

391-4-2-.17 Hunting Deer With Dogs.

(1) Permit Requirements. An owner or owners of such eligible tracts of land or lessee of deer hunting rights for such eligible tracts desiring to hunt deer with dogs may do so only if said owner or lessee shall have first applied for and been issued a permit by the Wildlife Resources Division of the Department of Natural Resources. The hunting of deer with dogs subsequent to the receipt of said permit shall be strictly in accordance with the conditions of that permit and shall be authorized only during times and locations as described in 391-4-2-.26(6).

(2) Definitions. As used in these Rules and Regulations, the following terms are defined as follows:

(a) "Contiguous acres" means a single unit of land described on an application for a permit to hunt deer with dogs that may include multiple ownerships and may be transected by public roads, creeks, rivers, or rights-of-way of any public service corporation.

(b) "Eligible tracts" are those tracts of real property that contain a minimum of 1000 contiguous acres or a minimum of 250 contiguous acres owned by the applicant; provided, however, that any eligible tract or any part thereof which was included in an application for a permit pursuant to this Chapter which has been the subject of a revocation or non-renewal pursuant to O.C.G.A. §27-2-25 shall not be eligible for inclusion in any subsequent application for a permit for a period up to 2 years regardless of a change in the name or membership of the applicant until the expiration period of revocation or non-renewal.

(c) "Hunting deer with dogs" shall include the act of placing, releasing or in any other manner causing or procuring the cause of dog(s) to be, or attempting to be, in the pursuit of running, trailing or baying deer, whether such act results in a taking or attempted taking or not. Once the owner of the dog(s), his agents, or permittees place, release or otherwise cause dog(s) to be in the pursuit of running, trailing or baying deer, then the owner, his agents or permittees shall be deemed to be "hunting deer with dogs" until such time that the dog owner, his agents or permittees have regained physical possession and control of the dog(s), or the dog(s) have otherwise ceased in the pursuit or attempted pursuit of running, trailing or baying deer.

(3) Application for Permit.

(a) The applicant must be the landowner or lessee of deer hunting rights, if applicable, for the eligible tract being considered for a permit.

(b) An application must be on a form provided by the Department. Completed forms must include:

1. Name, social security number or federal identification number if the applicant is a corporation or other entity, address and telephone number of applicant;

2. List of hunters who are allowed to hunt on the permitted property;

3. Printed name and signatures of all persons owning any portion of the eligible tract or an authorized agent thereof. Copies of notarized leases with wording authorizing the use of dogs for hunting deer may substitute for respective signatures on the application form;

4. A written description of the eligible tract boundaries and associated acreage. Acceptable documents are limited to certified plats, recorded deeds, surveys, tax maps or notarized leases;

5. A map showing key features including the boundary of the eligible tract; public roads, streams and rights-of-way on or bordering property, occupied dwellings on adjacent property, and the points of access from public roads that are to be used by hunters and guests.

(4) Issuance of Permits.

(a) Complete permit applications must be received at least 30 days prior to the first day for hunting deer with dogs on an eligible tract.

(b) The following occurrences shall be a violation of this Chapter:

1. Entry into or exit from, the permitted property for any purpose other than points of access from public roads marked on the application map without the express written permission of the adjacent landowner upon whose land entry or exit is made. The express written permission of the adjacent landowner or a copy thereof must be carried on the person making the entry or exit.

2. Failure to control hunting dogs to keep them on the permitted property.

3. Interference with the right of any person to freely and in an unrestricted manner, travel any public road or stream transecting or bordering the permitted property.

(c) Based on the factors set forth in subparagraph (b) above, a permit shall contain limitations or conditions on the following:

1. All hunters authorized under the permit must insure that all dogs used in hunting deer remain on the permitted property at all times.

2. Permittee, hunters, and guests may not enter upon properties not covered under the permit while hunting or retrieving hunting dogs without the express written permission of the landowner. The express written permission of the adjacent landowner or a copy thereof must be carried on the person making the entry or exit.

