**R657. Natural Resources, Wildlife Resources.**

**R657-68a. Trial Hunting Authorization.**

**R657-68a-1. Purpose and Authority.**

Pursuant to Sections 23A-2-304 and 23A-2-305, this rule implements the trial hunting authorization program established in Section 23A-4-701 to expand public participation in hunting sports by allowing a person to temporarily obtain specified hunting licenses and permits and participate in hunting activities on a trial basis without first satisfying regular hunter education requirements.

**R657-68a-2. Definitions.**

(1) Terms used in this rule are defined in Section 23A-1-101.

(2) In addition:

(a) "Commercial hunting area" means a parcel of land where privately owned game birds are released under Section 23A-12-202 and Rule R657-22 for allowing hunters to take them for a fee.

(b) "Division drawing" means a random selection process administered by the division or under its authority for allocating hunting permits to the public.

(i) "Division drawing" includes the wildlife expo permit drawing administered under Rule R657-55.

(c) "Multi-year license" means a license issued by the division under Section R657-45-3 that is valid for a period exceeding 365 days.

(d) "Supervising hunter" means a person qualified under Subsection R657-68a-5(1)(b) that accompanies a trial hunter while participating in hunting activities.

(e) "Trial hunter" means a person who possesses a valid hunting license or permit obtained with a trial hunting authorization pursuant to this rule.

(f) "Trial hunting authorization" means a document issued by the division authorizing the holder to obtain and use specified hunting licenses and permits without having completed an approved hunter education course, subject to the qualifications, requirements and limitations set forth in this rule.

(g) "Written consent" means a written or typed document containing the:

(i) full name, date of birth, and home address of the trial hunter;

(ii) full name, home address, and phone number of the supervising hunter;

(iii) nature of the planned hunting activity and the general area where it will occur;

(iv) parent or legal guardian's consent for the:

(A) trial hunter to participate in the described hunting activity; and

(B) supervising hunter to transport and accompany the trial hunter in the activity; and

(v) name, signature, and phone number of the authorizing parent or legal guardian.

**R657-68a-3. Obtaining a Trial Hunting Authorization.**

(1) Upon application, the division may issue a trial hunting authorization to a resident or nonresident who:

(a) is 11 years of age or older at the time of application;

(b) is eligible under state and federal law to possess a firearm, muzzleloader, bow and arrow, or crossbow;

(c) is born after December 31, 1965 and has not completed an approved hunter education course; and

(d) successfully completes an abbreviated online course on trial hunting program requirements and hunting ethics and safety.

(2) The division may charge a handling fee for a trial hunting authorization.

**R657-68a-4. Effect and Term of a Trial Hunting Authorization.**

(1)(a) A person who obtains a trial hunting authorization will receive an accompanying registration number to be used in lieu of a hunter education number when applying for or purchasing a hunting license or permit authorized in Subsection (b).

(b) A person who possesses a trial hunting authorization may apply for and purchase the following Utah hunting licenses and permits, notwithstanding the hunter education requirements in Section 23A-4-1001 and Rule R657-23:

(i) hunting license, excluding multi-year licenses;

(ii) combination license, excluding multi-year licenses;

(iii) all hunting permits, excluding the following big game permits allocated through a division drawing:

(A) premium limited entry;

(B) limited entry;

(C) once-in-a-lifetime;

(D) cooperative wildlife management unit;

(E) dedicated hunter; and

(F) sportsman.

(2)(a) A trial hunting authorization:

(i) is valid for a single, three year term, except as provided in Subsection (6); and

(ii) shall immediately terminate upon the holder successfully completing an approved hunter education course, as provided in Section 23A-4-1001 and Rule R657-23.

(b) A person may not obtain more than one trial hunting authorization in a lifetime.

(3) A trial hunting authorization shall be considered an "approved hunter education course" under Subsection 23A-12-202(3)(a)(ii) for the exclusive and limited purpose of hunting on a commercial hunting area.

(a) A person who hunts on a commercial hunting area with a trial hunting authorization is subject to the requirements in Section R657-68a-5.

(4)(a) A person who possesses a current trial hunting authorization may not participate in the Hunter Mentoring Program, Rule R657-67, as a hunting mentor.

(b) A person who possesses a current trial hunting authorization may participate in the Hunter Mentoring Program, Rule R657-67, as a qualifying minor, as hereafter provided.

