

Adopted Filing – Coversheet

Instructions:

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this filing will be considered complete upon filing and acceptance of these forms with the Office of the Secretary of State, and the Legislative Committee on Administrative Rules.

All forms shall be submitted at the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of these forms will be used to generate a notice of rulemaking in the portal of “Proposed Rule Postings” online, and the newspapers of record if the rule is marked for publication. Publication of notices will be charged back to the promulgating agency.

**PLEASE REMOVE ANY COVERSHEET OR FORM NOT
REQUIRED WITH THE CURRENT FILING BEFORE DELIVERY!**

Certification Statement: As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

10 App. V.S.A. § 12., Leashed tracking dogs

_____/s/ Jason Batchelder_____, on

9/3/2026

(signature)

(date)

Printed Name and Title:

Jason M. Batchelder, Commissioner

Department of Fish and Wildlife

Secretary, Vermont Fish and Wildlife Board

RECEIVED BY: _____

- ☐ Coversheet
- ☐ Adopting Page
- ☐ Clean text of the rule (Amended text without annotation)
- ☐ Letter regarding changes to the final proposed

1. TITLE OF RULE FILING:

10 App. V.S.A. § 12., Leashed tracking dogs

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

26P 017

3. ADOPTING AGENCY:

Vermont Fish and Wildlife Board

4. RECORDS EXEMPTION INCLUDED WITHIN RULE:

(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE, EXEMPTING IT FROM INSPECTION AND COPYING?) No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

5. LEGAL AUTHORITY / ENABLING LEGISLATION:

(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).

10 V.S.A. § 4082 (a); 10 V.S.A. § 4712.

6. THE FILING HAS CHANGED SINCE THE FILING OF THE FINAL PROPOSED RULE.

7. THE AGENCY HAS INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE, INCLUDING CHANGES IN ECONOMIC IMPACT.

8. THE LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES DID NOT OBJECT TO THE FINAL PROPOSAL.

9. PROCEDURAL HISTORY OF ADOPTION:

ICAR Filing: 5/26/2026

Proposal Filed with Office of the Secretary of State: 6/12/2026

Notices Posted Online: 6/17/2026

Notices Published in the Newspapers of Record: 6/25/2026

A Hearing WAS Held.

Hearings Held (*PLEASE USE ADDITIONAL SHEETS TO PROVIDE THE DATE, TIME, AND LOCATION OF ALL HEARINGS, IF THIS FORM IS INSUFFICIENT TO LIST ALL HEARINGS HELD*):

Date: 7/17/2026

Time: 06:00 PM

Street Address: Dill Building, 2178 Airport Road,
Barre, Vermont

Zip Code: 05641

URL for Virtual:

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

Deadline for Public Comment: 7/24/2026

Final Proposal —

Filed with Secretary of State: 07/29/2026

Filed with LCAR: 07/29/2026

Dates of LCAR Review: 08/20/2026, , , ,

Adopted Rule —

Filed with Secretary of State: 09/03/2026

Filed with LCAR: 09/03/2026

10. EFFECTIVE DATE: 9/19/2026

(A RULE MAY TAKE EFFECT 15 DAYS AFTER ADOPTION IS COMPLETE OR AT A LATER TIME PROVIDED IN THE TEXT OF THE RULE SEE 3 V.S.A. §845(d) FOR DETAILS).

Adopting Page

Instructions:

This form must accompany each filing made during the rulemaking process:

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible, the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

1. TITLE OF RULE FILING:

10 App. V.S.A. § 12., Leashed tracking dogs

2. ADOPTING AGENCY:

Vermont Fish and Wildlife Board

3. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment if the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **AN AMENDMENT OF AN EXISTING RULE** .

4. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND EFFECTIVE DATE OF THE LAST ADOPTION FOR THE EXISTING RULE*):

Last adopted September 5, 1996, SOS Log #96-66

Title 10 Appendix: Vermont Fish and Wildlife Regulations

§ 12. Leashed tracking dogs

1.0 Definitions.

For the purposes of this rule:

1.1 “Department” means the Vermont Department of Fish and Wildlife.

