1501:31-1-02 **Definition of terms.**

As used in rules 1501:31-1-01 to 1501:31-40-29 of the Administrative Code, the following respective terms shall mean:

(A) "Accompany" as it relates to youth hunters and hunters with apprentice licenses means going along with another person while staying within a distance from the person that enables uninterrupted, unaided visual and auditory communications.

(B) Amphibians" include Acris crepitans crepitans (Eastern cricket frog), Ambystoma barbouri (streamside salamander), Ambystoma jeffersonianum (Jefferson salamander), Ambystoma laterale (blue-spotted salamander), Ambystoma maculatum (spotted salamander), Ambystoma opacum (marbled salamander), Ambystoma texanum (small-mouthed salamander), Ambystoma tigrinum (Eastern tiger salamander), Anaxyrus americanus americanus (American toad), Anarxyrus fowleri (Fowler's toad), Aneides aenus (green salamander), Crytpobranchus alleganiensis alleganiensis (Eastern hellbender), Desmognathus fuscus (Northern dusky salamander), Desmognathus ochrophaeus (Allegheny mountain dusky salamander), Eurycea bislineata (Northern two-lined salamander), Eurycea cirrigera (Southern two-lined salamander), Eurycea longicauda longicauda (long-tailed salamander), Eurycea lucifiga (cave salamander), Gyrinophilus porphyriticus duryi (Kentucky spring salamander), Gyrinophilus porphyriticus porphyriticus (Northern spring salamander), Hemidactylium scutatum (four-toed salamander), Hyla chrysoscelis (Cope's gray treefrog), Hyla versicolor (gray treefrog), Lithobates catesbeianus (American bullfrog), Lithobates clamitans (green frog), Lithobaes palustris (pickerel frog), Lithobates pipiens (Northern leopard frog), Lithobates sphenocephalus (Southern leopard frog), Lithobates sylvaticus (wood frog), Necturus maculosus maculosus (common mudpuppy), Notophthalmus viridescens viridescens (red-spotted newt), Plethodon cinereus (Eastern red-backed salamander), Plethodon glutinosus (Northern slimy salamander), Plethodon richmondi (Southern ravine salamander), Pseudotriton montanus diastictus (midland mud salamander), Pseudotriton ruber ruber (Northern red salamander), Pseudacris brachyphona (mountain chorus frog), Pseudacris crucifer (spring peeper), Pseudacris triseriata (Western chorus frog), Scaphiopus holbrookii (Eastern spadefoot).

(1) "Collectable amphibians" include Ambystoma barbouri (streamside salamander), Ambystoma jeffersonianum (Jefferson salamander), Ambystoma maculatum (spotted salamander), Ambystoma opacum (marbled salamander), Ambystoma texanum (small-mouthed salamander), Ambystoma tigrinum (Eastern tiger salamander), Anaxyrus americanus americanus (American toad), Anarxyrus fowleri (Fowler's toad), Desmognathus fuscus (Northern dusky salamander), Desmognathus ochrophaeus (Allegheny mountain dusky salamander), Eurycea bislineata (Northern two-lined salamander), Eurycea cirrigera (Southern two-lined salamander), Eurycea longicauda longicauda (long-tailed salamander), Gyrinophilus porphyriticus

duryi (Kentucky spring salamander), Gyrinophilus porphyriticus porphyriticus (Northern spring salamander), Hyla chrysoscelis (Cope's gray treefrog), Hyla versicolor (gray treefrog), Lithobates catesbeianus (American bullfrog), Lithobates clamitans (green frog), Lithobaes palustris (pickerel frog), Lithobates pipiens (Northern leopard frog), Lithobates sphenocephalus (Southern leopard frog), Lithobates sylvaticus (wood frog), Necturus maculosus maculosus (common mudpuppy), Notophthalmus viridescens viridescens (red-spotted newt), Plethodon cinereus (Eastern red-backed salamander), Plethodon glutinosus (Northern slimy salamander), Plethodon richmondi (Southern ravine salamander), Pseudacris brachyphona (mountain chorus frog), Pseudacris crucifer (spring peeper), Pseudacris triseriata (Western chorus frog), Pseudotriton ruber ruber (Northern red salamander).

(C) "Angling" means fishing with not more than two hand lines, not more than two units of rod and line, or a combination of not more than one hand line and one rod and line, either in hand or under control at any time while fishing. The hand line or rod and line shall have attached to it not more than three baited hooks, or not more than three artificial fly rod lures, or one artificial bait casting lure equipped with not more than three sets of three hooks each.

(D) "Artificial lure" means a manufactured lure other than a fly, constructed with a single, double, or treble hooks, not containing any natural or prepared food substances but may include synthetic imitations of such. Including soft plastic lures, synthetic grubs or synthetic eggs not containing natural food substances.

(E) "Baited area" means any area where shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed whatsoever capable of luring, attracting, or enticing such birds is directly or indirectly placed, exposed, deposited, distributed, or scattered and such area shall remain a baited area for ten days following complete removal of all such corn, wheat or other grain, salt, or other feed. However, nothing in this paragraph shall prohibit:

(1) The taking of all mourning doves and migratory game birds, including waterfowl, on or over standing crops, flooded standing crops, including aquatics, flooded harvested crop-lands, grain crops properly shucked on the field where grown, or grains found scattered solely as the result of normal agricultural planting or harvesting, or if you restore and manage wetlands as habitat for waterfowl and other migratory birds, you can manipulate the naturally occurring vegetation in these areas and make them available for hunting; and

(2) The taking of all mourning doves and migratory game birds, except waterfowl, on or over any lands where shelled, shucked or unshucked corn, wheat or other grain, salt, or other feed has been distributed or scattered as the result of

bona fide agricultural operations or procedures, or as a result of manipulation of a crop or other feed on the land where grown for wildlife management purposes; provided, that manipulation for wildlife management purposes does not include the distributing or scattering of grain or other feed once it has been removed from or stored on the field where grown.