(i) A trial hunting authorization will be recognized by the division as a "hunter education program" under Subsection R657-67-3(1)(b) for the exclusive and limited purpose of a qualifying minor participating in the Hunter Mentoring Program.

(ii) Notwithstanding the big game permit limitations in Subsection R657-68a-4(1)(b)(iii), a qualifying minor possessing a current trial hunting authorization may share any big game permit authorized in the Hunter Mentoring Program rule.

(iii) Both the qualifying minor and hunting mentor are subject to the this rule and the Hunter Mentoring Program rule when a hunting permit is shared under Section R657-67-3 with a qualifying minor possessing a current trial hunting authorization.

(5) A person that applies for a big game hunting permit with a trial hunting authorization is subject to the minimum age requirements set forth in Section 23A-4-703.

(6)(a) A trial hunting authorization that expires after a hunting permit application is filed in a division drawing shall remain valid to the date the permit is issued for the exclusive purpose of receiving and using the permit.

(i) A trial hunting authorization extended under Subsection (6)(a) beyond the prescribed three year term may not be used during the extension period to obtain any other hunting license or permit.

(b) A person that obtains a license or permit with a valid trial hunting authorization that thereafter expires before the conclusion of the hunting season assigned to that license or permit may use the license or permit through the entire season, subject to the limitations and conditions set forth in Section R657-68a-5.

(c) A person that successfully completes an approved hunter education course before using a hunting license or permit obtained with a trial hunting authorization is not subject to the limitations and conditions set forth in Section R657-68a-5, provided proof of hunter education compliance is carried on the person while hunting.

**R657-68a-5. Using a Hunting License or Permit Obtained with a Trial Hunting Authorization.**

A person that obtains a hunting license or permit with a trial hunting authorization issued under Section R657-68a-3 may use the license or permit, provided they are:

(1) 12 years of age or older; and

(2) accompanied, as defined in Subsection 23A-4-708(1), in the field at all times while hunting by a resident or nonresident, supervising hunter who:

(a) is 21 years of age or older;

(b) is eligible under state and federal law to possess a firearm and archery equipment;

(c) possesses a current Utah hunting or combination license;

(d) has satisfied applicable hunter education requirements under Section 23A-4-1001; and

(e) obtains the written consent of the parent or legal guardian when accompanying a trial hunter that is under 18 years of age.

**R657-68a-6. Supervising Hunter Responsibilities.**

A supervising hunter that escorts a trial hunter under Subsection R657-68a-5(1)(b) shall:

(1) accompany, as defined in Subsection 23A-4-708(1), the trial hunter at all times in the field while hunting;

(2) not accompany more than two trial hunters in the field at any point in time;

(3) provide the trial hunter direct supervision and instruction on hunting regulations, ethics and safety; and

(4) possess on their person a valid Utah hunting or combination license issued in their name; and

(5) possess the written consent of the parent or legal guardian when accompanying a trial hunter under 18 years of age.

**R657-68a-7. Violation and Discipline.**

(1)(a) A trial hunter may not take protected wildlife under authority of a license or permit obtained with a trial hunting authorization, unless accompanied at all times in the field by a supervising hunter satisfying the requirements of Subsection R657-68a-5(1)(b).

(b) A person may not take game birds on a commercial hunting area under authority of a trial hunting authorization, unless accompanied at all times in the field by a supervising hunter satisfying the requirements of Subsection R657-68a-5(1)(b).

(2) The division may refuse to issue a trial hunting authorization to a person that:

(a) fails to satisfy the eligibility criteria in Section R657-68a-3 or Subsection R657-68a-5(1)(a);

(b) provides false or misleading information in the application for a trial hunting authorization; or

(c) has engaged in conduct that results in a conviction, no contest plea, plea held in abeyance, or diversion agreement to a:

(i) violation of the Wildlife Resources Code, or the rules and guidebooks of the Wildlife Board; or

(ii) crime that when considered with the privileges granted in a trial hunting authorization bears a reasonable relationship to the person's ability or willingness to safely and responsibly participate in the program.

(3) A hunting license or permit is invalid when obtained with a trial hunting authorization that is acquired by fraud, deceit, or misrepresentation.

**KEY: wildlife, game laws, hunter education**

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