**09-137 DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

**Chapter 25: LEASHED DOG TRACKING PERMIT RULES**

**25.01 SCOPE**

1. These rules shall be applicable to the use of one leashed dog to track wounded deer, moose or bear under the provisions of 12 M.R.S. §11111. Bear may be hunted with dogs pursuant to 12 M.R.S. §11251. These rules do not apply to the hunting of bears using dogs in accordance with 12 M.R.S. §11251, or the use of a dog by a licensed hunting guide to retrieve a wounded or killed bear, deer or moose after hours in accordance with 12 M.R.S. §12862.

**25.02 DEFINITIONS**

For the purposes of this rule, the following terms have the indicated meanings:

1. **Leashed Tracking Dog**: is a dog which is used to track and find wounded or dead deer, moose or bear pursuant to a permit issued as provided by this rule.
2. **Department**: for purposes of this rule chapter is the Department of Inland Fisheries & Wildlife.
3. **Dispatch**: to humanely kill.
4. **Permit**: a leashed tracking dog permit issued pursuant to 12 M.R.S. §11111, authorizing the use of a leashed tracking dog as specified in this rule.
5. **Permittee**: a person who is the holder of a leashed tracking dog permit.
6. **Physically Incapacitated**: incapable of participating in the act of tracking the wounded deer, moose or bear due to lack of physical capabilities.

**25.03 PERMIT**

A leashed tracking dog permit issued by the department entitles the permittee to:

1. Use one leashed tracking dog, at any time, with or without the aid of an artificial light, to track and find lawfully wounded or dead deer, moose or bear from the opening day of any season on deer, moose or bear through the 24 hour period immediately following the last day of any open season on deer, moose or bear.
2. Dispatch lawfully wounded deer, moose or bear that have been tracked and found in accordance with and pursuant to the conditions of this permit.
3. Temporarily possess a deer, moose or bear that has been dispatched by the permittee pursuant to the conditions of this permit.

**25.04 QUALIFICATIONS; LEASHED TRACKING DOG PERMIT**

Any person whose hunting license has been revoked within the last 5 years is not eligible to obtain this permit. Applicants for a permit must:

1. Possess a valid Maine hunting license that allows the hunting of all legal species;
2. Submit a completed application with a non‑refundable application fee of $25.00 (applicants applying to renew their permit are not required to pay the application fee). The application fee is separate from and in addition to the permit fee required under Chapter 25.05(1) below; and
3. Receive a grade of 80 percent or higher on a written examination administered by the department. The examination will be offered at least once a year and will test the applicant's knowledge of the department’s laws and rules, and other areas of knowledge as deemed necessary by the department. The examination will be waived for those individuals who possess a valid hunting guide license.
	1. **ISSUANCE; LEASHED TRACKING DOG PERMIT**

1. Applicants who meet the qualifications for a permit must submit a permit fee to the department in accordance with 12 M.R.S. §11111. The fee must be paid before the issuance of the permit.

2. The permit entitles a person to use a leashed tracking dog through December 31st of the 2nd complete year following the year of issuance.

3. The permit is valid only for the individual identified on the permit and is not transferable.

* 1. **CONDITIONS; LEASHED TRACKING DOG PERMIT**

1. A person who has lawfully wounded or killed, or reasonably believes he or she has lawfully wounded or killed a deer, moose or bear during any applicable open season on that animal may engage a permittee to track and recover the animal. That person must, unless physically incapacitated, accompany the permittee when tracking the animal. If that person is physically incapacitated, the permittee may track and dispatch the animal if the permittee is in possession of a written signed statement from that person listing: (a) the date; (b) the hunter's name, address, telephone number and license number, and (c) a certification that that person has engaged the permittee to track the animal that that person has wounded or killed, and that they are unable to accompany the permittee because of physical incapacitation.

2. No person other than the permittee or, during legal hunting periods, the person who has engaged the permittee, may carry a firearm, archery or crossbow equipment while tracking wounded or dead deer, moose or bear pursuant to this rule.

3. During legal hunting periods, the person who has engaged the permittee must dispatch the wounded deer, moose or bear by methods that are lawful during the season in which it was wounded (and in a lawful manner reduce the animal to legal possession). However, the permittee must dispatch the wounded animal if the legal hunting period has ended, when the hunter is not present, or, when in the judgment of the permittee it is unsafe or otherwise inappropriate for the hunter to do so.

4. The permittee may use a handgun legal for hunting deer, moose or bear in Maine to dispatch a wounded animal, at any time, during the open season on that animal, and during the 24 hour period immediately following the last day of any open season on deer, moose or bear provided that the permittee complies with all other provisions of federal, state and local laws and regulations concerning possession and discharge of firearms and the conditions of this permit.

5. Before tracking a wounded or dead animal, the permittee must notify, by telephone or in person, the nearest available game warden assigned to the area where the deer, moose or bear was killed or wounded. Notification must include:

A. The name of the permittee,

B. The name, address, telephone number, and big game license number of the person engaging the permittee,

C. The general location of the wounded animal.

6. The permittee must maintain physical control of the leashed tracking dog at all times while conducting activities pursuant to such permit by means of a lead attached to the dog's collar or harness. This lead must be at least twelve (12) feet in length.

7. The permittee may charge a fee for these dog tracking services without possessing a valid guide license pursuant to 12 M.R.S. §11111(3).

8. After a deer, moose or bear has been dispatched, the licensed hunter must immediately fill out the appropriate transportation tag in accordance with 12 M.R.S. §§ 11502, 11653 and 11352, respectively. If that person has not accompanied the permittee because of physical incapacitation, the permittee must immediately deliver the deer, moose or bear to that person and that person must immediately fill out the appropriate transportation tag. The permittee must sign the hunter's transportation tag and include their license number. If that person is unavailable the permittee must report the incident to a game warden and deliver the animal to the officer.

9. The permittee must personally carry a valid hunting license that allows the hunting of all legal species and a valid leashed tracking dog permit when conducting activities pursuant to this rule.

10. The permittee must notify the department, in writing, of any change of address within 30 days of that change of address.

11. The permittee must submit to the department a written request for permit renewal.

STATUTORY AUTHORITY: 12 M.R.S. §§ 10104, 11111

EFFECTIVE DATE:

 May 21, 2000 – filing 2000-192 (Final adoption, major substantive), as “Leashed Tracking Dog License Rules”

AMENDED:

 September 12, 2004 - filing 2004-387

 April 17, 2016 – filing 2016-066, as “Leashed Dog Tracking Permit Rules”