(F) "Baiting" means the placing, exposing, depositing, distributing, or scattering of shelled, shucked, or unshelled corn, wheat or other grain, salt or other feed so as to constitute for such wild turkeys, mourning doves or migratory birds, a lure, attraction or enticement to, on or over any area where hunters are attempting to take them.

(G) "Bag limit" means the number, measurement, or weight of any kind of clams, mussels, crayfish, aquatic insects, fish, frogs, turtles, wild birds, and wild quadrupeds permitted to be taken.

(H) "Blind" means any type of constructed shelter or device that conceals a person pursuing a wild animal.

(I) "Buyer" means a person who buys or otherwise acquires ginseng for resale or trade.

(J) "Camping unit" means a car trailer, modified motor vehicle or tent accommodating not more than four persons. The limit of four persons does not apply to children under six years of age.

(K) "Captive white-tailed deer" means legally acquired deer that are held in private ownership at a facility licensed under section 943.03 or 943.031 of the Revised Code and under section 1533.71 or 1533.721 of the Revised Code.

~~(K)~~(L) "Channels" or "passages" means those narrow bodies of water lying between islands or between an island and the mainland in lake Erie.

~~(L)~~(M) "Chief" means chief of the Ohio division of wildlife.

~~(M)~~(N) "Certificate of competency" means a card certifying a student has successfully completed a hunter safety course administered by a state or provincial wildlife agency or the "National Rifle Association"; or a card certifying the person listed thereon has successfully completed a trapper education course administered by a state or provincial wildlife agency.

~~(N)~~(O) "Cervidae" means all members of the deer family which includes but is not limited to caribou, moose, elk and deer.

~~(O)~~(P) "Clay pigeon" means a circular clay target no larger than two hundred millimeter in diameter.

~~(P)~~(Q) "Closed season" means that period of time during which the taking of wild animals protected by Chapters 1531. and 1533. of the Revised Code is prohibited.

~~(Q)~~(R) "Collector" means a person who harvests ginseng.

(S) "Commercial bird shooting preserve" means an area of land where game birds are released and hunted by shooting as authorized by a commercial bird shooting preserve license obtained under section 1533.72 of the Revised Code.

~~(R)~~(T) "Commercial fish" means those species of fish permitted to be taken, possessed, bought, or sold unless otherwise restricted by the Revised Code or division order and are alewife (Alosa pseudoharengus), American eel (Anguilla rostrata), bowfin (Amia calva), burbot (Lota lota), carp (Cyprinus carpio), smallmouth buffalo (Ictiobus bubalus), big mouth buffalo (Ictiobus cyprinellus), black bullhead (Ictalurus melas), yellow bullhead (Ictalurus natalis), brown bullhead (Ictalurus nebulosus), channel catfish (Ictalurus punctatus), flathead catfish (Pylodictis olivaris), whitefish (Coregonus sp.), cisco (Coregonus sp.), freshwater drum or sheepshead (Aplodinotus grunniens), gar (Lepisosteus sp.), gizzard shad (Dorosoma cepedianum), goldfish (Carassius auratus), lake trout (Salvelinus namaycush), mooneye (Hiodon tergisus), quillback (Carpiodes cyprinus), smelt (Allosmerus elongatus, Hypomesus sp., Osmerus sp., Spirinchus sp.), sturgeon (Acipenser sp., Scaphirhynchus sp.), sucker other than buffalo and quillback (Carpiodes sp., Catostomus sp., Hypentelium sp., Minytrema sp., Moxostoma sp.), white bass (Morone chrysops), white perch (Morone americanua), yellow perch (Perca flavescens) and (Perca fluviatilis). When the common name of a fish is used in Chapter 1531. or 1533. of the Revised Code, it refers to the fish designated by the scientific name in this definition.

~~(S)~~(U) "Commercial fishing gear" means seines, trap nets, fyke nets, dip nets, carp aprons, trotlines, other similar gear, and any boat used in conjunction with that gear, but does not include gill net.

~~(T)~~(V) "Crib" or "car" refers to that particular compartment of the net from which the fish are taken when the net is lifted.

~~(U)~~(W) "Crossbow" means a device for propelling an arrow by means of traverse limbs and a string, mounted on a stock at least twenty-five inches in length, and having a working safety.

~~(V)~~(X) "Cultivated ginseng" means the plant species Panax Quinquefolius l., also known as Panx Quinquefolium l., which is growing in tilled beds under shade of artificial structures or under natural shade and is cultivated according to standard ginseng horticultural practices.

~~(W)~~(Y) "Dealer" means a person who buys or otherwise acquires ginseng for resale or trade.

~~(X)~~(Z) "Dealer state registration permit" means a permit issued by the chief of the Ohio division of wildlife authorizing a dealer to buy or otherwise acquire ginseng for resale and export ginseng from the state.

~~(Y)~~(AA) "Deer" means white-tailed deer (Odocoileus virginianus).

~~(Z)~~(BB) "Division order," "division of wildlife order," or "order of the division of wildlife" means any written order, rule or regulation of the chief of the division of wildlife.

