

IDFG Staff Recommended Amendments to Temporary Rule adopted on April 4, 2020:
Amendments are presented in underline and ~~strikethrough~~ format.

The recommended amendments do the following:

- Allows nonresidents who purchased a black bear tag prior to the rule adoption on April 4 to still purchase a bear bait permit, which is only available via mail and at department offices (650.02.h. below).
- Clarifies that nonresidents who had a written agreement, but not specifically signed, with a licensed outfitter prior to the rule adoption on April 4 are still able to purchase licenses, tags, permits for the outfitted trip. Examples of a written agreement include: an agreement or letter signed by the outfitted client, an exchange of emails agreeing on trip terms, a written confirmation or reservation, or an exchange of emails with payment of a trip deposit (650.03.a. below).
- Specifies that individuals who moved to Idaho to establish residency less than 6 months ago or who have not procured an Idaho driver's license as required within 90 days of Idaho residency can still purchase a nonresident license, tag, or permit with these 2 conditions: 1) Individual produces an Idaho driver's license or Idaho Identification Card issued by the Idaho Transportation Department or produces 2 documents issued by a third party showing name and Idaho residence address such as rent or mortgage receipts or utility bills, and 2) Individual signs a declaration demonstrating bona fide intent to become an Idaho resident. A Department regional office must be contacted via phone to arrange the purchase of eligible nonresident item(s) (650.03.c. below).

IDAPA 13
TITLE 01
CHAPTER 04
13.01.04 – RULES GOVERNING LICENSING

650. TEMPORARY LIMIT ON NONRESIDENT TAGS, PERMITS, AND LICENSES.

01. Finding by the Governor. Consistent with Section 67-5226, Idaho Code, the Governor has found that temporary rulemaking to establish limits for nonresident licenses, tags, permits, and hunting passports, as set forth herein, is appropriate for the protection of public health, safety, or welfare, or for otherwise conferring a benefit for the duration of the March 25, 2020 Idaho Department of Health and Welfare (IDHW) Order to Self-Isolate in response to COVID-19 (as may be extended or superseded by comparable order of the Governor or IDHW).

This finding is consistent with the Governor's March 25, 2020 proclamation of a state of extreme emergency related to the outbreak of COVID-19.

The Commission adopts limits for nonresident licenses, tags, permits, and hunting passports, in conjunction with guidance for hunter, angler, and trapper social distancing and self-sufficiency (e.g., pack-in/pack-out), to support public health measures and public safety priorities.

02. Temporary Limit on Nonresident Licenses, Permits, and Tags. Effective immediately until such time as this rule is repealed, the following nonresident licenses, tags, permits, and hunting passports are limited to the amount sold as of 9:30 am MDT, April 4, 2020:

- a. Nonresident annual and three-year combination, fishing, and trapping licenses.
- b. Nonresident junior annual and three-year fishing licenses.
- c. Nonresident annual and 3-day small game hunting licenses.
- d. Nonresident daily (including consecutive day) fishing licenses.
- e. Nonresident 3-day fishing licenses with salmon/steelhead permits.
- f. Nonresident nongame hunting licenses.
- g. Nonresident game tags for black bear, turkey, mountain lion, and gray wolf, including nonresident junior mentored and nonresident disabled American veteran tags for these species.
- h. Nonresident permits for black bear baiting (unless the nonresident already possesses a valid 2020 black bear tag), hound hunting, salmon, steelhead, and 2-pole fishing permits.
- i. Nonresident falconry meet permits.
- j. Nonresident sport dog and falconry training permits.
- k. Nonresident fishing tournament permits (suspension of sales of resident and nonresident tournament permits was implemented by Department/Commission Order 20-30).
- l. Nonresident dog field trial permits.
- m. Nonresident hunting passports.

03. Exclusions.

- a. A nonresident who lives in Idaho and who is otherwise eligible under this Chapter to receive a resident license, resident tag, resident permit, or resident hunting passport, may obtain said resident license, resident tag, resident permit, or resident hunting passport. A nonresident who entered into a signed written agreement with a licensed outfitter, before the effective date and time of this temporary rule, is excluded from the limits of this section 650, with the outfitter or outfitted client directed to contact a department regional office by phone to make arrangements for purchase.
- b. ~~While this temporary rule is effective, a~~ A nonresident may make application for fall controlled hunts and may purchase a nonresident annual hunting license necessary to be eligible for such application.
- c. A person who has moved into Idaho to establish residency, but has not yet qualified to purchase a resident license under section 36-202(s), Idaho Code, is excluded from the limits of this section 650, provided that the person presents: (1) an Idaho driver's license or Idaho residency documentation required for a non-driver under IDAPA

13.01.04.050.01.b (which a driver who has not yet obtained an Idaho driver's license may present when the proclaimed emergency makes obtaining an Idaho driver's license impractical) and (2) an unsworn declaration or certification by such person, under penalty of perjury in substantial compliance with section 9-1406, Idaho Code, that such person intends to be a bona fide resident of Idaho; with such person directed to contact a department regional office by phone to make arrangements for nonresident license purchase. This rule temporarily supersedes provisions of IDAPA 13 that require "unqualified Idaho residents" to present notarized affidavits.