1.2 “Leashed tracking dog” means a dog which is used to track and find dead, injured, or wounded big game pursuant to a license issued in accordance with this rule. The dog must be licensed as required by subchapter 2 of chapter 193 of Title 20.

1.3 “Licensed” means a leashed tracking dog certificate issued pursuant to this rule, authorizing use of leashed tracking dogs as specified in this rule.

1.4 “Licensee” means a person who is the holder of a leashed tracking dog license.

1.5 “Physically incapacitated” means incapable of participating in the hunt due to physical injury.

1.6 “Dispatch” means to humanely kill.

1.7 “Big game animal” means big game as defined in 10 V.S.A. § 4001.

2.0 Prohibition.

Except as permitted by 10 V.S.A. § 4701 and section 4 of this rule, no person may use a dog to track dead, wounded or injured big game. Law enforcement officials acting in the performance of their official duties are exempt from the provisions of this rule.

3.0 Leashed Tracking Dog License.

A leashed tracking dog license issued by the Department entitles the licensee to:

3.1 Use leashed tracking dogs, during the day or at night to track and find dead, wounded or injured big game.

3.2 Dispatch wounded or injured big game animals which have been tracked and found in accordance with and pursuant to the conditions of such license.

3.2 Temporarily possess a big game animal which has been dispatched by the licensee, or reduced to possession by the licensee, until lawfully tagged or until delivered to a State Game Warden pursuant to the conditions of the license.

4.0 Leashed Tracking Dog License; Conditions.

4.1 A big game hunter who has killed, wounded or injured, or reasonably believes he or she has killed, wounded or injured, a big game animal during a big game season may engage a licensee to track and recover the animal. If the hunter is physically incapacitated, the licensee may track and dispatch the animal if the licensee is personally carrying a written signed

instrument from the hunter listing (1) the date, (2) the hunter's name, address, telephone number and big game license number, and (3) a statement that the hunter has engaged the licensee to track the animal, and that the hunter has killed, wounded or injured such animal, and that the hunter is unable to accompany the licensee because of physical incapacitation.

4.2 No person other than the licensee or, during legal hunting periods, the big game hunter who has engaged the licensee when specifically so authorized by the licensee, may carry a firearm or bow of any description while tracking dead, wounded or injured big game pursuant to this rule.

4.3 During legal hunting periods, the hunter who has engaged the licensee must dispatch the wounded or injured big game animal when found by the licensee by means which are lawful during the season in which it was wounded or injured and in a lawful manner reduce the animal to legal possession. However, the licensee must dispatch the wounded or injured animal if the legal hunting period has ended, when the hunter is not present, or, when in the judgment of the licensee it is unsafe or otherwise inappropriate for the hunter to do so.

4.4 The licensee may use a handgun of no less than .35 caliber with a barrel length of not less than four inches to dispatch a wounded or injured big game animal, provided that the licensee complies with all other provisions of federal, state and local laws and regulations concerning possession and discharge of firearms and the conditions of a license granted under this rule.

4.5 Before tracking a dead, wounded or injured animal, whether during a big game season or outside of the season, the licensee must notify, by telephone or in person, the State Game Warden assigned to the area. If the warden is unavailable, his or her immediate supervisor will be notified. Notification must include the 1) name of the licensee, 2) name, address, telephone number, and big game license number of the big game hunter engaging the licensee, 3) general location of the wounded or injured animal, and 4) the name of the owner(s) of the land where the search will be conducted.

4.6 The licensee must maintain physical control of the leashed tracking dog(s) at all times while conducting activities subject to this rule by means of a lead attached to the dog's collar or harness. This lead must be at least twelve (12) feet in length.

4.7 After a big game animal has been dispatched, the licensed hunter must immediately tag the carcass as required by Section 2a of part 4 Title 10 Appendix. If the hunter is physically incapacitated, the hunter must immediately tag the carcass upon delivery of the animal by the licensee. If the hunter is unavailable the licensee must report the incident to and deliver the animal to a State Game Warden or the State Game Warden's immediate supervisor.

4.8 The licensee must personally carry a current big game license and a valid leashed tracking dog license when conducting activities pursuant to this rule.

4.9 The licensee must notify the department in writing, of any change of address within 30 days of that change of address.