~~(AA)~~(CC) "Domestic deer" means nonnative deer that have been legally acquired or their offspring and that are held in private ownership for primarily agricultural purposes.

~~(BB)~~(DD) "Electric-Powered All-Purpose Vehicle (EPAPV)" means any battery-powered self propelled electric vehicle that is designed primarily for cross-country travel on land, water, or land and water and that is steered by wheels, caterpillar treads, or a combination of wheels and caterpillar treads and includes vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all-season vehicles, mini-bikes, and trail bikes. "Electric-Powered All-Purpose Vehicle" does not include a utility vehicle as defined in section 4501.01 of the Revised Code, any vehicle or aircraft that is required to be registered under Chapter 4503. or 4561. of the Revised Code, or any vehicle that is excluded from the definition of "motor vehicle" as provided in division (B) of section 4501.01 of the Revised Code.

~~(CC)~~(EE) "Electronic Catch Reporting System" means a computerized electronic database system for the capture, transmission and management of commercial fishing data.

~~(DD)~~(FF) "Falconry" means taking game with a trained raptor, or with a trained raptor and a dog, and includes the training of a raptor to take game.

~~(EE)~~(GG) "Federal regulations" means the current U.S. fish and wildlife service regulations and standards governing falconry.

~~(FF)~~(HH) "Field trials" shall mean the using or working of dogs or raptors that are being tested or judged in their performance in finding, tracking, trailing, pointing, hunting or retrieving game birds, by persons other than the owner or handler.

~~(GG)~~(II) "Fillet" means the pieces of flesh taken or cut from both sides of a fish, joined to form one piece of flesh.

~~(HH)~~(JJ) "Firing line" means a designated zone, area, or location on any division range where shooters may fire from.

~~(II)~~(KK) "Fish" means cold-blooded vertebrate having fins.

~~(JJ)~~(LL) "Fishing" means taking or attempting to take fish by any method, and all other acts such as placing, setting, drawing, or using any device commonly used to take fish whether resulting in a taking or not.

~~(KK)~~(MM) "Fishing guide" means any person who, for consideration or hire, operates a boat, rents, leases, or otherwise furnishes angling devices, ice fishing shanties or shelters of any kind, or other fishing equipment, and accompanies, guides, directs, or assists any other person, in order for the other person to engage in fishing.

~~(LL)~~(NN) "Fly" means a lure constructed on a single-point hook of feathers, tinsel, chenille, yarn, fur, hair, silk, rayon, or nylon thread or floss, with or without spinner.

~~(MM)~~(OO) "Fur farm" means any area used exclusively for raising furbearing animals or in addition thereto used for hunting game, the boundaries of which are plainly marked as such.

~~(NN)~~(PP) "Furbearing animals" includes minks, weasels, raccoons, skunks, opossums, muskrats, fox, beavers, badgers, otters, coyotes, bobcats and fishers.

~~(OO)~~(QQ) "Game" includes game birds, game quadrupeds, and furbearing animals.

~~(PP)~~(RR) "Game birds" includes mourning doves, ringneck pheasants, bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, wild turkey, Hungarian partridge, chukar partridge, woodcocks, black-breasted plover, golden plover, Wilson's snipe or jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, duck, geese, brant, mergansers and crows.

~~(QQ)~~(SS) "Game quadrupeds" includes cottontail rabbits, gray squirrels, black squirrels, fox squirrels, red squirrels, flying squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer, black bears, wild boar and porcupines.

~~(RR)~~(TT) "Gill net" means a single section of fabric or netting seamed to a float line at the top and a lead line at the bottom, which is designed to entangle fish in the net openings as they swim into it.

~~(SS)~~(UU) "Ginseng" means wild or cultivated ginseng.

~~(TT)~~(VV) "Green wild ginseng" means freshly collected wild ginseng root which has not been dried out and which is still pliable.

~~(UU)~~(WW) "Grower" means a person who grows ginseng in cultivated plots according to standard ginseng horticultural practices.

~~(VV)~~(XX) "Haggard birds" means raptors after their first year of life in the wild.

~~(WW)~~(YY) "Harvest" means to pick, cut, dig, root up, gather or otherwise collect ginseng.

~~(XX)~~(ZZ) "Hunting" means pursuing, shooting, killing, following after or on the trail of, lying in wait for, shooting at, or wounding wild birds or wild quadrupeds while employing any device commonly used to kill or wound wild birds or wild quadrupeds whether the acts result in killing or wounding or not. It includes every attempt to kill or wound and every act of assistance to any other person in killing or wounding or attempting to kill or wound wild birds or wild quadrupeds.

~~(YY)~~(AAA) "Ice fishing shelter" means something taken to or used on a frozen body of water as protection or cover from the weather.

~~(ZZ)~~(BBB) "Imping" means the repair of a broken feather on a raptor by attaching a molted feather or a feather from another bird to the stub of the damaged feather.

~~(AAA)~~(CCC) "Island" means a rock or land elevation above the waters of lake Erie having an area of five or more acres above water.

