

Texas Register

TITLE 31 NATURAL RESOURCES AND CONSERVATION
PART 2 TEXAS PARKS AND WILDLIFE DEPARTMENT
CHAPTER 65 WILDLIFE
SUBCHAPTER O COMMERCIAL NONGAME PERMITS
RULE §65.328 Means and Methods
ISSUE 10/26/2018
ACTION Final/Adopted

[Preamble](#)

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Any device employed or emplaced to take or attempt to take nongame wildlife shall be marked with a gear tag. The gear tag must bear the name and address of the person using the device and the date the device was set out. The information on the gear tag must be legible. The gear tag is valid for 30 days following the date indicated on the tag.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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General Counsel

Texas Parks and Wildlife Department

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For further information, please call: (512) 389-4775

Texas Register

TITLE 31 NATURAL RESOURCES AND CONSERVATION
PART 2 TEXAS PARKS AND WILDLIFE DEPARTMENT
CHAPTER 65 WILDLIFE
SUBCHAPTER O COMMERCIAL NONGAME PERMITS
RULE §65.331 Commercial Activity
ISSUE 10/26/2018
ACTION Final/Adopted

[Preamble](#)

[Texas Admin
Code Rule](#)

- (a)Policy. The department shall develop a policy for periodic evaluation of pertinent information or evidence to determine if a species should be added to or removed from the lists of species in this section.
- (b)Turtles. No person while on or in public water may possess or use a net or trap capable of catching a turtle. This section does not apply to:
- (1)dip nets; or
 - (2)minnow traps, provided the minnow trap is less than 24 inches in length or has a throat smaller than one by three inches.
- (c)It is an offense for any person to take or attempt to take nongame wildlife for purposes of commercial activity from public land or water.
- (d)The species of nongame wildlife listed in this paragraph may be possessed, purchased, sold, offered for sale, imported, or exported as provided under this subchapter.
- (e)No person shall engage in commercial activity involving any nongame species not listed in

subsection (d) of this section, except as provided in §65.327 of this title (relating to Permit Required). This prohibition on commercial activity includes, but is not limited to, the following species:

[Attached Graphic](#)

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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