

R657. Natural Resources, Wildlife Resources.

R657-33. Taking Bear.

R657-33-1. Purpose and Authority.

(1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule for taking and pursuing bear.

(2) Specific dates, areas, number of permits, limits and other administrative details which may change annually are published in the guidebook of the Wildlife Board for taking and pursuing bear.

R657-33-2. Definitions.

(1) Terms used in this rule are defined in Section 23-13-2.

(2) In addition:

(a) "Accompany" means at a distance within which visual contact and verbal communication are maintained without the assistance of any electronic device.

(b) "Bait" means any lure containing animal, mineral or plant materials.

(c) "Baiting" means the placing, exposing, depositing, distributing or scattering of bait to lure, attract or entice bear on or over any area.

(d) "Bear" means *Ursus americanus*, commonly known as black bear.

(e) "Canned hunt" means that a bear is treed, cornered, held at bay or its ability to escape is otherwise restricted for the purpose of allowing a person who was not a member of the initial hunting party to arrive and take the bear.

(f) "Compensation" means anything of economic value in excess of \$100 that is paid, loaned, granted, given, donated, or transferred to a dog handler for or in consideration of pursuing bear for any purpose.

(g) "Control permit" means a permit issued in response to bear depredation to commercial crops pursuant to R657-33-23(4).

(h) "Cub" means a bear less than one year of age.

(i) "Draw-lock" means a mechanical device used to hold and support the draw weight of a conventional or compound bow at any increment of draw until released by the archer using a trigger mechanism attached to the device.

(j) "Dog handler" means the person in the field that is responsible for transporting, releasing, tracking, controlling, managing, training, commanding and retrieving the dogs involved in the pursuit. The owner of the dogs is presumed the dog handler when the owner is in the field during pursuit.

(k) "Evidence of sex" means the teats, and sex organs of a bear, including a penis, scrotum or vulva.

(l) "Green pelt" means the untanned hide or skin of a bear.

(m) "Harvest-objective hunt" means any hunt that is identified as harvest-objective in the hunt table of the guidebook for taking bear.

(n) "Harvest-objective permit" means any permit valid on harvest-objective units.

(o) "Harvest-objective unit" means any unit designated as harvest-objective in the hunt table of the guidebook for taking bear.

(p) "Immediate family member" means a landowner's or lessee's spouse, child, son-in-law, daughter-in-law, father, mother, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, stepchild, and grandchild.

(q)(i) "Limited entry hunt" means any hunt listed in the hunt table, published in the guidebook of the Wildlife Board for taking bear, which is identified as a limited entry hunt for bear.

(ii) The Wildlife Board may authorize certain limited entry hunts that span multiple seasons, identified in the guidebook for taking bear as multi-season limited entry hunts.

(iii) "Limited entry hunt" does not include harvest objective hunts or pursuit only.

(r) "Limited entry permit" means any permit obtained for a limited entry hunt, including conservation permits, expo permits, and sportsman permits.

(s) "Private lands" means any lands that are not public lands, excluding Indian trust lands.

(t) "Public lands" means any lands owned by the state, a political subdivision or independent entity of the state, or the United States, excluding Indian trust lands, that are open to the public for purposes of engaging in pursuit.

(u) "Pursue" means to chase, tree, corner or hold a bear at bay with dogs.

(v) "Restricted pursuit unit" means a bear pursuit unit where pursuit is allowed only by a dog handler who:

(i) possesses a pursuit permit issued for that particular pursuit unit;

(ii) possesses or is accompanied by a person who possesses a limited entry bear permit for the unit, and the pursuit occurs within the area and during the season established for the limited entry bear permit; or

(iii) is engaged in pursuit for compensation as provided in R657-33-26(2).

~~(w)~~

(w) "Spot-and-stalk hunt" means a hunt prohibiting the use of bait or dogs to pursue or harvest a bear.

(x) "Spot-and-stalk permit" means an bear permit available over the counter for seasons and units designated by the Division Director as per Statute 23-16-10. A hunter who obtains this permit may not use bait or dogs to take a bear.

(y) "Trail Camera" means a device that is not held or manually operated by a person and is used to capture images, video, or location data of wildlife using heat or motion to trigger the device.

(z)(i) "Valid application" means:

(A) it is for a species for which the applicant is eligible to possess a permit;

(B) there is a hunt for that species regardless of estimated permit numbers; and

(C) there is sufficient information on the application to process the application, including personal information, hunt information, and sufficient payment.

