

## 10 V.S.A. App. § 7. Bear Management Rule

### 1.0 Authority

- 1.1 This rule is adopted pursuant to 10 V.S.A. § 4081(a). In adopting this rule, the Fish and Wildlife Board is following the policy established by the General Assembly that the protection, propagation, control, management, and conservation of fish, wildlife and fur-bearing animals in this state is in the interest of the public welfare and that the safeguarding of this valuable resource for the people of the state requires a constant and continual vigilance.
- 1.2 In accordance with 10 V.S.A. § 4082, this rule is designed to maintain the best health, population and utilization levels of the black bear population.
- 1.3 In accordance with 10 V.S.A. § 4084, this rule establishes season and possession limits for black bear game, ~~territorial limits and;~~ to prescribe the manner and means of taking; ~~to establish territorial limits for the taking of~~ black bears.

### 2.0 Purpose

The purpose of this regulation is to establish seasons for the taking of black bear, to establish legal means or methods of taking black bears, and to establish limits on the number of black bears to be taken annually.

### 3.0 Definitions

- 3.1 "Accompany" for the purposes of hunting bear with dogs means that:
  - a. A person without a bear dog permit engaged in the control, handling, transporting or intercepting of Department registered dogs while hunting with dogs, shall be under the under the express direction of the permit holder, and
  - b. A person without a bear dog permit who actually harvests any black bear shall be under the direct control and supervision of the bear dog permit holder, including the ability to see and communicate with each other without the aid of artificial devices such as radios or binoculars, except for medically necessary devices such as hearing aids or eyeglasses.
- 3.2 "Bait" means as any animal, vegetable, fruit, ~~or~~ mineral matter, honey, or any other substance capable of luring or attracting black bear or any other wildlife placed with the intention of attracting wildlife.

- 3.3 “Baited area” means an area where ~~meat, carrion~~ any animal, vegetable, fruit, mineral matter, honey, or any other substance capable of luring or attracting black bear or any wildlife, has been placed or deposited including, but not limited to, bird feeders.
- 3.4 “Bear Dog Permit” or “Permit” means a permit ~~to take bear with the aid of dogs~~ issued by the ~~e~~Commissioner to a person who ~~owns dogs~~ wishes to hunt, pursue or take black bear with the aid of said dogs.
- 3.5 “Commissioner” means the Commissioner of the Vermont Fish and Wildlife Department.
- 3.6 “Control of Dog/Dogs” means ~~control shall be construed as the transportation, loading or unloading of dogs from vehicle(s); the handling, catching, restraining or releasing dogs; and the use of telemetry/GPS to locate or track dogs.~~
- 3.7 “Department” means the Vermont Fish and Wildlife Department.
- 3.8 ~~“Dog Registration” means a numbered dog license valid for the current calendar year issued to the dog's owner by the town for the purpose of identification of the individual dog and the owner of the dog. “Department Registered Dog” means a dog bearing a numbered identification dog-tag (Department Registration Dog-Tag) approved or issued by the Vermont Fish and Wildlife Department, with the permit holder’s bear dog permit number and a number one through six.~~
- 3.9 “Hunting with Dogs” for the purposes of this rule means that one or more dog(s) with Department Registered Dog-Tags are on the ground whether in pursuit of a black bear or not.
- 3.10 “Legal means” or “Legal method” means the taking of a black bear by muzzleloader, rifle, handgun, ~~or~~ archery equipment, or crossbow when authorized.
- 3.11 “Pack of Dogs” means ~~pack of dogs shall be defined as one to six dogs, acting as a unit during the pursuit of black bear. Dogs may be added to the pack during the course of a hunt, up to a total of 6 dogs forming an original pack of dogs.~~
- 3.12 “Nonresident Dog Owner” means an individual person who is a nonresident as defined in 10 V.S.A. § 4001(21) whose dog is kenneled in another state other than in Vermont and has a dog license issued by a town not in Vermont

valid for the current calendar year.