4.10 The licensee must submit to the department a written request for license renewal within the 30 days prior to the expiration of such license.

4.11 The licensee must submit an annual report to the Commissioner within 15 days of the close of the last yearly big game season, which shall give all dates, locations and outcomes of tracking incidents as well as the name, address and hunting license number of each hunter and name of each State Game Warden contacted in each case.

5.0 Leashed Tracking Dog License Qualifications.

The applicant for a license must:

- (a) Provide proof of possession of a current Vermont big game hunting license;
- (b) Not have been convicted of, or pled guilty to, an offense under the Fish and Wildlife Law, within the previous five years which resulted in a revocation of the person's big game, hunting, or archery license;
- (c) Submit a non-refundable application fee of \$25.00 and a completed application to the Department prior to taking the written examination;
- (d) Receive a grade of 80 percent or higher on a written examination administered by the department. The examination will be offered at least once a year and will test the applicant's knowledge of Fish and Wildlife law and regulations, dog training and handling methods and other areas of knowledge as deemed appropriate or relevant by the Commissioner.

6.0 Leashed Tracking Dog License; Issuance.

6.1 Applicants and licensees shall pay the following fees:

- (a) Initial license—resident—\$100
non-resident—\$200
- (b) Renewal—resident—\$125.00
non-resident—\$225.00

6.2 A license is valid for five years from the date of issuance.

6.3 A license is valid only for the individual identified on the license and is not transferable.

6.4 A licensee who fails to renew his/her license within one year of the date of expiration must reapply and meet all the qualifications set forth in Section 5 of this rule.

6.5 The Department may place special conditions on the license which it deems appropriate or necessary. The Department may also waive or dispense with any requirement of this rule when the Department deems it to be in the public interest to do so.

7.0 Leashed Tracking Dog License; Suspension or Revocation.

A license issued pursuant to this rule shall be revoked concurrently with all other licenses upon conviction of a violation of Vermont Fish and Wildlife law pursuant to 10 V.S.A. § 4502.

(Added 1996, Fish and Wildlife Commissioner's Reg. No. 1015, eff. Sept. 5, 1996.)

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Agency Of Natural Resources

September 3, 2026

Louise Corliss
Administrative Services / APA Manager I
Vermont State Archives & Records Administration (VSARA)
1078 U.S. Rte 2 Middlesex
Montpelier, VT 05633-7701

Re: Changes to 10 App. V.S.A. § 12., Leashed tracking dogs

Dear Ms. Corliss,

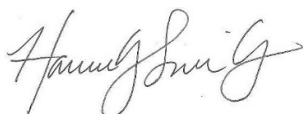
On Wednesday, July 29th, the Vermont Department of Fish and Wildlife filed the Final Proposed rule packages for four rules with the Legislative Committee on Administrative Rules (LCAR). This included the filing package for 10 App. V.S.A. § 12., Leashed tracking dogs. Following the filing of the Final Proposed rules, a question was raised by a Fish and Wildlife Board member regarding language in Section 4.4 of the rule.

Section 4.4 specifically addresses the type of firearm a leashed tracking dog licensee may use to dispatch a wounded animal. The language made reference to the use of the required firearm during the 24-hour period immediately following a big game season. Currently, the use of leashed tracking dogs is only permitted during big game seasons and the 24-hour period immediately following the last day of a big game season. The proposed rule changes would allow leashed tracking dogs to be used year-round. As such, the reference to the 24-hour period following the season in Section 4.4 was no longer necessary, and potentially confusing. The Department proposed the following highlighted revision to Section 4.4, to eliminate confusion and make the amended rule language consistent throughout:

4.4 The licensee may use a handgun of no less than .35 caliber with a barrel length of not less than four inches to dispatch a wounded or injured big game animal, **and during the 24 hour period immediately following the last day of a big game season**, provided that the licensee complies with all other provisions of federal, state and local laws and regulations concerning possession and discharge of firearms and the conditions of a license granted under this rule.

LCAR approved the rule with the above language change at the August 20th LCAR hearing.

Sincerely,



Hannah Smith, Esq., General Counsel
Vermont Department of Fish and Wildlife

