

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 220

Department or Agency: Alabama Department of Conservation and Natural Resources

Rule No.: 220-2-.30

Rule Title: Fur-Bearing Animals Designated/Trap Specifications/ And Prohibited Devices/Tagging Requirement

Intended Action Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Christopher M. Blankenship
Chris Blankenship

Date

Tuesday, June 17, 2025

REC'D & FILED
JUN 17, 2025
LEGISLATIVE SVC AGENCY

ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Conservation and Natural Resources

RULE NO. & TITLE: 220-2-.30 Fur-Bearing Animals Designated/Trap
Specifications/And Prohibited Devices/Tagging
Requirement

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To amend paragraph (2) to add .22 caliber pre-charged pneumatic air powered guns as an additional type of firearm available to be used for the dispatch of trapped fur-bearing animals.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may present their views in writing to the Director of Wildlife & Freshwater Fisheries at any time during the period stated below, or orally if requested in writing 48 hours in advance to the Director of Wildlife & Freshwater Fisheries, and then by personally appearing at Room 474, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., Monday, August 4, 2025.

If ADA accommodations are needed, please contact Heidi Bowers at (334) 242-3165 or heidi.bowers@dcnr.alabama.gov. Requests should be made as soon as possible but at least seven days prior to the date of a personal appearance to present views regarding the proposed rules.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, August 4, 2025

CONTACT PERSON AT AGENCY:

Fred R. Harders, Assistant
Director
Wildlife & Freshwater Fisheries
5th Floor, 64 N. Union Street
Montgomery, Alabama 36130
334-242-3465

Christopher M. Blankenship

Chris Blankenship

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

**Fur-Bearing Animals Designated/Trap
Specifications/And Prohibited Devices/Tagging
Requirement.**

The following shall be named and designated as fur-bearing animals in Alabama:

Beaver, Bobcat, Fox, Mink, Muskrat, Nutria, Opossum, Otter, Raccoon, Striped Skunk, Coyote, and Feral Swine.

(1) Trap Specifications - It shall be unlawful for any person to set or use a leg hold trap on land that has an inside diameter jaw spread greater than six (6) inches as measured at the widest point perpendicular to the frame and parallel to the trap dog and for those traps without a dog, at the widest point parallel with the pan shank. Leg hold trap having teeth or serrated edges along the inside of one or both jaws are prohibited. All body gripping traps with jaw width exceeding 5 inches as measured from the inside of the main jaw at the trigger assembly to the inside of the opposing jaw across the entrance window, and snares (except powered foot snare with a maximum loop of 5 1/2 inches) are prohibited for use in trapping fur-bearing animals on land. It shall be unlawful for any person to trap in the State of Alabama without identifying each trap with a metal tag bearing the name and address or Conservation Identification Number (CID) of the owner. Instructions for obtaining a CID are available at www.outdooralabama.com.

(2) Any person trapping fur-bearing animals, except for feral swine, in the State of Alabama must carry a choke stick while running traps. When trapped fur-bearing animals are dispatched with a firearm, only standard .22 caliber rimfire firearms, or .22 caliber pre-charged pneumatic air powered guns may be used. However, feral swine may be dispatched by any firearm or sharpened blade.

(3) Tagging Bobcat/Otter Pelts - Persons taking bobcat and otter must have the fur or pelts tagged by representatives of the Division of Wildlife and Freshwater within 14 days of taking and before the fur or pelt is sold or otherwise disposed of.

(a) However, a licensed fur catcher may sell untagged bobcat and otter to an authorized resident fur dealer and leave a completed signed fur tag report with said dealer. The dealer must then have the bobcat and otter tagged by a representative of the Division of Wildlife and

Freshwater Fisheries within 14 days of purchasing bobcat or otter pelts.

(b) Legally acquired bobcat and otter pelts or carcasses may be delivered untagged to a resident taxidermist for mounting if the owner leaves a completed, signed fur tag report with said taxidermist. The taxidermist must then have the bobcat and otter tagged by a representative of the Division of Wildlife and Freshwater Fisheries within 14 days of taking delivery of said pelts and transmit the completed fur tag report to Division of Wildlife and Freshwater Fisheries representative at the time the pelt or carcass is tagged.

(c) Tags may be removed from bobcat and otter pelts when processed by a taxidermist for mounting. However, the removed tag must remain with the mounted specimen when it is returned to its owner and until the mount and pelt are destroyed.

(d) It shall be unlawful for anyone to ship, transport, or export bobcat and otter pelts from this state unless said bobcat and otter pelts are tagged by a representative of the Division of Wildlife and Freshwater Fisheries.

(e) All bobcat and otter pelts shipped or imported into this state must be officially tagged by the state of origin.

(4) It shall be illegal to set a trap on top of a post or stake elevated above ground level.

(5) It shall be unlawful for any person to possess a furbearer alive beyond the confines of the trap without permit from the Commissioner of the Department of Conservation and Natural Resources or his designee. Except for feral swine, all furbearers shall be immediately dispatched or released at the trap site. All feral swine must be killed at the site of capture in accordance with rule 220-2-.86.

(6) It shall be unlawful for any person to disturb a legally set trap or to remove a furbearing animals from a trap without permission of the owner

Author: Christopher M. Blankenship

Statutory Authority: Code of Ala. 1975, §§9-2-7, 9-2-8, 9-2-12.

History: Filed September 30, 1982. **Amended:** October 20, 1983; October 19, 1985; September 13, 1986; November 16, 1990.
Amended: Filed September 10, 1997; effective October 16, 1997.
Amended (PE): Filed August 24, 2011; effective August 24, 2011.
Amended: Filed August 15, 2012; effective September 19, 2012.
Amended: Filed September 6, 2013; effective October 14, 2013.
Amended: Filed June 10, 2015; effective July 15, 2015. **Amended:** Filed August 19, 2019; effective October 3, 2019. **Amended:**
Published _____; effective _____.

Penalty: As provided by law.