

**TITLE 19 NATURAL RESOURCES AND WILDLIFE**  
**CHAPTER 30 WILDLIFE ADMINISTRATION**  
**PART 9 GAME AND FISH LICENSES/PERMITS**

**19.30.9.1 ISSUING AGENCY:** New Mexico Department of Game and Fish.  
[19.30.9.1 NMAC - Rp, 19.30.9.1 NMAC, 9-29-15]

**19.30.9.2 SCOPE:** License vendors and individuals utilizing the special use of wildlife licenses and permits.  
[19.30.9.2 NMAC - Rp, 19.30.9.2 NMAC, 9-29-15]

**19.30.9.3 STATUTORY AUTHORITY:** 17-1-14, 17-3-5, 17-3-7, and 17-3-12 NMSA 1978 provide that the New Mexico state game commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17, NMSA 1978 and all other acts pertaining to protected species.  
[19.30.9.3 NMAC - Rp, 19.30.9.3 NMAC, 9-29-15]

**19.30.9.4 DURATION:** Permanent.  
[19.30.9.4 NMAC - Rp, 19.30.9.4 NMAC, 9-29-15]

**19.30.9.5 EFFECTIVE DATE:** April 1, 2018, unless a later date is cited at the end of a section.  
[19.30.9.5 NMAC - Rp, 19.30.9.5 NMAC, 9-29-15; A, 4-1-18]

**19.30.9.6 OBJECTIVE:** Establishing financial liability of license vendors for unaccountable carcass tag documents, bonding requirements for license vendors, vendor application requirements, and certain licenses, permits, certificates and fees for special uses of wildlife.  
[19.30.9.6 NMAC - Rp, 19.30.9.6 NMAC, 9-29-15; A, 4-1-18]

**19.30.9.7 DEFINITIONS:**

**A.** "Vendor" shall mean any owner(s) of a private or public business concern authorized by the New Mexico department of game and fish to sell license documents.

**B.** "Carcass tag document(s)" shall mean any tag form provided to the vendor by the Department of Game and Fish that authorizes a person to legally possess big-game species or turkey killed in New Mexico.

**C.** "Financial liability" shall mean the dollar value owed for unaccountable carcass tags.

**D.** "License year" shall mean the period of April 1 through March 31.

**E.** "Hearing officer" shall mean the official designated by the department for the purpose of conducting revocation hearings and providing recommendations to the state game commission, relating to the suspension of hunting and fishing license vendors.

[19.30.9.7 NMAC - Rp, 19.30.9.7 NMAC, 9-29-15; A, 4-1-18]

**19.30.9.8 LICENSE VENDORS:**

**A. Assessment of financial liability:**

(1) The department will provide carcass tag documents prior to the beginning of each license year, and will conduct an audit at the end of the license year to account for all carcass tag documents not issued to customers. All voided carcass tags must be returned to the department no later than the 10<sup>th</sup> day of the next month, and all voided and unused carcass tags must be returned to the department at the end of the license year no later than May 10.

(2) First occurrence during a license year: A fee of \$125 per missing carcass tag document shall be levied upon the license vendor.

(3) Second occurrence during a license year: A fee of \$250 per missing carcass tag document shall be levied upon the license vendor.

(4) Third occurrence during a license year: The license vendor's privileges to sell department licenses shall be immediately suspended.

(5) A license vendor must appear before a hearing officer in order to have a hearing with respect to financial liability. A vendor may waive his right to a hearing and when he does so he agrees to pay to the department the appropriate amount as specified in Paragraphs 1 and 2 of Subsection A of 19.30.9.8 NMAC within ten (10) working days.

(6) In the case of unusual mitigating or extraordinary circumstances, the state game commission may determine, and the hearing officer may recommend, financial liability in an amount other than the amounts described in Paragraphs 1 and 2 of Subsection A of 19.30.9.8 NMAC. The decision of the state game commission shall be final.

**B. Vendor eligibility, procedures and bonding requirements:**

(1) Each vendor shall follow the procedures set forth in the most current New Mexico department of game and fish license vendor manual and agreement.

(2) Bonding requirements shall be established and maintained by the director of New Mexico department of game and fish. A surety bond shall be required of vendors who elect to remit the statutory license and permit fees pursuant to 17-3-7(D) NMSA 1978.

(3) A vendor may obtain a waiver of the bonding requirement subject to the following conditions:

(a) A vendor must participate in the department’s web-based sales system and submit payment when the total amount due (including license and vendor fees) to the department reaches \$5,000 or every two weeks, whichever comes first.

(b) A new vendor, or a vendor who has been inactive for one year or more, shall submit a vendor application form available from the department; a current credit score (provided by a credit reporting company), and shall be subject to a background check conducted by the department.

(c) An applicant with a credit score less than the average for the credit reporting company submitted will be ineligible to obtain a waiver of the bonding requirements.

