

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 30 WILDLIFE ADMINISTRATION
PART 9 GAME AND FISH LICENSES/PERMITS

19.30.9.1 ISSUING AGENCY: New Mexico Department of Game and Fish.

[12-20-94; 19.30.9.1 NMAC - Rn, 19 NMAC 30.1.1, 7-16-01]

19.30.9.2 SCOPE: License vendors and individuals utilizing the special use of wildlife licenses and permits.

[12-20-94; 19.30.9.2 NMAC - Rn, 19 NMAC 30.1.2, 7-16-01]

19.30.9.3 STATUTORY AUTHORITY: 17-1-14, 17-3-5, 17-3-7, and 17-3-12 NMSA 1978 provide that the New Mexico state game commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected species.

[12-20-94; 19.30.9.3 NMAC - Rn, 19 NMAC 30.1.3 & A, 7-16-01]

19.30.9.4 DURATION: Permanent.

[12-20-94; 19.30.9.4 NMAC - Rn, 19 NMAC 30.1.4, 7-16-01]

19.30.9.5 EFFECTIVE DATE: December 20, 1994.

[12-20-94; 19.30.9.5 NMAC - Rn, 19 NMAC 30.1.5, 7-16-01]

19.30.9.6 OBJECTIVE: Establishing financial liability of license vendors for unaccountable license or stamp documents, bonding requirements for license vendors, and the vendor fee per license. Establishing certain licenses, permits, certificates and fees for special uses of wildlife.

[12-20-94; 19.30.9.6 NMAC - Rn, 19 NMAC 30.1.6, 7-16-01]

19.30.9.7 DEFINITIONS:

- A. "Vendor" shall mean any owner(s) of a private or public business concern authorized by the New Mexico department of game and fish to sell license documents.
- B. "License document(s)" shall mean any license form that authorizes a person to legally hunt, fish, or trap in New Mexico.
- C. "Stamp documents" shall mean stamps issued by the department of game and fish for hunting, fishing, and trapping purposes.
- D. "Maximum value" shall mean the highest cost of all license types as presented on the license document.
- E. "Financial liability" shall mean the dollar value owed for unaccountable licenses.
- F. "License year" shall mean the period of April 1 through March 31.
- G. "Hearing officer" shall mean the official designated by the state game commission for the purpose of hearing and recommending to the state game commission, vendor financial liability for unaccountable license or stamp document(s).
- H. "Telephone sales" shall mean the selling of license documents over voice or data lines by a vendor.

[12-20-94; 19.30.9.7 NMAC - Rn, 19 NMAC 30.1.7 & A, 7-16-01]

19.30.9.8 LICENSE VENDORS:

A. Assessment of financial liability:

- (1) First occurrence during a license year: A dollar value per missing license or stamp document shall be levied upon the license vendor. The dollar value shall be an amount equal to the average dollar value of that vendor's licenses sold the previous license year.
- (2) Subsequent occurrences during a license year: A dollar value equal to the maximum value of the missing document(s) may be levied upon any license vendor unable to account for any license documents issued.
- (3) A license vendor must appear before a hearing officer in order to have a hearing with respect to financial liability. A vendor may waive his right to a hearing and when he does so he agrees to pay to the department the appropriate amount as specified in Paragraphs 1 and 2 of Subsection A of 19.30.9.8 NMAC within ten (10) working days.
- (4) In the case of unusual mitigating or extraordinary circumstances, the state game commission may determine, and the hearing officer may recommend, financial liability in an amount other than the amounts described in Paragraphs 1 and 2 of Subsection A of 19.30.9.8 NMAC. The decision of the state game commission shall be final.

