ADOPTED RULE # _____

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. § 7 Bear Management Rule

/s/ Jason M. Batchelder , on 11/05/2026

(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. § 7 Bear Management Rule
2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE
   26P025
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. §4084
6. THE FILING HAS NOT CHANGED SINCE THE FILING OF THE FINAL PROPOSED RULE.
7. THE AGENCY HAS NOT 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: 6/28/2026

   Proposal Filed with Office of the Secretary of State: 7/17/2026

   Notices Posted Online: 7/22/2026

   Notices Published in the Newspapers of Record: 7/30/2026

   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: 8/24/2026

Time: 06:30 PM

Street Address: St. Andrew's Church, 1265 Main Street, St. Johnsbury VT

Zip Code: 05819

URL for Virtual: https://gcc02.safelinks.protection.outlook.com/ap/t-59584e83/?url=https%3A%2F%2Fteams.microsoft.com%2Fmeet%2F2604306987733 48%3Fp%3Djmuv99MWqOHHHvT7VO&data=05%7C02%7CHannah.Smith%40vermont.gov%7Ca6672fb2d397498b027b08dee36a56c9%7C20b4933bbaad433c9c0270edcc7559c6%7C0%7C0%7C639198243037926306%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=UBSQw0oH0SVbHZkP2aabCfvFZGGoOse0webOvveWIHc%3D&reserved=0

Date: 8/27/2026

Time: 06:30 PM

Street Address: Bennington Elks Lodge, 125 Washington Ave., Bennington VT

Zip Code: 05201

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: 9/4/2026

Final Proposal —

Filed with Secretary of State: 09/21/2026

Filed with LCAR: 09/21/2026

Dates of LCAR Review: 10/15/2026, , , ,

Adopted Rule —

Filed with Secretary of State: 11/05/2026

Filed with LCAR: 11/05/2026

10. EFFECTIVE DATE: 12/01/2026
(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.

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1. TITLE OF RULE FILING:
   10 App. V.S.A. § 7 Bear Management Rule
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)*:

   SOS Log # 19-044, Bear Management Rule (10 App. V.S.A. §7), last effective date: January 1, 2020.

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 and prescribes the manner and means of taking 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 Sub-permittee engaged in the control, handling, transporting or intercepting of Department registered dogs while hunting with dogs, shall be under the express direction of the permit holder, and

b) A Sub-permittee who harvests a 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 any animal, vegetable, fruit, mineral matter, honey, or any other substance capable of luring or attracting black bear or any other wildlife.

3.3 “Baited area" means an area where 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 issued by the Commissioner to a person who wishes to hunt, pursue or take black bear with the aid of dogs.

3.5 “Commissioner” means the Commissioner of the Vermont Department of Fish and Wildlife.

3.6 “Control of Dog/Dogs” means 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 Department of Fish and Wildlife.

3.8 "Department Registered Dog" means a dog bearing a numbered identification dog-tag (Department Registration Dog-Tag) approved or issued by the Vermont Department of Fish and Wildlife, 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 Registration 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, archery equipment, or crossbow when authorized.

3.11 “Pack of Dogs” means one to six dogs, acting as a unit during the pursuit of black bear.

3.12 “Sub-Permittee” means any person with a valid Vermont hunting license designated by the bear dog permit holder to assist or take a bear with the aid of dogs, in accordance with written authorization issued by the Department.

3.13 “Relaying Dogs/Packs” means the removal and replacement of one or more dogs to the trail of a bear to the original pack of dogs 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.

3.14 "Bear Tag" means a document issued by the Department authorizing the taking of a black bear in the current season.

3.15 "Unregistered Dog" means a dog that does not have a valid Department Registration Dog-Tag as described in 3.8.

4.0 Seasons and Shooting Hours

4.1 The bear season shall extend from September 1st through the last day of the regulated deer hunting seasons. For the purposes of harvesting a bear, Non-Resident bear dog permits shall be valid no earlier than September 15th.

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 Bear Season, a person must possess a valid Vermont Big Game Hunting license, and possess a Bear Tag issued separately by the Department.

5.3 A person shall not harvest more than one black bear per calendar year, not to include animals taken pursuant to 10 V.S.A. § 4827, unless the Board determines a second bear may be taken during the calendar year within specified WMUs, based on the annual recommendations of the Department. To take a second bear, a person must purchase a Second Bear Tag issued by the Department. A second bear may be taken during the bear season, and only within the WMUs specified by the Board.

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, use only Department Registered Dogs and possess valid Department-issued bear tags. 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. The permit shall 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. The permittee shall comply with all

bear dog permit conditions, including the effective dates of the permit. Bear dog permits shall authorize the hunting of bear with dogs through the second Sunday of the regular deer season.

6.2 A person shall not take a black bear into his/her actual possession except by killing the bear by legal means or methods.

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) 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, 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 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. The combined bear dog permit holders shall not take black bear with the aid of more than six dogs combined forming a single 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 black bear.

7.0 Prohibitions

7.1 No person shall knowingly 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 knowingly using bait or a baited area.

7.2 A person shall not advertise, barter, exchange goods or services, 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 take 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.

7.6 Except as permitted pursuant to 10 V.S.A. § 4827, no person shall intentionally take a sow accompanied by a cub or cubs.

7.7 It shall be a violation to intentionally take a denning bear or harass a bear from its den, except for research and management purposes as approved by the Department.

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 Department of Fish and Wildlife Reporting Station, or a person designated by the Commissioner within 48 hours. If a bear is taken with the aid of dogs, the person who harvested the bear and the bear dog permit holder must both be present to legally report 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.