3. All permittees, hunters, and guests must abide by all applicable rules, regulations and laws governing hunting.

4. Any person not included on the membership list provided with the application for the permit and hunting under the authority of the permit shall be considered a guest of the permittee and must possess written permission on his or her person from the permittee.

(5) Hunting Deer with Dogs on Permitted Tracts.

(a) Any person 16 years of age or older who is engaged in the activity of hunting deer with dogs must possess a valid deer-dog hunting license.

(b) The owner of any dog that is used for hunting deer must cause such dog to be identified at all times during the hunt with the owner's name and permit number for the tract being hunted;

(c) Any person operating a motor vehicle used in conducting a deer hunt with dogs shall during such hunt clearly display in the front or rear windshield of such motor vehicle a decal or card showing the tract permit number in numerals not less than two inches high. Motor vehicles that lack front or back windshields being used in conducting a deer hunt with dogs shall during such hunt clearly display the tract permit number in numerals not less than two inches high in a prominent and visible location on the front or back of the vehicle.

(6) Expiration of Permit. The permit will expire on 30 June next following the date the permit is issued or by the date specified, whichever comes first.

(7) Violation of Permits. Violation of any of the terms and/or conditions of a permit or of this Chapter, including the submission of false information on said application, shall make said permit invalid and deer hunters hunting under authority of that permit may be considered to be hunting in violation of the Rules and Regulations authorizing the hunting of deer with dogs.

(8) Revocation and Denial of Permits and Licenses.

(a) The commissioner may take action against a permit as provided in O.C.G.A §27-2-25 for violations of the provisions of O.C.G.A Title 27 or of rules and regulations issued pursuant to O.C.G.A Title 27.

(b) The commissioner may revoke a deer-dog license of any hunter who, within a single hunting season, commits two or more violations of paragraph (4)(b)(2) of this Chapter.

(c) For purposes of this Chapter only, a serious violation or habitual violations of laws, rules and regulations or conditions of a permit while engaged in deer hunting with dog activities on or commencing from permitted tracts provide justification for revocation and or denial of permitted activities.

(d) The Commissioner, pursuant to O.C.G.A §50-13-18(c)(1) may, upon a finding that the public health, safety, or welfare imperatively requires emergency action, incorporate such a finding into his order and order a summary suspension of a permit pending proceedings for revocation or other action, which proceeding shall be promptly instituted and determined. Evidence of physical harm or threats of physical harm to adjacent landowners, interference with the free and unrestricted travel of public roads or streams, significant destruction of the property of adjacent landowners or multiple violations of a permit in a single season shall be sufficient for a finding that the public health, safety, or welfare imperatively requires emergency action.

(e) Revocation or denial of a permit shall be for an eligible tract in its entirety, regardless of size and shall be in effect for a period of up to two years.

Authority O.C.G.A. Sec. 27-1-4. **History.** Original Rule entitled “Game Animals” adopted. F. Oct. 19, 1973; eff. Nov. 8, 1973. **Repealed:** New Rule of same title adopted. F. July 22, 1974; eff. Aug. 11, 1974. **Repealed:** New Rule entitled “Game Birds” adopted. F. Dec. 9, 1975; eff. Dec. 29, 1975. **Repealed:** New Rule of same title adopted. F. Aug. 5, 1976; eff. Aug. 25, 1976. **Repealed:** F. Sept. 14, 1977; eff. Oct. 4, 1977. **Amended:** New Rule entitled “Use of Crossbows for Hunting” adopted. F. June 2, 1994; eff. June 22, 1994. **Amended:** F. May 29, 2001; eff. June 18, 2001. **Repealed:** F. June 4, 2002; eff. June 24, 2002. **Amended:** New Rule entitled “Hunting Deer With Dogs” adopted. F. Sept. 2, 2003; eff. Sept. 22, 2003. **Amended:** F. Aug. 25, 2006; eff. Sept. 14, 2006.