3.11 ~~“Non-hunting person” means an individual person may accompany the permit holder as long as he or she does not have control of dog/dogs. The non-hunting person does not require having a valid hunting license.~~

3.12 ~~“Hunting party” means two or more hunters hunting in a group, all using firearms, muzzle loaders, crossbow, or archery equipment that is engaged in the act of hunting together and who are in contact with at least one other member of the party.~~

3.13 ~~“Registered Dog” means a dog that has a numbered dog license valid for the current calendar year issued to the dog's owner by the town municipality for the purpose of identification of the individual dog and the owner of the dog.~~

3.15 ~~“Resident Dog Owner” means a person who is a Vermont resident as defined in 10 V.S.A. § 4001(20) whose dog is kenneled in Vermont and has a dog license issued by a Vermont municipality valid for the current calendar year.~~

3.16 ~~“Sub-permittee permit” means a written authorization issued by the Department that allows a person to assist a permit holder in taking a bear with the aid of dogs.~~

3.17 ~~“Sub-Permittee” means any person designated or recognized by the permit holder to assist or take a bear with the aid of dogs.~~

3.14 ~~“Relaying Dogs/Packs” means the removal and replacement of one or more dog or dogs to the trail of a bear to the original pack of dogs consisting of a maximum of a six dog unit, once the pursuit has begun. If the hunting or pursuit of a black bear commences with fewer than six dogs in the original Pack of Dogs, the addition of a dog or dogs shall not be considered relaying, provided that no more than the same six dogs are part of a single Pack of Dogs during the hunting, pursuing or taking of a black bear.~~

3.13 ~~“Bear Tag” means a document issued by the Department authorizing the taking of a black bear in the current season.~~

3.14 ~~“Unregistered Dog” means a dog that does not have a valid numbered dog license as described in 3.138.~~

#### **4.0 Seasons and Shooting Hours**

##### **4.1 Early and Late Season**

- a) **Early Season:** For Vermont Residents: September 1 through the day before the first day of the Regular Deer Season.  
For Non-Vermont Residents without the use of dogs: September 1 through the day before the first day of the Regular Deer Season.  
For Non-resident Bear Dog Permit Holders: The early black bear season shall be open to Non-Resident bear dog permit holders on September 15 and not before.
- b) **Late Season:** For Vermont Residents and Nonresidents: The first day of the Regular Deer season through the second Sunday of the Regular Deer Season.

4.2 Shooting hours: One half hour before sunrise until one half hour after sunset.

## 5.0 Tags and Bag Limit

- 5.1 To take a black bear during the Early Season, a person must, in addition to having a valid Vermont Big Game Hunting license, ~~possess~~ ~~obtain~~ an Early Season Bear Tag issued separately by the Department.
- 5.2 To take a black bear during the Late Season, a person must have a valid Vermont Big Game Hunting license ~~issued with a Late Season tag.~~
- 5.3 A person shall not harvest ~~take~~ more than one black bear per calendar year, not to include animals taken pursuant to 10 V.S.A. § 4827.

## 6.0 The taking of bear with the aid of dogs

### 6.1 Licenses and Permits

Any person hunting, pursuing, harvesting, or in any manner involved in the taking of a black bear with the use of dogs must hold a valid Vermont Big Game Hunting License, ~~and valid bear dog permit~~, use only Department Registered Dogs and possess a valid bear tag. In addition, the person hunting, pursuing, harvesting, or in any manner involved in the taking of a black bear with the use of dogs must hold a valid bear dog permit or accompany a bear dog permit holder. ~~or be a bona fide sub-permittee of valid bear dog permit holder.~~ The permit shall ~~be~~ ~~Be~~ carried at all times by the permittee while hunting with dogs or taking black bear and exhibited to a game warden, landowner, or law enforcement officer upon demand.

- a) ~~Specify the particular dog(s) to be included in the permit, including the town dog license number(s).~~

6.2 A person shall not take a black bear into his/her actual possession except by killing the bear by lawful legal means or methods. ~~by the use of firearm, muzzleloader, or archery equipment.~~

a) A person taking black bear with the use of a bow and arrow or crossbow shall, upon demand of a game warden or other law enforcement personnel, show proof of having a prior archery license, or of having passed a bow hunter education course in Vermont, another state or a province of Canada approved by the Commissioner.

