

General Rules

Licenses, applications, harvest reporting and general information: **1-888-248-6866**

Be Aware of What's Legal and What Isn't

New Mexico state laws make illegal: leaving unattended or improperly handling fire; discarding refuse on public or private land without permission; polluting streams, lakes and other water; damaging property; damaging or otherwise interfering with telephone wires or communications; reckless handling of firearms; and hunting while under the influence of alcohol or other intoxicants.

It is unlawful to:

- Hunt protected species without a valid New Mexico Game-hunting License and all applicable licenses, permits, stamps or validations.
- Hunt protected species using the licenses, permits, stamps or validations belonging to another individual.
- Kill more than one of the following: elk, pronghorn antelope, Barbary sheep, bighorn sheep, ibex, javelina, oryx, bear or deer during any license year, except as permitted by rule.
- Apply for, buy or use more than one license or tag for any species per license year.
- Take or attempt to take a protected species for another person, except as permitted when assisting a licensed mobility-impaired or handicapped hunter (pages 11, 12).
- Take or attempt to take game species by the aid of baiting or scenting. Knowingly take or attempt to take game species in a baited or scented area, except quail on private land. Individuals may use scent-masking agents on their person, but these agents may not be used to attract game species.
- Use live animals as blinds or decoys to take or attempt to take game species.
- Use electronically or mechanically recorded calling devices, except as permitted for protected furbearers, cougars and nongame species.
- Use tracer ammunition, full-metal jacketed bullets or fully automatic weapons.
- Park any motor vehicle or camp within 300 yards of any man-made water hole, water well or watering tank used by wildlife or domestic stock, without the prior consent of the private landowner, private-land lessee, public-land lessee or public-land management agency.
- Take or attempt to take game on, from or across any graded and maintained public road or within the fenced right-of-way of any paved road or highway or within 40 feet of the pavement or maintained surface if no right-of-way fence exists.
- Shoot at, pursue, harass, harr, drive or rally any protected species by use of or from a motor-driven vehicle, powerboat, sailboat, aircraft or drone.
- Use motor-driven vehicles on roads closed under the Habitat Protection Act or other federal regulation.
- Hunt from, signal locations of protected species to hunters from or harass game with aircraft; hunt protected species observed from aircraft within 48 hours of observation; or hunt protected species the same day of air travel, except by commercial airline or direct flight to a landing strip.

Furthermore, it is unlawful to:

- Shine spotlights or other artificial lights into areas where big-game species or livestock may be present, while in possession of any sporting arm, except as permitted by rule for raccoon (page 124).
- Discharge a firearm within 150 yards of a dwelling or building (not including abandoned or vacated buildings on public land) without the permission of the owner or lessee.
- Take any animal that is protected by law but not listed as game species and/or any animal that is listed as an endangered or threatened species.
- Drive or ride in a motor vehicle off established or two-track roads located in a hunting, trapping or angling area, if that vehicle is transporting a person licensed to hunt, fish or trap for species which are in season in that area. Established road means:
 1. A road built and/or maintained by equipment and which shows no evidence of ever being closed to vehicular traffic by such means as berms, ripping, scarification, reseeding, fencing, gates, barricades or posted closures.
 2. A road which shows use prior to the hunting season for purposes such as recreation, mining, logging and ranching and which shows no evidence of ever having been closed to vehicular traffic by such means as berms, ripping, scarification, reseeding, fencing, gates, barricades or posted closure.

For further information, complete hunting and fishing laws for the state of New Mexico are available online at: http://www.nmcp.state.nm.us/nmac/_title19/title19.htm.

Firearm Eligibility

Any applicant that is a felon according to New Mexico Law shall be restricted to the use of "ARCHERY EQUIPMENT ONLY" if successful in drawing an "any legal sporting arm" or "muzzleloader" type license.

In addition, any person that is a felon according to New Mexico Law shall be restricted to the use of "ARCHERY EQUIPMENT ONLY" if purchasing an over-the-counter license that allows for the use of a "firearm".

Per New Mexico statute 30-7-16 NMSA 1978, 'firearm' includes any handgun, rifle, muzzleloader or shotgun.