~~(BBB)~~(DDD) "Lake Erie sport fishing district" means the Ohio waters of lake Erie, its embayments including Maumee bay, Sandusky bay, east harbor, middle harbor, west harbor and tributaries to the first dam or designated landmark as follows:

Vermillion river - state route 2 bridge

Black river - state route 611 bridge

Rocky river - Detroit road bridge

Cuyahoga river - Harvard road bridge

Euclid creek - state route 283 bridge

Chagrin river - state route 283 bridge

Arcola creek - U.S. route 20 bridge

Wheeler creek - U.S. route 20 bridge

Cowles creek - U.S. route 20 bridge

Indian creek - U.S. route 20 bridge

Grand river - state route 535 bridge

Conneaut creek - main street (downtown Conneaut) bridge

Ashtabula river - east 24th street bridge

~~(CCC)~~(EEE) "Lake Erie yellow perch management units" means the geographic area within the lake Erie fishing district by which yellow perch quotas are allocated. Ohio's yellow perch quotas for each lake Erie yellow perch management unit are derived from the total allowable catch (TAC) established by the lake Erie committee of the Great Lakes fishery commission. Each lake Erie yellow perch management unit derives from the home range of a yellow perch stock for which the quota management system was instituted.

(1) Unit 1

(a) Lake Erie yellow perch management unit one shall consist of all waters in Lucas, Ottawa and Erie counties between east and west boundaries as defined:

(i) The west boundary is the Michigan-Ohio state line beginning in Maumee bay and extending northeast to the United States-Canada international line in lake Erie including all waters in Lucas and Ottawa counties.

(ii) The east boundary begins at the Huron pier lighthouse, extends along an imaginary line running northeast to the eighty-two degree, thirty minute meridian and thenceforth along the meridian north to the United States-Canada international line.

(2) Unit 2

(a) Lake Erie yellow perch management unit two shall consist of all waters in Lorain and Cuyahoga counties between west and east boundaries as defined:

(i) The west boundary shall begin in the Huron river, including all boat ramps or marinas connected to the Huron river, then extending from the Huron pier lighthouse along an imaginary line northeast to the eighty-two degree, thirty minute meridian and thenceforth along that meridian north to the United States-Canada international line.

(ii) The east boundary begins at the Fairport harbor light, extends north along the eighty-one degree, twenty minute meridian to the United States-Canada international line.

(3) Unit 3

(a) Lake Erie yellow perch management unit three shall consist of all waters in Lake and Ashtabula counties between west and east boundaries as defined:

(i) The west boundary shall begin in the Grand river at the state route 535 bridge, including all boat ramps and marinas connected to the Grand river and extending from the Fairport harbor light along the eighty-one degree, twenty minute meridian north to the United States-Canada international line.

(ii) The east boundary shall be the Ohio-Pennsylvania state line extending from the shoreline north to the United States-Canada international line.

~~(DDD)~~(FFF) "Loaded firearm" means a firearm that has cartridges or shells in either the chamber, or magazine, or both.

~~(EEE)~~(GGG) "Longbow" or "bow" means a device for propelling an arrow by means of limbs, and a string which is hand-held, hand-drawn, and held in a drawn position by hand or a hand-held mechanical release or by a mechanical device with a working safety.

~~(FFF)~~(HHH) "Marker" means a federally approved identification device bearing a serial number which must be attached to a raptor used in falconry.

~~(GGG)~~(III) "Measurement of fish" means length from end of nose to the longest tip or end of tail.

~~(HHH)~~(JJJ) "Migrate" means the transit or movement of fish to or from one place to another as a result of natural forces or instinct and includes, but is not limited to, movement of fish induced or caused by changes in the water flow.

~~(III)~~(KKK) "Migratory bird preservation facility" means any residence or place of business which, for hire or other consideration, or any cold-storage facility or locker plant which, for hire or other consideration, or any hunting club which in the normal course of operation, receives, possesses, or has in custody any migratory game birds belonging to another person for purposes of picking, cleaning, freezing, processing, storage, or shipment.

~~(JJJ)~~(LLL) "Migratory game birds" mean waterfowl, rails, mourning doves, cranes, cormorants and shorebirds.

~~(KKK)~~(MMM) "Motor vehicle" means anything having wheels, tracks, or runners, propelled or drawn by power other than human muscular power.

~~(LLL)~~(NNN) "Muskrat spear" means any device used in spearing muskrats.

~~(MMM)~~(OOO) "Mussel" means any bivalve mollusk including all native and nonnative mussels and clams.

~~(NNN)~~(PPP) "Muzzleloading rifle" and "muzzleloading shotgun" means a primitive weapon that is loaded exclusively from the muzzle, and has a permanent breech plug or when said breech plug is removed renders the weapon inoperable, or incapable of firing modern-day ammunition.

~~(OOO)~~(QQQ) "Native wildlife" means any species of the animal kingdom indigenous to this state.

~~(PPP)~~(RRR) "Natural habitat" means the environment in which a species exists as a natural population.

~~(QQQ)~~(SSS) "Nestling or eyass" means young raptors not yet capable of flight.

~~(RRR)~~(TTT) "Net" means fishing devices with meshes composed of twine or synthetic material, and includes but is not limited to trap nets, fyke nets, crib nets, carp aprons, dip nets and seines, except minnow seines and minnow dip nets.

~~(SSS)~~(UUU) "New applicant for a commercial fishing license" means any person who was not licensed in the previous fishing season or did not hold in reserve a commercial fishing license in the previous fishing season. Such person must meet the pre-application qualifications set forth in section 1533.342 of the Revised Code for a person who was not licensed in the previous fishing season.

~~(TTT)~~(VVV) "Nongame birds" includes all other wild birds not included and defined as game birds or migratory game birds.

~~(UUU)~~(WWW) "Nonnative wildlife" means any wild animal not indigenous to this state, but does not include domestic deer.

~~(VVV)~~(XXX) "Nonresident" means any person who does not qualify as a resident.