(ii) Applications missing any of the items in Subsection (i) may still be considered valid if the application is corrected before the deadline through the application correction process.

~~(x)~~aa "Waiting period" means a specified period of time that a person who has obtained a bear permit must wait before applying for any other bear permit.

~~(y)~~bb "Written permission" means written authorization from the owner or person in charge to enter upon private lands and must include:

(i) the name and signature of the owner or person in charge;

(ii) the address and phone number of the owner or person in charge;

(iii) the name of the dog handler given permission to enter the private lands;

(iv) a brief description of the pursuit activity authorized;

(v) the appropriate dates; and

(vi) a general description of the property.

R657-33-3. Permits for Taking Bear.

(1)(a) To harvest a bear, a person must first obtain a valid limited entry bear permit, a harvest objective bear permit, [a spot-and-stalk permit](#), or a bear control permit for a specified hunt unit as provided in the guidebook of the Wildlife Board for taking bear.

(b) Any person who obtains a limited entry bear permit or a harvest objective bear permit which allows the use of dogs may pursue bear without a pursuit permit while hunting during the season and on the unit for which the take permit is valid, provided the person is the dog handler.

(2)(a) A person may not apply for or obtain more than one bear permit per year, except:

(b) if the person is unsuccessful in the drawing administered by the division under Rule R657-62, the person may purchase a permit available outside of the drawing; and

(c) a person may acquire more than one bear control permit as described in Subsection R657-33-23(4).

(3) Any bear permit purchased after the season opens is not valid until three days after the date of purchase.

(4) Residents and nonresidents may apply for and receive limited entry bear permits, and may purchase harvest objective bear permits and bear pursuit permits.

(5)(a) A person must complete a mandatory orientation course prior to applying for or obtaining a limited entry, harvest objective, or bear pursuit permit.

(b) The orientation course is not required to receive a bear control permit under Subsection R657-33-23(4).

(c) The orientation course shall include training on hunter ethics.

(6) To obtain a limited entry, harvest objective, [spot-and-stalk permit](#), or bear pursuit permit, a person must possess a valid Utah hunting or combination license.

R657-33-6. Firearms, Archery Equipment, Crossbows, and Airguns.

(1) [~~For limited entry and harvest objective hunts identified as an “any legal weapon hunt” in the Wildlife Board’s guidebook for taking bear, a person may use the following to take bear:—~~]

~~[(a) any firearm not capable of being fired fully automatic, except a firearm using a rimfire cartridge;]~~

~~[(b) archery equipment meeting the following requirements:]~~

~~[(i) the minimum bow pull is 30 pounds at the draw or the peak, whichever comes first;]~~

~~[(ii) arrowheads used have two or more sharp cutting edges that cannot pass through a 7/8-inch ring;]~~

~~[(iii) expanding arrowheads cannot pass through a 7/8-inch ring when expanded; and]~~

~~[(iv) arrows must be a minimum of 20 inches in length from the tip of the arrowhead to the tip of the nock;]~~

~~[(c) a crossbow meeting the following requirements:]~~

~~[(i) a minimum draw weight of 125 pounds;]~~

~~[(ii) a positive mechanical safety mechanism; and]~~

~~[(iii) an arrow or bolt that is at least 16 inches long with:]~~

~~[(A) a fixed broadhead that is at least 7/8-inch wide at the widest point; or]~~

~~[(B) an expandable, mechanical broadhead that is at least 7/8-inch wide at the widest point when the broadhead is in the open position; and]~~

~~[(d) an airgun used to hunt bear must:]~~

~~[(i) be pneumatically powered;]~~

~~[(ii) be pressurized solely through a separate charging device; and]~~

~~[(iii)]~~

~~A person may only [fire a bolt or arrow:]~~

~~[(A) no less than 16 inches long;]~~

~~[(B) with a fixed or expandable broadhead at least 7/8 inch wide at its widest position; and]~~

~~[(C) traveling no less than 400 feet per second at the muzzle.--]~~

~~[(2) Arrows and bolts carried in or on a vehicle where a person is riding must be in an arrow quiver or a closed case.]~~

~~[(3)(a) A person who has obtained a limited entry bear archery permit may not use, possess, or be in control of a firearm, crossbow, draw lock, or airgun while in the field during an archery bear hunt.]~~

~~[(b) "Field" for purposes of this subsection, means a location where the permitted species of wildlife is likely to be found, but does not include a hunter's established campsite or the interior of a fully enclosed automobile or truck.]~~

~~[(c) The provisions of Subsection (a) do not apply to:]~~

~~[(i) a person lawfully hunting upland game or waterfowl;]~~

~~[(ii) a person licensed to hunt big game species during hunts that coincide with the archery bear hunt;]~~

~~[(iii) livestock owners protecting their livestock; or]~~

~~[(iv) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed firearm to hunt or take protected wildlife]~~
use weapons identified in Section R657-5-8, Rifles, Shotguns, Airguns, and Crossbows to take bear.

