

Prohibitions

It is illegal to:

- hunt in state parks, in safety zones in state forests or wildlife management areas, and in Harpers Ferry National Historical Park.
- shoot, hunt or trap upon the fenced or posted grounds or lands of another person without having in your possession written permission from the landowner.
- have a loaded firearm or a firearm with an attached magazine from which all shells have not been removed in or on any vehicle or conveyance or its attachments. You can have a loaded clip or magazine in the vehicle as long as it is not in or attached to the firearm. Exception for concealed weapons permit holders (see page 5).
- carry an uncased or loaded firearm in the woods, except during open firearms hunting seasons. It is legal to hunt unprotected species of wild animals, wild birds and migratory game birds during the open season in fields, waters and marshes.
- hunt with a fully automatic firearm.
- hunt small game in counties having a bucks-only season during the first three days of this season. It *is* legal to hunt waterfowl during this period on lakes, rivers, and waterways during the open waterfowl season, to hunt bear in specified counties and to hunt coyotes.
- hunt deer, bear or boar between ½ hour after sunset and ½ hour before sunrise.
- be afield with a gun and bow, or with a gun and any arrows, except for concealed weapons permit holders (see page 5).
- carry an uncased gun in or on a vehicle between 5 p.m. and 7 a.m. E.S.T. from October 1 - June 30; and between 8:30 p.m. and 5 a.m. E.S.T. from July 1 - September 30.
- carry an uncased or loaded gun after 5 a.m. on Sunday in counties which prohibit Sunday hunting except at a regularly-used firearm range, or except as provided in the trapping regulations.
- shoot a firearm within 400 feet of a school or church, or within 500 feet of a dwelling, or on or near a park or other place where persons are gathered for pleasure.
- hunt while under the influence of alcohol.
- for anyone under the age of 15 to hunt on public land or the lands of another unless accompanied by a licensed adult who remains near enough to render advice and assistance.
- hunt or fish with a modified bow without a special permit issued by the Director.
- get out of a motor vehicle along a public road and shoot a bow or firearm unless you are at least 25 yards from the vehicle.
- shoot an animal unless it is plainly visible.
- shoot at a deer or boar while it is in water.
- hunt or conduct hunts for a fee where the hunter is not physically present in the same location as the wildlife being hunted.
- use or take advantage of artificial light in hunting, locating, attracting, or trapping wild birds or wild animals while in possession or control of a firearm, whether cased or uncased, bow, arrow, or other implement suitable for taking, killing or trapping a wild bird or animal. However, lights ordinarily carried on the person may be used for taking raccoon, skunk and opossum. Coyotes may be hunted using amber- or red-colored artificial light in open season (see page 7). No person shall be guilty merely because he uses an artificial light to look for, at, or attract a wild bird or animal, unless he has in his possession a firearm, whether cased or uncased, bow, arrow, or other implement suitable for taking, killing or trapping a wild bird or animal, or unless the artificial light (other than the headlamps of a vehicle or other land conveyance) is attached to, a part of, or used from a vehicle or other land conveyance.
- smoke wildlife from its den or place of refuge except as provided by law or regulation.
- hunt with a crossbow or have a crossbow afield.
- catch or kill, or attempt to do so by seine, net, bait, trap, deadfall, snare, or like device, any bear, game bird, protected bird or mammal, or wild boar.
- bait or feed bear.
- hunt or shoot at wild animals or birds from an airborne conveyance, from a vehicle or other land conveyance, from a motor-driven water conveyance, or from or across a public road, unless specifically authorized to do so by law or regulation. You may shoot from a motorized watercraft if the motor has been completely shut off and progress from the motor has ceased.
- use poisons, chemicals or explosives in taking any furbearing animal, game animal, game bird or protected song and insectivorous bird, provided that groundhogs may be controlled on private land by landowners, their resident children or resident parents, or a resident tenant from April 1 through September 30.
- use shot larger than No. 4 or solid ball ammunition, except for .22 caliber or smaller rimfire during the bucks-only deer season in the four counties closed to the bucks-only season.
- hunt between ½ hour after sunset and ½ hour before sunrise with any firearm larger than .22 caliber rimfire, a shotgun using solid ball ammunition or shot shells larger than No. 4 shot.

General Regulations - Trapping

Trapping Regulations

A trap is a device used to catch and hold animals and includes box traps, killer-type traps, leghold traps and snares.

No traps shall be set before 8 a.m. on the first day of the season or either set or left set after 12 noon on the last day of the season.

All traps **MUST** be checked and tended daily.

Traps previously and legally set may be tended after 5 a.m. on Sunday, if the person so doing shall have no firearm greater than .22 caliber rimfire or a bow in possession.