~~(WWW)~~(YYY) "Ohio ginseng management program" means the program established by the Ohio division of wildlife, under the guidance of the federal wildlife permit office of the U.S. fish and wildlife service, to achieve a sustained yeild of ginseng so that harvesting efforts will not be detrimental to the survival of the species.

~~(XXX)~~(ZZZ) "Ohio wild ginseng" means the plant species Panax Quinquefolius L., also known as Panax Quinquefolium L., which is growing in an uncultivated state or has been collected from its native habitat in an uncultivated state, notwithstanding whether the ginseng occurs naturally from that habitat or was introduced or increased in abundance by sowing ginseng seed or by transplanting ginseng plants from other areas and performing no other cultivation practices.

~~(YYY)~~(AAAA) "Open season" means that period of time during which the taking of wild animals protected by such chapters is permitted.

~~(ZZZ)~~(BBBB) "Out-of-state" means ginseng originating from a state other than Ohio.

~~(AAAA)~~(CCCC) "Part fillet" means a piece of flesh taken or cut from one side of a fish.

~~(BBBB)~~(DDDD) "Passage birds" means raptors in their first year of life and having immature plumage and capable of flight.

~~(CCCC)~~(EEEE) "Permanent-type tree stand" means any apparatus or structure designed or used to hold or conceal a person except such apparatus or structure that can be taken to and returned daily from the place of use.

~~(DDDD)~~(FFFF) "Person" means a person as defined in section 1.59 of the Revised Code or a company; an employee, agent, or officer of such a person or company; a combination of individuals; the state; a political subdivision of the state; an interstate body created by a compact; or the federal government or a department, agency, or instrumentality of it.

~~(EEEE)~~(GGGG) "Personal abode" means one's principal or ordinary home or dwelling place, as distinguished from his temporary or transient place of abode or dwelling such as a hunting club, or any club house, cabin, tent, trailer or house used as a hunting club, or any hotel, motel, or rooming house used during a hunting, pleasure or business trip.

~~(FFFF)~~(HHHH) "Possession" means both actual and constructive possession and any control of things referred to.

~~(GGGG)~~(IIII) "Primitive weapons" shall mean single shot muzzleloading rifles, .38 caliber or larger, or any muzzleloading shotguns using single ball or rifled slug, crossbows and longbows and arrows.

~~(HHHH)~~(JJJJ) "Rails" (Rallidae), means coots, gallinules and sora and other rails.

~~(IIII)~~(KKKK) "Raptor" means any live bird of the family Falconidae or Accipitridae, other than a bald eagle (Haliaeetus leucocephalus).

~~(JJJJ)~~(LLLL) "Reef" means an elevation of rock, either broken or in place, or gravel shown by the latest United States chart to be above the common level of the surrounding bottom of the lake, other than the rock bottom or in place forming the base or foundation rock of an island or mainland and sloping from the shore thereof. A reef also means all elevations shown by that chart to be above the common level of the sloping base or foundation rock of an island or mainland, whether running from the shore of an island or parallel with the contour of the shore of an island or in any other way, whether formed by rock, broken or in place,

or from gravel.

~~(KKKK)~~(MMMM) "Relaxing lock" means a lock that stops tightening the snare loop when the captured animal stops pulling against the snare.

~~(LLLL)~~(NNNN) "Reptiles" includes Agkistrodon contortrix mokasen (Northern copperhead), Apalone mutica mutica (midland softshell turtle), Apalone spinifera spinifera (Eastern spiny softshell turtle), Carphophis amoenus amoenus (Eastern wormsnake), Carphophis amoenus helenae (Midwestern wormsnake), Chelydra serpentina serpentina (snapping turtle), Chrysemys picta marginata (midland painted turtle), Clemmys guttata (spotted turtle), Clonophis kirtlandii (Kirtland's snake), Coluber constrictor constrictor (Northern black racer), Coluber constrictor foxii (blue racer), Crotalus horridus (timber rattlesnake), Diapophis punctatus edwardsii (Northern ring-necked snake), Emydoidea blandingii (Blanding's turtle), Graptemys geographica (Northern map turtle), Graptemys ouachitensis (ouachita map turtle), Heterodon platirhinos (Eastern hog-nosed snake), Lampropeltis getula nigra (Eastern black kingsnake), Lampropeltis triangulum triangulum (Eastern milk snake), Nerodia erythrogaster neglecta (copper-bellied watersnake), Nerodia sipedon sipedon (common watersnake), Nerodia sipedon insularum (Lake Erie watersnake), Opheodrys aestivus aestivus (Northern rough snake), Opheodrys vernalis (smooth greensnake), Pantherophis alleghaniensis (Eastern ratsnake), Pantherophis gloydi (Eastern foxsnake), Plestiodon fasciatus (common five-lined skink), Plestiodon laticeps (broad-headed skink), Podarcis muralis (common wall lizard), Regina septemvittata (queensnake), Sceloporus undulatus (Eastern fence lizard), Scincella lateralis (little brown skink), Sistrurus catenatus catenatus (Eastern massasauga), Sternotherus odoratus (Eastern musk turtle), Storeria dekayi dekayi (Northern brownsnake), Storeria dekayi wrightorum (midland brownsnake), Storeria occipitomaculata occipitomaculata (Northern red-bellied snake), Terrapene carolina carolina (Eastern box turtle), Thamnophis brachystoma (short-headed gartersnake), Thamnophis butleri (Butler's gartersnake), Thamnophis radix (plains gartersnake), Thamnophis sauritus sauritis (common ribbonsnake), Thamnophis sirtalis sirtalis (Eastern gartersnake), Trachemys scripta elegans (red-eared slider), Virginia valeriae valeriae (Eastern smooth earthsnake).