R657-33-7. Traps and Trapping Devices.

(1) Bear may not be taken with a trap, snare or any other trapping device, except as authorized by the division.

(2) Bear accidentally caught in any trapping device must be released unharmed.

(3)(a) ~~[Written permission]~~Authorization must be obtained from a division representative to remove the carcass of a bear from any trapping device.

(b) The carcass shall remain the property of the state of Utah and must be surrendered to the division.

R657-33-9. Prohibited Methods.

(1) Bear may be taken or pursued only during open seasons and using methods prescribed in this rule and the guidebook of the Wildlife Board for taking and pursuing bear.

Otherwise, under the Wildlife Resources Code, it is unlawful for any person to pursue, possess, capture, kill, injure, drug, rope, trap, snare, or in any way harm or transport bear.

(2)(a) A person may not pursue a single bear in repeated pursuits such that it renders the bear physically unable to escape.

(b) After a bear has been pursued, chased, treed, cornered, legally baited or held at bay, a person may not, in any manner, restrict or hinder the animal's ability to escape.

(c) A person must make reasonable efforts to call dogs off of a bear that has been cornered or held at bay.

(3) A person may not engage in a canned hunt.

(4) A person may not take any wildlife from an airplane or any other airborne vehicle or device or any motorized terrestrial or aquatic vehicle, including snowmobiles and other recreational vehicles.

(5)(a) A trail camera that can only store an image, picture or video inside the device, and which does not have the capability to utilize cellular, Wi-Fi or satellite technology to transmit images or video for remote viewing, is permitted year-round.

(b) A person shall not:

(A) Place, maintain or use a trail camera or non-handheld device to capture image or video, that utilizes cellular, Wi-Fi or satellite technology, or comparable technology capable of providing real-time media from a device in the field, to take, attempt to take, or aid in the take or attempted take of bear between July 31 and January 31;

(B) Engage in the sale or purchase of trail camera media, including images, video, location, time, or date data to aid in the take or attempted take of bear; or

(C) Engage in the sale, purchase, distribution or storage of media, including images, video, location, time, or date data, collected from a device identified in subsection (A) to aid in the take or attempted take of bear.

(c) The prohibition on the use of trail cameras does not apply to:

(A) Private landowners monitoring or protecting their property from trespass;

(B) Monitoring active agricultural operations; and

(C) Municipalities participating in the Urban Deer Program.

(d) Wi-Fi, satellite, or cellular transmitting cameras or similar technology on private property cannot be used to take, attempt to take, or aid in the take or attempted take of bear between July 31 and January 31.

R657-33-13. Certificate of Registration Required for Bear Baiting.

(1) A certificate of registration for baiting must be obtained before establishing a bait station.

(2) Certificates of registration for bear baiting are issued only to holders of limited entry permits authorizing the use of bait, as provided in the guidebook of the Wildlife Board for taking bear.

(3) A certificate of registration may be obtained from the division office within the region where the bait station will be established by applying on the Division website.

(4) A new certificate of registration must be obtained prior to moving a bait station. All materials used as bait must be removed from the old site prior to the issuing of a new certificate of registration.

(5) The following information must be provided to obtain a certificate of registration for baiting: a 1:24000 USGS quad map with the bait location marked, or the Universal Transverse Mercator (UTM) or latitude and longitude coordinates of the bait station, including the datum, type of bait used and written permission from the appropriate landowner for private lands.

(6)(a) Any person interested in baiting on lands administered by the Bureau of Land Management must verify that the lands are open to baiting before applying for and receiving a certificate of registration for bear baiting.

(b) Information on areas that are open to baiting on National Forests must be obtained from district offices.