Nonresidents must possess valid Class E or XXJ, and CS/LE licenses to trap.

Traps used for taking wildlife shall be marked with a durable plate or tag attached to the trap, trap chain or set bearing the owner's name and address.

A person who unintentionally traps and kills more than the season bag limit shall deliver excess animals to a conservation officer within 24 hours.

Trappers shall present beaver, bobcat and fisher pelts to a game checking station or DNR representative within 30 days after the close of the respective trapping season. A tag provided by the DNR shall be attached and remain attached to each beaver, bobcat and fisher pelt until it has been sold, tanned or mounted.

Foot snares are legal when the snare loop:

1. does not exceed 6½ inches in diameter.
2. is at ground level.
3. is horizontal to ground level.

Terrestrial body-gripping snares must have a relaxing-type lock system with a breaking point of 350 pounds or less or a stop with a minimum loop diameter of at least 2½ inches. Set snares shall not have a loop diameter average greater than 15 inches. All terrestrial body-gripping snares must be anchored at the trap site.

A person may not ship or transport any raw furs, pelts, or skins of wild furbearers outside of the state unless such shipment has a special shipping tag visibly attached. Shipping tags must be obtained from the DNR. One part shall be attached to the outside of the package or container and the other part completed and returned to the DNR within 24 hours of shipping furs out of state.

The dealer or buyer of raw furs, pelts, or skins of furbearers in this state shall have a license and shall submit to the Director a completed fur dealer transaction report as provided by the Director.

It is illegal to:

- have in possession an untagged beaver, bobcat, or fisher pelt or parts thereof, after 30 days following the close of the respective season.
- set deadfalls for taking wildlife.
- set traps with an open jaw spread of more than 6½ inches except as underwater sets for beaver.
- set traps or trapping devices in human foot trails or livestock paths.
- set conibear or mohawk type traps for terrestrial trapping, but they may be used in water sets.
- set spring pole snares.
- use exposed animal or bird carcasses or parts thereof to bait an animal to a trap set that is within 50 feet of the carcass. Animal or bird carcasses or parts thereof that are completely covered and concealed from sight may be used as a lure at the immediate trap site.
- trap without written permission of a landowner.
- trap within 15 feet of the waterline on the structure of any beaver house or burrow.
- disturb or destroy dams, houses or burrows of beavers while beaver trapping.
- take beaver, fisher, mink, or muskrat by any means other than by trap.
- use steel jaw traps with any teeth on or attached to them.
- set a trap, trapset or snare upon a tree, post or other natural or man-made object at any point more than three linear feet from the surface of the earth (whether such surface is water, soil or rock) measured at right angle from the surface to the trap or trapset. Traps may be set on natural earthen mounds, such as ant hills or muskrat houses, constructed without human assistance.
- set traps other than water sets in March.
- trap in state parks, in safety zones located in state forests and wildlife management areas, in Harpers Ferry NHP and on National Park Service land within the New River Gorge NR.
- trap on a state WMA without obtaining a permit from the district wildlife biologist.

Regulations Meeting Schedule

March 20, 2006

Fairmont • Lewisburg • Martinsburg • Milton
Spencer • Summersville

March 21, 2006

Buckhannon • Glen Dale • Logan • Moorefield
Parkersburg • Twin Falls Resort State Park

General Regulations

Archery Regulations

Nonresident bow hunters must possess a Class EE license, and Class CS/LE and DS stamps to hunt bear.

For bow fishing, a resident is required to have a fishing license; a nonresident is required to have a Class E or XXJ license, and a Class CS/LE stamp.

A bow may be substituted for a firearm during any season for which firearms are legal except during muzzleloading firearms deer seasons.

It is illegal to:

- have a gun and bow afield together, except that persons who have a concealed weapons permit may carry a concealed handgun for *self defense only*.
- hunt with a crossbow.
- hunt turkey, bear, deer or boar with arrows having less than two sharp cutting edges, measuring less than 3/4 of an inch in width.
- use an arrow with an explosive, drug-laced or poisoned head or shaft.
- have a bow in the woods during closed seasons on game animals and non-migratory game birds.
- use dogs while bow hunting for black bear except during the bear firearms season (exception is only for counties where dogs are legal).
- hunt with a locking device capable of holding a bow at full draw, except with a modified bow permit issued by the Director.
- bowhunt on state parks and wildlife refuges, Harpers Ferry NHP, and safety zones on state forests and wildlife management areas. All wildlife refuges are appropriately posted.

Tagging and Transporting

Refer to deer, bear, wild turkey, boar and trapping sections for specific tagging and transporting requirements.