6.3 Dogs and Packs

a) A person shall not take black bear with the aid of dogs unless the person is in control of the dog or dogs.

b) ~~A person may only take a bear with the aid of a dog that is listed on the permittee's valid bear dog permit. No person shall take a black bear with the aid of any Unregistered Dog. No person shall have an Unregistered Dog in his or her possession while hunting, pursuing or taking a black bear.~~

c) A person hunting with dogs, pursuing, and taking black bear with the aid of dogs shall attach a Department Registration Dog-Tag and a metal identification name plate with the person's name, address and telephone number to the dog's collar.

d) ~~A person shall not take black bear with the aid of more than six dogs acting as a unit to pursue bear. The person shall not pursue black bear by relaying dogs/packs, unregistered dog/dogs, or dog/dogs not listed on the person's bear dog permit. A person taking a black bear with the aid of dogs shall only take a black bear with a Pack of Dogs as defined in this rule. No person shall pursue, hunt, or take black bear by Relaying Dogs/Packs.~~

e) Two or more permit holders may hunt together and combine Department Registered dog(s) to form a Pack of Dogs. ~~listed on each permit holder's permit.~~ The combined bear dog permit holders shall not take black bear with the aid of more than six dogs combined forming a unit of a single Pack of Dogs ~~pack of dogs.~~ Once hunting with dogs commences, dogs not on the hunt shall be restrained in the dog box or inside the vehicle. The combined bear dog permit holders shall not possess any Unregistered Dogs while hunting, pursuing or

~~taking pursue black bear. by relaying dogs/ packs, or dogs not listed on their bear dog permits.~~

~~6.4 A Vermont resident shall not list a dog(s) owned by a nonresident on any resident bear dog permit application. A nonresident shall list a dog(s) owned only by a nonresident of the same state as the nonresident applicant.~~

~~6.5 Sub Permittees and Parties~~

~~a. The sub permittee may have control of the dog(s) while assisting the permit holder. The sub permittee must have a valid Vermont Hunting License.~~

~~b. The sub permittee must be given a sub permittee permit by the permit holder and must carry it on their person during the hunt. The permit holder must collect the sub permittee's permit at the end of the sub permittee's involvement in the hunt of that particular day.~~

~~c. Permittees and sub permittees may pursue bear as members of a party so long as one member of the party possesses a valid unused bear tag.~~

~~d. The sub permittee may take a bear with the aid of dogs only while accompanying a permittee.~~

~~e. The Permit holder may automatically receive six sub permittee permits with an issued bear dog permit. The Permit holder may request additional sub permittee permits in writing to the Commissioner as needed.~~

## **7.0 Prohibitions**

~~7.1 No person shall place bait to attract black bear for the purposes of allowing a bear dog to catch/strike the scent of a black bear. No person shall take bear by using bait or in a baited area.~~

~~7.2 A person shall not advertise, barter, exchange goods or services, expose or otherwise sell the use of a dog or dogs for the purpose of taking any black bear.~~

~~7.3 While hunting with dogs, no person shall have in their possession an Unregistered Dog while possessing Department Registered dogs.~~

7.4 It shall be a violation for a Vermont resident to apply for a bear dog permit for the purpose of allowing a nonresident bear dog owner to hunt bear in Vermont with the aid of dogs.

7.5 No person shall hunt black bear with a bow and arrow or crossbow if the arrow or bolt has an arrowhead that measures less than seven-eighths of an inch at its widest point or that has less than two sharp cutting edges.

## **8.0 Reporting**

8.1 The black bear carcass shall be field dressed prior to reporting.

8.2 Upon request of a Game Warden, the person harvesting the bear and the permit holder shall show and return to the kill site with a Game Warden.

8.3 All bear harvests shall be reported to a game warden, official Fish and Wildlife Department Reporting Station, or a person designated by the Commissioner within 48 hours. The person who harvested the bear and the bear dog permit holder must both be present to legally report the harvest. If the bear dog permit holder harvested the bear, only he or she must be present when reporting the harvest.

8.4 It shall be unlawful to provide false information when reporting a black bear taken with the aid of dogs.

8.5 The fine, points and any other penalty for any violation of this subsection 8 shall be assessed to the violator and in addition, to the permit holder if the violator is not the permit holder.

## **9.0 Biological Collection**

9.1 Any person who harvests a black bear shall collect a premolar tooth and submit the tooth to a game warden, official Fish and Wildlife Department Reporting Station, or to a person designated by the Commissioner to receive the biological collection, within 48 hours of taking the bear.

9.2 Unless otherwise specified by statute, the failure to collect and submit a black bear tooth shall not result in license suspension points and shall be considered a minor violation subject to a civil fine.