~~(c) Areas generally closed to baiting stations by these federal agencies include:]~~

~~[(i) designated Wilderness Areas;]~~

~~[(ii) heavily used drainages or recreation areas; and]~~

~~[(iii) critical watersheds.]~~

~~[(d) The division shall send a copy of the certificate of registration to the private landowner or appropriate district office of the land management agency that manages the~~

~~land where the bait station will be placed, as identified by the hunter on the application for a certificate of registration.]~~

~~(e)~~ Issuance of a certificate of registration for baiting does not authorize an individual to bait if it is otherwise unlawful to bait under the regulations of the applicable land management agency.

(7) A handling fee must accompany the application.

(8) Only hunters listed on the certificate of registration may hunt over the bait station and the certificate of registration must be in possession while hunting over the bait station.

(9) Any person tending a bait station must be listed on the certificate of registration.

R657-33-14. Use of Bait.

~~(1)(a) A person who has obtained a limited entry bear archery permit may use archery tackle only, even when hunting bear away from the bait station.]~~

~~(b)~~

~~(a)~~ A person who has obtained a limited entry bear permit for a season and hunt unit that allows baiting may use firearms and archery equipment as provided in R657-33-6.

~~(b)~~ Bear lured to a bait station may only be taken using firearms and archery equipment approved by the Wildlife Board and described in the guidebook for taking bear.

~~(c)~~ A person may establish or use no more than two bait stations. The bait stations may only be used during periods designated in the guidebook for taking bear.

~~(d)~~ Bear lured to a bait station may not be taken with dogs.

~~(e)~~ Bait may not be contained in or include any metal, glass, porcelain, plastic, cardboard, or paper.

~~(f)~~ The bait station must be marked with a sign provided by the division and posted within 10 feet of the bait.

~~(g)~~ A dog handler may not intentionally run dogs off of a bait station while pursuing bear.

(2)(a) Bait may be placed only in areas open to hunting and only during the open seasons.

(b) All materials used as bait must be removed within 72 hours after the close of the season or within 72 hours after the person or persons, who are registered for that bait station harvest a bear.

(3) A person may use nongame fish as bait, except those listed as prohibited in Rule R657-13 and the guidebook of the Wildlife Board for Taking Fish and Crayfish. No other species of protected wildlife may be used as bait.

(4)(a) Domestic livestock or its parts, including processed meat scraps, may be used as bait.

(b) A person using domestic livestock or their parts for bait must have in possession:

(i) a certificate of brand inspection, bill of sale, or other proof of ownership or legal possession.

(5) Bait may not be placed within:

(a) 100 yards of water or a public road or designated trail; or

(b) 1/2 mile of any permanent dwelling or campground.

R657-33-22. Waste of Wildlife.

(1) A person may not waste or permit to be wasted or spoiled any protected wildlife or their parts in accordance with Section 23-20-8.

(2) The skinned carcass of a bear may be left in the field and does not constitute waste of wildlife[, ~~however, the division recommends that hunters remove the carcass from the field~~].

R657-33-26. Bear Pursuit.

(1)(a) Except as provided in Subsection R657-33-3(1)(b) and Subsection (2), bear may be pursued only by persons who have obtained a bear pursuit permit.

(b) The bear pursuit permit does not allow a person to:

(i) kill a bear; or

(ii) pursue bear for compensation.

(c) A person may pursue bear for compensation only as provided in Subsection (2).

(d) To obtain a bear pursuit permit, a person must possess a Utah hunting or combination license.

(2)(a) A person may pursue bear on public lands for compensation, provided the dog handler:

(i) receives compensation from a client or customer to pursue bear;

(ii) is a licensed hunting guide or outfitter under Title 58, Chapter 79, Hunting Guides and Outfitters Licensing Act and authorized to pursue bear;

(iii) possesses on his or her person the Utah hunting guide or outfitter license;

(iv) possesses on his or her person all permits and authorizations required by the applicable public lands managing authority to pursue bear for compensation; and

(v) is accompanied by the client or customer at all times during pursuit.

(b) A person may pursue bear on private lands for compensation, provided the dog handler:

(i) receives compensation from a client or customer to pursue bear;

(ii) is accompanied by the client or customer at all times during pursuit; and

(iii) possesses on his or her person written permission from all private landowners on whose property pursuit takes place.

(c) A person who is an employee or agent of the Division of Wildlife Services may pursue bear on public lands and private lands while acting within the scope of their employment.

(3) A pursuit permit is not required to pursue bear if the individual satisfies the requirements in Subsection (2).