(1) "Collectable reptiles" includes Agkistrodon contortrix mokasen (Northern copperhead), Carphophis amoenus amoenus (Eastern wormsnake), Carphophis amoenus helenae (Midwestern wormsnake), Chrysemys picta marginata (midland painted turtle), Coluber constrictor constrictor (Northern black racer), Coluber constrictor foxii (blue racer), Diapophis punctatus edwardsii (Northern ring-necked snake), Graptemys geographica (Northern map turtle), Heterodon platirhinos (Eastern hog-nosed snake), Lampropeltis triangulum triangulum (Eastern milk snake), Nerodia sipedon sipedon (common watersnake), Pantherophis alleghaniensis (Eastern ratsnake), Plestiodon fasciatus (common five-lined skink), Plestiodon laticeps

(broad-headed skink), Podarcis muralis (common wall lizard), Sceloporus undulatus (Eastern fence lizard), Sternotherus odoratus (Eastern musk turtle), Storeria dekayi dekayi (Northern brownsnake), Storeria dekayi wrightorum (midland brownsnake), Storeria occipitomaculata occipitomaculata (Northern red-bellied snake), Thamnophis butleri (Butler's gartersnake), Thamnophis sauritus sauritis (common ribbonsnake), Thamnophis sirtalis sirtalis (Eastern gartersnake), Trachemys scripta elegans (red-eared slider).

~~(MMMM)~~(OOOO) "Resident" means any person who has resided in this state for not less than six months next proceeding the date of making application for a license.

~~(NNNN)~~(PPPP) "Round" when used in describing fish means with head and tail intact.

~~(OOOO)~~(QQQQ) "Sell" or "sale" means barter, exchange, or offer or expose for sale.

~~(PPPP)~~(RRRR) "Shorebirds," means woodcock, Wilson's, or jacksnipe.

~~(QQQQ)~~(SSSS) "Shotgun" means a shoulder firearm with a smooth inner surface barrel or a barrel with shallow grooves or rifling on the inner surface as long as the grooved or rifled barrel is stamped by the original manufacturer indicating a commonly recognized shotgun gauge.

~~(RRRR)~~(TTTT) "Sinkbox" means a raft or any type of low floating device having a depression which affords the hunter a means of concealing himself below the surface of the water.

~~(SSSS)~~(UUUU) "Small game" includes pheasants, quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, Hungarian partridge, chukar partridge, woodcocks, black-breasted plover, golden plover, Wilson's snipe or jacksnipe, greater and lesser yellowlegs, rail, coot, gallinules, ducks, geese, brant, crows, rabbits, gray squirrels, black squirrels, fox squirrels, red squirrels, and groundhogs or woodchucks.

~~(TTTT)~~(VVVV) "Snagging," "snag," and "snatch hooks" shall mean taking with a hook or hooks, so as to pierce and hook a fish in a part of the body other than inside the mouth.

~~(UUUU)~~(WWWW) "Spreader bar" means a brail or rigid bar placed across the entire width of the back, at the top and bottom of the cars in all trap, crib, and fyke nets for the purpose of keeping the meshes hanging squarely while the nets are fishing.

~~(VVVV)~~(XXXX) "State certification of legal taking" means a legal document attesting to the fact that a specific lot of ginseng was legally harvested in the issuing state

during a particular harvest year.

~~(WWWW)~~(YYYY) "TAC" means the total allowable catch of walleye and yellow perch for lake Erie as determined annually by the lake Erie committee of the Great Lakes fishery commission. TAC refers to the maximum sustainable amount of walleye (in numbers) and yellow perch (in pounds) that can be removed from lake Erie during a specific year over a defined geographical area.

~~(XXXX)~~(ZZZZ) "Take" or "taking" includes pursuing, shooting, hunting, killing, trapping, angling, fishing with a trotline, or netting any clam, mussel, crayfish, aquatic insect, fish, frog, turtle, wild bird, or wild quadruped and any lesser act, such as wounding, or placing, setting, drawing, or using any other device for killing or capturing any wild animal, whether it results in killing or capturing the animal or not. It includes every attempt to kill or capture and every act of assistance to any other person in killing or capturing or attempting to kill or capture a wild animal.

~~(YYYY)~~(AAAAA) "Target area" means a designated zone, area, or location where targets are placed in front of a backstop.

~~(ZZZZ)~~(BBBBB) "Taxidermy product" means a product created by art or operation of preparing, stuffing, and/or mounting the skins or other parts of dead animals for exhibition in a lifelike state or form.

~~(AAAAA)~~(CCCCC) "Tip-up" means a device consisting of a hook and line attached to a spring or other device which is capable of raising a small flag or other signaling device when a fish is biting or is hooked.

~~(BBBBB)~~(DDDDD) "Transport" or "transportation" means carrying or moving or causing to be carried or moved.

~~(CCCCC)~~(EEEEE) "Trapping" means securing or attempting to secure possession of a wild bird or wild quadruped by means of setting, placing, drawing, or using any device that is designed to close upon, hold fast, confine, or otherwise capture a wild bird or wild quadruped whether the means result in capturing it or not. It includes every act of assistance to any other person in capturing wild birds or wild quadrupeds by means of the device whether the means result in capturing or not.

~~(DDDDD)~~(FFFFF) "Trotline" means a device for catching fish consisting of a line having suspended from it, at frequent intervals, vertical lines with hooks attached.