(d) An applicant who has a felony conviction or who has had their hunting, fishing or trapping license privileges currently revoked or suspended or who has an outstanding civil assessment owed to the department is not eligible to obtain a waiver of the bonding requirements.

(4) A vendor must be party to a current license vendor agreement with the department on a form approved by the department.

(5) If a vendor is more than five days delinquent in its payment, its privileges to accept cash for department licenses and permits shall be immediately suspended, and the department shall only reactivate the vendor’s full license sale privileges once payment is received in full.

(6) A vendor that is delinquent more than three times in any 12 - month period shall have its privileges to sell department licenses and permits evaluated by the director, who shall determine if the vendor may retain those privileges, and whether the department will continue to waive the bonding requirement.

**C. Director’s Authority**

(1) The director may suspend, restrict or place conditions on a license vendor’s privileges if the vendor is found to be in violation of their vendor agreement or delinquent in their financial obligation to the department. If such a determination is made, a notice of the suspension, restriction(s), or condition(s) shall be sent to the vendor within 10 days of the director’s determination.

(2) An applicant or vendor who wishes to challenge any eligibility determination under this rule, may appeal to the director whose determination will be final and not subject to further appeal.

**D. Vendor fee:**

(1) The department will pay the vendor fees earned by the vendor for the previous month license sales, no later the 10th business day of the next month, to the vendor,

(2) The vendor shall be required to be registered in the state of New Mexico’s central accounting system.

[19.30.9.8 NMAC - Rp, 19.30.9.8 NMAC, 9-29-15; A, 4-1-18]

**19.30.9.9 ESTABLISHING CERTAIN LICENSES, PERMITS, CERTIFICATES AND FEES:**

Type	Further description	Fee
Certificate of application	NM resident draw application fee	\$7.00
	Non-resident draw application fee	\$13.00
Wildlife conservation stamp	Share with wildlife	\$10.00
Duplicate license		\$6.00

Landowner authorization certificate		\$9.00
Additional antelope permit tag		\$25.00
Migratory bird permit	Harvest information program (HIP)	\$0.00
Big game depredation damage stamp	NM resident	\$3.00
	Non-resident	\$10.00
Public land user stamp	Habitat stamp	\$5.00
Bait dealers		\$21.00
Commercial fishing		\$25.00
Importation fish	Annual application processing fee	\$25.00
	Additional stocking and shipment fee	\$6.00
Retention		\$1.25
Transportation		\$0.00
Triploid grass carp		\$25.00
Airborne hunting		\$10.00
Class A lake aquaculture/recirculating water system	Up to 75 fish or 750 gallons	\$20.00
	76 to 150 fish or 751 to 1500 gallons	\$40.00
	Over 150 fish or over 1500 gallons	\$100.00
Call pen		\$15.00
Class A lake		\$101.00
Class A lake	Additional lake	\$26.00
Class A park		\$501.00
Commercial collecting	Reptiles and amphibians	\$50.00
Educational use of wildlife	Application, renewal or amendment	\$15.00
Falconry	Application or renewal for 3 years	\$25.00
Field trial/importation		\$15.00
Game bird propagation		\$10.00
Protected mammal		\$10.00
Scientific use of wildlife	Application	\$15.00
	Renewal or amendment	\$15.00
Shooting preserve		\$200.00
Zoo	No fee	\$0.00
Importation non-domesticated animals per calendar year (1/1 to 12/31) except protected ungulates, game birds, fish or other	Class 1 importation of 1 to 5 animals	\$25.00
	Class 2 importation of 6 to 99 animals	\$75.00
	Class 3 importation of greater than 100 animals	\$300.00

Importation other	One time import (i.e., temporary importation, exhibition, game birds, restoration/recovery, etc.)	\$20.00
Importation protected ungulate	Initial application/source & up to 2 animals (valid 6 months)	\$500.00
	For additional animals, not to exceed 30 ungulates from the same source property/owner (if no acquisitions to source herd during 6 month period of validity)	\$50.00 per animal
	For greater than 30 ungulates from the same source property/owner (if no acquisitions to source herd during 6 months period of validity).	\$5.00 per animal

[19.30.9.9 NMAC - Rp, 19.30.9.9 NMAC, 9-29-15]

**HISTORY OF 19.30.9 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center and Archives:

Regulation No. 693, Establishing Certain Licenses, Permits, Certificates, And Fees, 4-20-92.

Regulation No. 702, Establishing Certain Licenses, Permits, Certificates, And Fees, 4-23-93.

Order No. 4-92, Amendment No. 1 To Regulation No. 693, Establishing Certain Licenses, Permits, Certificates, And Fees, 6-9-92.

Regulation No. 691, Establishing Financial Liability For Unaccounted For Licenses, 10-3-91.

**History of Repealed Material: [RESERVED]**