(4)(a) A person pursuing bear for compensation under subsections (2)(a) and (2)(b) shall comply with all other requirements and restrictions in statute, rule and the guidebooks of the Wildlife Board regulating the pursuit and take of bear.

(b) Any violation of, or failure to comply with the provisions of Title 23, Wildlife Resources Code, this rule, or the guidebooks of the Wildlife Board may be grounds for suspension of the privilege to pursue bear for compensation under this subsection, as determined by a division hearing officer.

(5) Except as provided in Subsection (6), a bear pursuit permit authorizes the holder to pursue bear with dogs on any unit open to pursuing bear during the seasons and under the conditions prescribed by the Wildlife Board in guidebook.

(6) The Wildlife Board may establish or designate in the guidebook restricted pursuit units as determined necessary or convenient to better manage wildlife resources, including to protect wildlife, curtail over-utilization of resources, reduce conflict with other recreational activities, reduce conflict with private and public land activities, and protect wildlife habitat.

(a) Bear may not be pursued on a restricted pursuit unit unless the dog handler:

(i) possesses a pursuit permit issued for the particular restricted pursuit unit;

(ii) possesses or is accompanied by a person who possesses a limited entry or harvest objective bear permit allowing the use of dogs, and the pursuit occurs within the area and during the season established by the respective permit; or

(iii) is engaged in pursuit for compensation as provided in Subsection (2), and pursuit occurs within the area and during the season established for the:

(A) paying client's limited entry or harvest objective bear permit allowing the use of dogs; or

(B) restricted pursuit unit.

(b) A pursuit permit issued for a restricted pursuit unit authorizes the holder to pursue bear on:

(i) the particular restricted pursuit unit for which the permit is issued; and

(ii) any other bear pursuit unit not designated as a restricted pursuit unit.

(c) Notwithstanding Subsection (6)(a)(i), when two or more dog owners are in the field pursuing bear together, only one must possess a restricted pursuit unit permit, provided the dog owners accompany the person possessing the restricted pursuit unit permit at all times.

(i) A dog handler pursuing bear on a restricted pursuit unit may leave the pursuit permit holder to retrieve dogs that separate from the pack, provided the dog handler;

(A) takes reasonable steps to keep the pack together before and during pursuit;

(B) separates from the pursuit permit holder exclusively to retrieve stray dogs and does not attempt to actively pursue bear during the retrieval process; and

(C) immediately releases any bear incidentally treed or held at bay by the stray dogs.

(ii) Maximum number of dogs in the field and pack sizes described in Section R657-33-12 remain applicable, even if there are multiple dog owners in the same hunting party.

(7) Pursuit permits may be obtained at division offices, through the Internet and at license agents.

(a) The division may distribute pursuit permits for restricted pursuit units:

(i) through its offices, license agents, or online resources on a first-come, first-served basis; or

(ii) through a random drawing.

(8) A person may not:

(a) take or pursue a female bear with cubs;

(b) repeatedly pursue, chase, tree, corner or hold at bay the same bear during the same day;

(c) individually or in combination with another person, use more than eight dogs in the field to pursue a bear during the summer pursuit season as established by the Wildlife Board in the guidebook; or

~~[(d) possess a firearm or any device that could be used to kill a bear while pursuing bear.]~~

~~[(i) The weapon restrictions set forth in Subsection (d) do not apply to a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 Concealed Firearm Act, provided the person is not utilizing or attempting to utilize the concealed weapon to injure or kill bear.]~~

(9) If eligible, a person who has obtained a bear pursuit permit may also obtain a limited entry or harvest objective bear permit.

(10) Season dates, closed areas and bear pursuit permit areas are published in the guidebook of the Wildlife Board for taking and pursuing bear.

R657-33-31. Harvest Objective Unit Closures.

(1) Prior to hunting in a harvest objective unit, a hunter must [~~call 1-888-668-5466 or~~] visit the division's website to verify that the bear hunting unit is still open. The [~~phone line and~~] website will be updated each day by 12 noon. Updates become effective the following day thirty minutes before official sunrise.

(2) Harvest objective units are open to hunting until:

(a) the bear harvest objective for that harvest objective unit is met and the division closes the area; or

(b) the end of the hunting season as provided in the guidebook of the Wildlife Board for taking bear.

(3) Upon closure of a harvest objective unit, a hunter may not take or pursue bear except as provided in Section R657-33-26.

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