~~(EEEEE)~~(GGGGG) "Unclassified species" means striped shiner (Luxilus chrysocephalus), blacknose dace (Rhinichthys atratulus), silverjaw minnow

(Notropis buccatus), central stoneroller (Campostoma anomalum), sand shiner (Notropis stramineus), southern redbelly dace (Phoxinus erythrogaster), rosefin shiner (Lythrurus ardens), redfin shiner (Lythrurus umbratilis), suckermouth minnow (Phenacobius mirabilis), rosyface shiner (Notropis rubellus), river chub (Nocomis micropogon), mimic shiner (Notropis volucellus), redside dace (Clinostomus elongatus), hornyhead chub (Nocomis biguttatus), steelcolor shiner (Cyprinella whipplei), bigeye chub (Notropis amblops), bullhead minnow (Pimephales vigilax), gravel chub (Erimystax x-punctatus), silver chub (Macrhybopsis storeriana), ghost shiner (Notropis buchanani), streamline chub (Erimystax dissimilis), tonguetied minnow (Exoglossum laurae), river shiner (Notropis blennius), longnose dace (Rhinichthys cataractae), channel shiner (Notropis wickliffi), rosyside dace (Clinostomus funduloides), bigeye shiner (Notropis boops), bigmouth shiner (Notropis dorsalis), popeye shiner (Notropis ariommus), speckled chub (Macrhybopsis aestivalis), blacknose shiner (Notropis heterolepis), mississippi silvery minnow (Hybognathus nuchalis), pugnose minnow (Opsopoeodus emiliae), blackchin shiner (Notropis heterodon), lake chubsucker (Erimyzon sucetta), blue sucker (Cycleptus elongatus), longnose sucker (Catostomus catostomus), johnny darter (Etheostoma nigrum), fantail darter (Etheostoma flabellare), rainbow darter (Etheostoma caeruleum), greenside darter (Etheostoma blennioides), blackside darter (Percina maculata), logperch (Percina caprodes), orangethroat darter (Etheostoma spectabile), banded darter (Etheostoma zonale), variegate darter (Etheostoma variatum), dusky darter (Percina sciera), slenderhead darter (Percina phoxocephala), eastern sand darter (Ammocrypta pellucida), least darter (Etheostoma microperca), iowa darter (Etheostoma exile), bluebreast darter (Etheostoma camurum), river darter (Percina shumardi), tippecanoe darter (Etheostoma tippecanoe), channel darter (Percina copelandi), spotted darter (Etheostoma maculatum), stonecat (Noturus flavus), brindled madtom (Noturus miurus), tadpole madtom (Noturus gyrinus), mountain madtom (Noturus eleutherus), northern madtom (Noturus stigmosus), scioto madtom (Noturus trautmani), skipjack herring (Alosa chrysochloris), mottled sculpin (Cottus bairdi), spoonhead sculpin (Cottus ricei), blackstripe topminnow (Fundulus notatus), western banded killifish (Fundulus diaphanus menona), central mudminnow (Umbra limi), brook silverside (Labidesthes sicculus), trout-perch (Percopsis omiscomaycus), least brook lamprey (Lampetra aepyptera), american brook lamprey (Lampetra appendix), silver lamprey (Ichthyomyzon unicupis), mountain brook lamprey (Ichthyomyzon greeleyi), northern brook lamprey (Ichthyomyzon fossor), ohio lamprey (Ichthyomyzon bdellium), brook stickleback (Culaea inconstans), goldeye (Hiodon alosoides), pirate perch (Aphredoderus sayanus).

~~(FFFFF)~~(HHHHH) "Unrestricted species" means creek chub sucker (Erimyzon oblongus), creek chub (Semotilus atromaculatus), bluntnose minnow (Pimephales notatus), fathead minnow (Pimephales promelas), golden shiner (Notemigonus crysoleucas), silver shiner (Notropis photogenis), common shiner (Luxilus cornutus), emerald shiner (Notropis atherinoides), spottail shiner (Notropis