B. Vendor procedures and bonding requirements:

- (1) A list of vendor procedures, including bonding requirements shall be established and maintained by the director of New Mexico department of game and fish. A new license vendor must have a minimum of three (3) years as an established business in the same location prior to becoming a license vendor and must meet the minimum point criteria as set forth in the license vendor application. A reduction to the minimum years established as a business may be allowed if it is determined that the license vendor will be the sole vendor in the area and the license vendor provides a reasonable method to reduce any financial risk to the agency as specified by vendor procedures. A bonding requirement may be required of all approved vendors. The director of the New Mexico department of game and fish will determine the bond level based on the critical need for the vendorship and financial risk.
- (2) Each vendor shall follow the procedures set forth in the New Mexico department of game and fish license vendor manual.

C. Vendor fee:

- (1) Standard fee: Each license vendor shall collect and retain \$1.00 per license, permit or stamp document sold or issued.
- (2) Telephone sales fee: Each license vendor may collect the actual cost of shipping and handling not to exceed \$5.00 per license, permit or stamp document sold or issued.

[12-20-94, 3-31-98; 19.30.9.8 NMAC - Rn, 19 NMAC 30.1.8 & A, 7-16-01; A, 1-31-02]

19.30.9.9 ESTABLISHING CERTAIN LICENSES, PERMITS, CERTIFICATES AND FEES:

Licenses, permit, or certificate	Fee
A. Airborne hunting	\$10.00
B. Call pen	15.00
C. Class A lake	101.00
D. Additional Class A lake	26.00
E. Class A park	501.00
F. Field trial/importation	15.00
G. Falconry	25.00
H. Game bird propagation	10.00
I. Importation	
(1) protected ungulate:	
(a) initial \$500.00/source & up to 2 animals (valid 6 months)	
(b) for additional animals, not to exceed 30 ungulates from the same source property/owner \$50.00 per animal (if no acquisitions to source herd during 6 month period of validity)	
(c) for greater than 30 ungulates from the same source property/owner \$5.00 per animal (if no acquisitions to source herd during 6 months period of validity).	
(2) fish	
(a) annual application processing fee	25.00
(b) additional stocking and shipment fee	6.00
(3) non-domesticated animals per calendar year (1/1 to 12/31) except protected ungulates, game birds, fish or other:	
(a) class 1: importation of 1 to 5 animals	25.00
(b) class 2: importation of 6 to 99 animals	75.00
(c) class 3: importation of greater than 100 animals	300.00
(4) other (i.e., temporary importation, exhibition, game birds, restoration/recovery, etc.)	20.00
J. Protected mammal	10.00
K. Shooting preserve	200.00
L. Zoo	15.00
M. Scientific collecting/bird banding	15.00
N. Bait dealers	21.00
O. Transportation	0.00
P. Retention	1.25
Q. Triploid grass carp	25.00
R. Commercial fishing	25.00
S. Certificate of application:	
(1) NM resident	8.00
(2) Non-resident	20.00
T. Wildlife conservation stamp	10.00
U. Duplicate license	6.00
V. Landowner authorization certificate	9.00
W. Additional antelope permit tag	25.00
X. Migratory bird permit	0.00
Y. Big game depredation damage stamp resident	3.00
Z. Big game depredation damage stamp non-resident	10.00
AA. Public land user stamp	5.00
BB. Commercial collecting permit	50.00

[12-20-94, 3-31-98; 19.30.9.9 NMAC - Rn, 19 NMAC 30.1.9 & A, 7-16-01; A, 10-31-01, A, 12-28-01; A, 08-01-03; A, 3-16-09; A, 6-15-09; A/E, 7-9-10; A, 12-30-10]

HISTORY OF 19.30.9 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives:

Regulation No. 693, Establishing Certain Licenses, Permits, Certificates, And Fees, 4-20-92.

Regulation No. 702, Establishing Certain Licenses, Permits, Certificates, And Fees, 4-23-93.

Order No. 4-92, Amendment No. 1 To Regulation No. 693, Establishing Certain Licenses, Permits, Certificates, And Fees, 6-9-92.

Regulation No. 691, Establishing Financial Liability For Unaccounted For Licenses, 10-3-91.

History of Repealed Material: [RESERVED]