No persons may transport or possess wildlife **killed by another hunter**, unless the wildlife or parts thereof is accompanied by a paper tag filled out legibly bearing the signature, address, date of kill, hunting license number (if required) and the official game checking tag number (if required) of the hunter who killed the wildlife. The tag shall also specify the species and quantity of wildlife.

Pistol Laws and Regulations

Individuals who possess a valid concealed carry permit may carry a concealed handgun while afield hunting, hiking, camping, fishing or in or on a motor vehicle for purposes of self defense only.

Only persons 21 years old or older are eligible for a Class A-1 license.

Only pistols having a barrel at least 4 inches in length are legal for hunting.

While hunting, the licensee shall carry the pistol outside his outer clothing, in an unconcealed and easily visible place.

A pistol may be used only during established hunting seasons. Only single-shot muzzleloading pistols of .38 caliber or larger are legal for deer during the muzzleloader season.

It is legal to hunt groundhogs in open fields with a pistol.

It is illegal to:

- take migratory game birds with a pistol.
- hunt between 1/2 hour after sunset and 1/2 hour before sunrise with a pistol larger than .22 caliber rimfire.
- hunt bear, deer, or wild boar with a pistol using a straight-walled case of less than .357 magnum cartridge or a bottle-necked case of less than .24 caliber.
- hunt bear, deer, or wild boar with a muzzleloading pistol of less than .38 caliber.

Dog Training

Persons training dogs shall not have a firearm or other implement for the taking of wildlife in their possession during closed seasons on wild animals and birds.

Persons participating in the training of dogs must have a hunting license.

Residents may train dogs and hold field trials on wild animals and birds, except deer and wild turkeys, on private land with the landowner's written permission, or on public lands, at any time.

Nonresidents may train dogs during the legal small game hunting season, or if their state offers WV hunters reciprocal dog training privileges, they may train dogs on raccoons from August 15 through the end of the small game season. See additional information on bear dog training on page 30.

General Regulations

When Licenses or Permits are not Required

1. Resident landowners or their resident children or their resident parents or resident tenants of such land, may hunt or trap on their own land without a license during open seasons (see definition of resident landowner privileges on page 7).
2. Residents honorably discharged from the U.S. armed forces receiving total permanent service connected disability benefits or former prisoners of war as determined by the Veterans Administration or resident disabled veterans who qualify under West Virginia Code 17A-10-8 and are exempted from payment of a motor vehicle registration fee by the Commissioner of Motor Vehicles, may hunt or trap without a license during open seasons. Such individuals shall carry on their person an identification card issued by the Director. Additional licenses required to hunt: Class P; Class N; Class RG or RB; Class A-1.
3. Ohio residents who carry valid Ohio hunting licenses may hunt waterfowl on the Ohio River and its embayments or tributaries to points identified by the Director or from the West Virginia banks of said river without obtaining West Virginia licenses, and West Virginia residents who carry valid West Virginia hunting licenses may hunt waterfowl on Ohio River embayments or tributaries to designated points in Ohio or from the river's banks in Ohio without obtaining Ohio licenses.

Ohio hunting laws apply to residents of Ohio and West Virginia while hunting or fishing from Ohio banks or in Ohio embayment areas. West Virginia hunting laws apply to residents of Ohio and West Virginia while hunting on the Ohio River proper or from West Virginia banks and embayment areas.

4. Residents 65 years of age or older do not need a license to hunt or trap, but shall carry a WV driver's license or WV photo ID card issued by the Division of Motor Vehicles (see page 32). Residents who have not reached their 15th birthday may hunt without a license but they must be accompanied by a licensed adult (exceptions, see page 32).
5. West Virginia residents on active duty in the U.S. armed forces while on military leave, may hunt or trap in season without obtaining a license. Leave papers shall be carried while hunting or trapping.
6. Persons participating in field trials permitted by the Director shall not be required to have a hunting license.
7. Persons under 16 years of age do not need a state or federal migratory waterfowl stamp.

Mandatory Hunter Education Requirement

No hunting license may be issued to a person born on or after January 1, 1975, unless the person presents to the license agent: 1) a certificate of satisfactory completion of a Hunter Education Course approved by the Hunter Education Association or the Director, 2) a previous resident or nonresident WV hunting license bearing certification, or 3) attests to certification when purchasing a license online. Persons who purchase a lifetime hunting license before their 15th birthday must complete a certified hunter education course before using the license.

Hunter Education Classes Information:

1-800-243-9968 or www.wvhuntered.com/classes.asp
(Minimum age for certification is eight years old.)

Point System for Hunting Violations

Persons found guilty of negligent shooting of humans or livestock will have their hunting licenses revoked for five years.

For bear hunting violation penalties see page 27.

