificate as required in Rules R58-1 and R657-4.~~

~~—— (4)(a) Each pen-reared game bird must be marked with an aluminum leg band or other permanent marking before being released in the field trial, except as provided in Subsection (d).~~

~~—— (b) Aluminum leg bands may be purchased at any division office.~~

~~—— (c) The aluminum leg band or other permanent marking must remain attached to the pen-reared game bird.~~

~~—— (d) Each pen-reared game bird used in a field trial that is conducted on a commercial hunting area may be released without marking each pen-reared game bird, as with an aluminum leg band.~~

~~—— (5) Pen-reared game birds used for a field trial may be released only on the property specified in the certificate of registration where the field trial is conducted.~~

~~—— (6) After release, pen-reared game birds may be taken:~~

~~—— (a) by the person who released the pen-reared game birds, or by any person participating in the field trial; and~~

~~—— (b) only during the dates of the field trial event as specified in the certificate of registration.~~

~~—— (7) Wild game birds may be taken only during legal hunting seasons as specified in the Upland Game or Waterfowl proclamations of the Wildlife Board.~~

~~—— (8) Pen-reared game birds acquired for a field trial that are not released may be held in possession:~~

~~—— (a) no longer than 60 days; or~~

~~—— (b) longer than 60 days provided the person possessing the pen-reared game birds first obtains a private aviculture certificate of registration as provided in Rule R657-4.~~

~~—— (9) Pen-reared game birds that leave the property where the field trial is held at the end of the field trial shall become the property of the state of Utah and may not be taken, except during legal hunting seasons as specified in the Upland Game or Waterfowl proclamations of the Wildlife Board.~~

~~R657-46-5. Use of Pen-Reared Game Birds for Dog Training.~~

~~———— (1) A person may train a dog using legally acquired pen-reared game birds provided:~~

~~———— (a) the person using the pen-reared game birds has an invoice or bill of sale in their possession showing lawful personal possession or ownership of the pen-reared game birds;~~

~~———— (b) each pen-reared game bird must be marked with an aluminum leg band or other permanent marking before being released for training, except as provided in Subsection (3)(a);~~

~~———— (c) any pheasant released during training must be marked with a visible streamer or tape at least 12 inches in length before being released, and any pheasant killed during training must have the streamer or tape attached when killed; and~~

~~———— (d) the use of dogs complies with Rules R657-6, R657-9, and R657-54.~~

~~———— (2) Aluminum leg bands may be purchased at any division office.~~

~~———— (3)(a) Each pen-reared game bird used for dog training that is conducted on a commercial hunting area may be released without marking each pen-reared game bird with an aluminum leg band or other permanent marking.~~

~~———— (b) Any pheasant released during training on a commercial hunting area may be released without marking as provided in Subsections (1)(b) and (1)(c).~~

~~———— (4) The training may not consist of more than four dogs at any time, except the training may consist of more than four dogs provided:~~

~~———— (a) the dogs exceeding four in number are eight months of age or younger; and~~

~~———— (b) no live ammunition is in possession of the person or persons engaged in training the dogs.~~

~~———— (5) A person or group of persons may not release more than ten pen-reared game birds per day or three pen-reared game birds per dog per day, whichever is greater.~~

~~———— (6) A person or group of persons may not use more than three firearms at any time, except four firearms may be used when training retrievers using the American Kennel Club quad flyer test.~~

~~———— (7) Pen-reared game birds acquired for training that are not released may be held in possession:~~

~~———— (a) no longer than 60 days; or~~

~~———— (b) longer than 60 days provided the person possessing the pen-reared game birds first obtains a private aviculture certificate of registration as provided in Rule R657-4.~~

~~———— (8) Pen-reared game birds that are not recovered on the day of the training or pen-reared game birds that escape shall become property of the state of Utah and may not be recaptured or taken, except during legal hunting seasons as specified in the Upland Game and Waterfowl proclamations of the Wildlife Board.~~

~~———— (9) A person training dogs on official dog training areas, designated by the division, is not required to comply with Subsection (1)(c) or Subsections (4), (5) or (6).~~

~~R657-46-6. Use of Wild Game Birds for Dog Training.~~

~~———— (1) A person may train a dog on wild game birds provided:~~

~~_____ (a) the dog, or the person training the dog, may not harass, catch, capture, kill, injure, or at any time, possess any wild game birds, except during legal hunting seasons as provided in the Upland Game or Waterfowl proclamations of the Wildlife Board;~~

~~_____ (b) the use of dogs complies with Rules R657-6, R657-9, and R657-54;~~

~~_____ (c) the person training a dog on wild game birds, except during legal hunting seasons:~~

~~_____ (i) may not possess a firearm, except a pistol firing blank cartridges;~~

~~_____ (ii) must comply with city and county ordinances pertaining to the discharge of any firearm;~~

~~_____ (iii) must obtain written permission from the landowner for training on properly posted private property.~~

~~_____ (2) The firearm restrictions set forth in this section do not apply to a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed weapon to hunt or take wildlife.~~

KEY: ~~wildlife, birds, dogs, training~~

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