hudsonius), spotfin shiner (Cyprinella spiloptera), central mudminnow (Umbra limi), redfin shiner (Lyhtrurus umbratilus), scarlet shiner (Lythtutus fasciolaris), steelcolor shiner (cyprinella whipplei), lake chubsucker (Erimyzon sucetta), brook stickleback (Culaea inconstans), least darter (Etheostama microperea), Iowa darter (Etheostoma exile), goldfish (Carassius auratus), common carp (Cyprinus carpio), white sucker (Catostomus commersoni), northern hog sucker (Hypentelium nigricans), golden redhorse (Moxostoma erythrurum), quillback (Carpiodes cyprinus), smallmouth buffalo (Ictiobus bubalus), bigmouth buffalo (Ictiobus cyprinellus), black buffalo (Ictiobus niger), highfin carpsucker (Carpiodes velifer), river redhorse (Moxostoma carinatum), black redhorse (Moxostoma duquesnei), spotted sucker (Minytrema melanops), silver redhorse (Moxostoma anisurum), shorthead redhorse (Moxostoma macrolepidotum), river carpsucker (Carpiodes carpio), greater redhorse (Moxostoma valenciennesi), largemouth bass (Micropterus salmoides), smallmouth bass (Micropterus dolomieu), spotted bass (Micropterus punctulatus), green sunfish (Lepomis cyanellus), bluegill (Lepomis macrochirus), rock bass (Ambloplites rupestris), longear sunfish (Lepomis megalotis), pumpkinseed (Lepomis gibbosus), white crappie (Pomoxis annularis), black crappie (Pomoxis nigromaculatus), orangespotted sunfish (Lepomis humilis), warmouth (Lepomis gulosus), redear sunfish (Lepomis microlophus), yellow perch (Perca flavescens), walleye (Stizostedion vitreum), sauger (Stizostedion canadense), yellow bullhead (Ameiurus natalis), black bullhead (Ameiurus melas), brown bullhead (Ameiurus nebulosus), channel catfish (Ictalurus punctatus), flathead catfish (Pylodictis olivaris), gizzard shad (Dorosoma cepedianum), muskellunge (Esox masquinongy), grass pickerel (Esox americanus), northern pike (Esox lucius), chain pickerel (Esox niger), freshwater drum (Aplodinotus grunniens), white bass (Morone chrysops), rainbow trout (Oncorhynchus mykiss), brown trout (Salmo trutta), Atlantic salmon (Salmo salar), coho salmon (Oncorhynchus kisutch), chinook salmon (Oncorhynchus tshawytscha), lake trout (Salvelinus namaycush), cutthroat trout (Oncorhynchus clarki), lake whitefish (Coregonus clupeaformis), brook trout (Salvelinus fontinalis), mooneye (Hiodon tergisus), rainbow smelt (Osmerus mordax), western mosquitofish (Gambusia affinis), burbot (Lota lota), longnose gar (Lepisosteus osseus), bowfin (Amia calva), white sturgeon (Acipenser transmontanus), alewife (Alosa pseudoharengus), tilapia (Tilapia sp.), white river crayfish (Procambarus acutus), papershell crayfish (Orconectes immunis), rusty crayfish (Orconectes rusticus), Ecuadorian white shrimp (Litopenaeus vannamei), freshwater shrimp (Macrobrachium sp., palaemonetes sp.), saltwater shrimp (Penaeus sp.), the following snails: (Physella gyrina), (Physella integra), (Planorbella trivolvis), (Helisoma anceps), (Ferrissia rivularis), (Campeloma decisum), (Elimia livescens), (Stagnicola elodes), or hybrids of the above species with the exception of those hybrids designated as "restricted species" in paragraph (D)(2) of rule 1501:31-39-01 of the Administrative Code.

~~(GGGGG)~~(IIIII) "Vessel Monitoring System (VMS)" means a system or mobile transceiver unit for use on vessels through the installation of a satellite-tracking

device to automatically receive and transmit vessel information to include vessel location and speed.

~~(HHHHHH)~~(JJJJJ) "Waterfowl" (Anatidae), means brant, wild ducks, mergansers, geese and swans.

~~(IIIII)~~(KKKKK) "Waters" includes any lake, pond, reservoir, stream, channel, lagoon, or other body of water, or any part thereof, whether natural or artificial.

~~(JJJJJ)~~(LLLLL) "Whole to include part" means that every provision relating to any wild animal protected by Chapters 1531. and 1533. of the Revised Code applies to any part thereof with the same effect as it applies to the whole.

(MMMMM) "Wholly enclosed preserve" means an area of land that is surrounded by a fence that is at least six feet in height, unless otherwise specified in division rule, and is constructed of a woven wire mesh, or another enclosure that the division of wildlife may approve, where game birds, game quadrupeds, reptiles, amphibians, or fur-bearing animals are raised and may be sold under the authority of a commercial propagating license or captive white-tailed deer propagation license obtained under section 1533.71 of the Revised Code.

(NNNNN) "Wild animal hunting preserve" means an area of land where game, captive white-tailed deer, and nonnative wildlife, other than game birds, are released and hunted as authorized by a wild animal hunting preserve license obtained under section 1533.721 of the Revised Code.

~~(KKKKK)~~(OOOOO) "Wild animals" includes mollusks, crustaceans, aquatic insects, fish, reptiles, amphibians, wild birds, wild quadrupeds, and all other wild mammals.

~~(LLLLL)~~(PPPPP) "Wild birds" includes game birds and nongame birds.

~~(MMMMM)~~(QQQQQ) "Wild Boar" means members of the Suidae family to include but not limited to wild pig, wild hog, feral hog, feral pig, Old world swine, razorbacks, European wild boar, Russian wild boar, and members of the Tayasuidae family to include but is not limited to collared peccary or javelina.

~~(NNNNN)~~(RRRRR) "Wildlife ornamental product" means a product or item which is enhanced aesthetically by the addition of wild animals or parts thereof during its manufacture and/or display.

~~(OOOOO)~~(SSSSS) "Wild quadrupeds" includes game quadrupeds and furbearing animals.

Effective: 01/01/2013

R.C. 119.032 review dates: 08/27/2012 and 11/01/2017

CERTIFIED ELECTRONICALLY

Certification

11/01/2012

Date

Promulgated Under: 119.03
Statutory Authority: 1531.06, 1531.08, 1531.10
Rule Amplifies: 1531.06, 1531.08, 1531.10
Prior Effective Dates: 1/2/81, 6/1/81, 1/25/82, 6/1/82, 11/12/82, 5/31/83, 6/7/83, 5/3/84(Emer), 8/1/84, 6/1/85, 4/20/87, 6/1/88, 7/14/88(Emer), 10/17/88, 1/15/94, 5/16/94, 11/1/97, 11/12/99, 7/5/00, 1/1/01, 2/1/02, 7/19/02, 1/1/04, 1/1/06, 6/1/06, 7/1/07, 7/1/08, 11/24/08, 7/1/2009, 11/27/2009, 7/1/2010, 7/1/2011, 7/1/2012