Persons making false application for a license will have their license privileges suspended for one year.

Points are assigned for other hunting violations:

-10 points use of spotlight with firearms or other implement.

-6 points illegal possession or sale of wildlife or illegally killing deer, boar, or turkey.

-6 points hunting from a motor vehicle.

-4 points all other hunting violations.

When a violator accumulates 10 or more hunting or fishing points combined, his/her licenses will be revoked for a period of two years.

Points will be removed on the second anniversary or upon restoration of the license.

Sunday Hunting

In any county where Sunday hunting **has not** been prohibited by local election, Sunday hunting is legal on private land only with written permission of the landowner. Hunting is prohibited on any Sunday preceding the Monday opening of a big game season (deer, turkey, boar or bear). Check with your county DNR officer or county clerk to see if Sunday hunting is legal in your county.

Wildlife Management Areas and State Forests

Rules and regulations governing hunting and trapping on state owned and leased lands are the same as on adjacent private lands except as follows:

1. Trapping permit, available from District Wildlife Biologist, required on all areas.
2. McClintic, Hillcrest and Green Bottom WMAs - Hunting only in accordance with special rules established for the area (see pages 2, 9 and 12).
3. WMAs and state forests with camping areas require a permit and fee. (See regulations posted at each area.)
4. Camping is lawful ONLY in designated areas.
5. Use of ATVs and snowmobiles is prohibited. All-Terrain Vehicle (ATV) means any motor vehicle designed for off-road use not subject to the vehicle registration requirements of Chapter 17A of the West Virginia Code.
6. Driving a vehicle, ATV, or snowmobile so as to harass or chase wildlife is prohibited.
7. Maximum speed limit for vehicles on WMAs and state forests is 30 miles per hour, unless otherwise posted. All traffic signs and directions must be observed.
8. Driving a vehicle in a manner which creates a nuisance to other persons by repetitive or continuous cruising is prohibited.
9. Class Q hunting facilities are available on some WMAs. Contact the District Wildlife Biologist for more information.
10. Only portable tree stands may be used on public lands.

Coyote Hunting Regulations

During daylight hours (½ hour before sunrise to ½ hour after sunset) coyotes may be hunted year round.

Hunting coyotes at night using amber- or red-colored artificial light is legal from January 1 thru July 31.

Firearms legal for night coyote hunting are shotguns with #4 or smaller shot and rifles or handguns of .22 caliber or smaller rimfire. Laser light or telescopic sights using a laser light are prohibited.

During closed small game season, coyotes may only be hunted in open fields.

Electronic calls are legal.

There is no annual or season bag limit.

Definitions of Terms Used

Bait: any feed or edible enticement.

Baiting: the direct or indirect placing or exposing of bait so as to attract or entice wildlife to an area where hunters are attempting to take them. An area is considered to be baited for 10 days after bait is removed.

Big Game: black bear, deer, wild turkey and boar.

Bow: a longbow, recurve bow, or compound bow that is hand-drawn, hand-held and held at full draw without the aid of any mechanical device. Triggering devices or release aids are legal.

Concurrent hunting: hunting of the same and/or other species during a legally prescribed season.

Hunt: to chase, catch or take wild birds or animals.

Modified bow: a longbow, recurve bow, or compound bow that has been modified to hold the bow at full draw to accommodate a physical impairment of the user.

Nonresident: person who does not meet the requirements of a resident.

Permanently disabled in the lower extremities: a person permanently and totally disabled from the waist down who is unable to ambulate without the full-time use of a walker, two crutches or a wheelchair.

Possession limit: game which is in any way under the hunter's control. The daily bag limit for raccoon may be possessed for each day the season is open. Example, the total of all game in a car, truck, home freezer, commercial food locker, or any other storage method or place.

Private lands: lands owned by an individual(s), partnership, heirship, club, organization or company and/or not qualifying as public land.

Protected: no open season. Hunting at any time shall be illegal for protected wildlife.

Public lands: State or Federal lands owned, leased, licensed to or under the control of West Virginia DNR for wildlife management purposes.

Resident: a person who has been a domiciled resident continuously in West Virginia for 30 consecutive days or more immediately prior to the date of application for a license or permit. This includes members of the U.S. armed forces stationed outside the state who were West Virginia residents at the time of entry into the service and full-time students of a college or university of this state. Nonresident students of West Virginia colleges are not eligible to apply for Lifetime licenses. Absentee ownership of land in West Virginia does not constitute legal residence.

Resident landowner privileges: apply to West Virginia residents who own land in West Virginia, their resident children and parents, or resident tenants. Resident tenants must permanently live on the land.

Small Game: all game and furbearing animals, and game birds except big game. Does not include coyotes.