Harassment of Legal Hunters Is Unlawful

New Mexico Law (Chapter 17-2-7.1, NMSA 1978) prohibits "hunter harassment" or interfering with another who is lawfully hunting, trapping or fishing in an area where those activities are permitted. The first offense is a petty misdemeanor, the second a misdemeanor.

If a person committing interference possesses a license, certificate or permit issued to him/her by the New Mexico State Game Commission, the license, certificate or permit will be subject to revocation.

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Harassment of Legal Hunters Is Unlawful—continued.

Interference means:

1. Intentionally locating one's person where human presence may affect the behavior of a game animal, bird or fish, where human presence may interfere with the taking or killing of a game animal, bird or fish, and/or where human presence may interfere with another who is lawfully hunting, trapping or fishing.
2. Intentionally creating a visual, auditory, olfactory or physical stimulus to affect the behavior of a game animal, bird or fish and interfere with another who is lawfully hunting, fishing or trapping.
3. Intentionally altering, removing or affecting the placement or condition of personal property used for taking a game animal, bird or fish.

License Privileges Can Be Revoked

A varying number of points are assessed based on the type of violation committed. This includes providing false information when harvest reporting. Any person accumulating 20 points or more within a consecutive three-year period shall be considered for revocation and suspension of the following: all hunting, fishing and trapping license privileges; any guiding and outfitting registration; and/or any permit or certificate issued under Chapter 17, NMSA 1978 and its implementing rules.

Defendants who disagree with a revocation and suspension decision may request to be heard by an outside hearing officer. Recommendations for point assessment are made to the New Mexico State Game Commission, which can revoke a person's license privileges.

As a state participating in the Interstate Wildlife Violator Compact, New Mexico may recognize the suspension of license privileges of a person listed as a wildlife violator by another participating state. Contact NMDGF Field Operations for specific information at: (505) 476-8065.

Forfeitures

Sporting arms may be seized and forfeited if used to take, attempt to take, illegally possess or transport big game during a closed season; if used while exceeding the bag limit for big game during an open season; or if used to take or attempt to take big game with the use of a spotlight or artificial light except for raccoon (see page 124). Vehicles and sporting arms used by anyone charged with spotlighting or hunting with the aid of artificial light may be confiscated at the scene and are subject to forfeiture and sale upon conviction.

Substantial Civil Assessments for Poaching

To recover the loss to the public trust, the New Mexico State Game Commission has adopted substantial civil assessments for the illegal taking of trophy game animals. The maximum assessments are:

Elk	\$10,000
Deer.	\$10,000

Bighorn sheep	\$10,000
Ibex	\$10,000
Oryx	\$10,000
Pronghorn antelope	\$8,000
Barbary sheep	\$6,000
Turkey.	\$500
Trout	\$150

Criminal Fines for First Offenses

In addition to civil assessments, poachers may incur criminal fines for first offenses, including:

- Illegal taking or attempting to take elk, bighorn sheep, oryx, ibex or Barbary sheep and/or illegal selling of big-game meat \$1,000
- Illegal taking or attempting to take deer, pronghorn antelope, javelina, bear or cougar; exceeding the big-game bag limit; and/or falsely purchasing a resident license \$400
- Hunting with artificial light. \$300
- Attempting to exceed the big-game bag limit after having harvested an animal of the same species. \$200
- Hunting without a license or using another person's license. \$100
- Hunting without a Habitat Stamp or Habitat Management & Access Validation. . . \$50–500

For other offenses fines can range up to \$500 and/or six months of jail. For second, third and subsequent offenses fines increase substantially.

Federal Laws

Transporting illegally taken game across state lines is in violation of the federal Lacey Act. Such transport, if done in connection with commercial activity, may be classified as a felony.

Feral Hogs Are an Unprotected Species

Feral hogs damage habitat, contaminate water and compete with native wildlife. Because of the negative impact this non-native intruder causes, residents and nonresidents legally may hunt feral hogs year-round without a license. General hunting rules still apply—such as obtaining permission if hunting on private land, no hunting with the aid of an artificial light and no discharging of firearms within 150 yards of an occupied dwelling.

Feral hogs should not be confused with javelina, which look similar but are a protected game species. Javelina are smaller than feral hogs and do not have a tail. Javelina also have a white stripe of hair near the shoulders and neck, giving them the common name *collared peccary*.