

TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)

301 KAR 3:001. Definitions for 301 KAR Chapter 3.

RELATES TO: KRS 150.010, 150.025, 189.010

STATUTORY AUTHORITY: KRS 150.025(1)(i)

CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 as established in KRS 150.025 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1), promulgated by the Commissioner with approval of the Commission in accordance with KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1)(i) authorizes the department to promulgate administrative regulations to carry out the purpose of the chapter. This administrative regulation establishes definitions for terms used in 301 KAR Chapter 3.

Section 1. Definitions.

- (1) "Adult" means a person who is at least eighteen (18) years of age.
- (2) "Aircraft" means a device that is used or intended to be used for flight in the air.
- (3) "Air gun" means a pneumatic gun fired by a charge of compressed air.
- (4) "ATV" is as defined in KRS 189.010(24).
- (5) "Bait":
 - (a) Means a substance composed of grains, minerals, salt, fruits, vegetables, hay, or any other food materials, whether natural or manufactured, that could lure, entice, or attract wildlife; and
 - (b) Does not mean the establishment and maintenance of plantings for wildlife, foods found scattered solely as the result of normal agricultural planting or harvesting practices, foods available to wildlife through normal agricultural practices of livestock feeding if the areas are occupied by livestock actively consuming the feed on a daily basis, or standing farm crops under normal agricultural practices.
- (6) "Baiting" means to place, deposit, tend, distribute, or scatter bait.
- (7) "Boating access area" means property owned or managed by the department and identified by signs as a public facility for launching and retrieving boats, including:
 - (a) Ramps, parking lots, courtesy docks, and access roads; and
 - (b) A zone extending fifty (50) feet into the water adjacent to the department property established in paragraph (a) of this subsection. ~~["Camp Piomingo" means a designated area within Otter Creek Outdoor Recreation Area that is leased from the department for an outdoor summer camp.]~~
- (8) "Chronic Wasting Disease" or "CWD" means a transmissible spongiform encephalopathy found in cervids.
- (9) "Club-operated shooting range" means a facility that is:
 - (a) Operated by a department-authorized entity for target shooting; and
 - (b) Open to the public during club events.
- (10) "Commercial activity" means any activity that is conducted for compensation, for direct or indirect financial gain, or other valuable consideration, regardless of whether the activity is conducted by an individual, business, nonprofit organization or other entity.
- (11) ~~[(10)]~~ "Commercial purposes" means taking ~~[nuisance]~~ wildlife in exchange for payment, trade, or associated with job duties as part of employment or operation of a business.

~~{(11)} ["Conservation camp" means a tract of land:]~~

~~{(a)} [Controlled by the department through ownership, lease, license, or cooperative agreement; and]~~

~~{(b)} [That is utilized to host conservation camps.]~~

(12) "Crossbow" means a bow with a string designed or fitted with a device to hold an arrow at full or partial draw without aid from the archer.

(13) "CWD Surveillance Zone" means an area, designated and listed on the department's website at fw.ky.gov, as being under special cervid requirements, as established in 301 KAR 2:172, due to a CWD positive cervid detection.

(14) "Department" is defined in KRS 150.010(10).

(15) "Education camp" means a tract of land:

(a) Controlled by the department through ownership, lease, license, or cooperative agreement; and

(b) That is utilized to host conservation or education camps.

~~(16) {(15)}~~ "Enhanced Rabies Surveillance Zone" means the counties designated by the United States Department of Agriculture as current rabies surveillance counties listed at <http://fw.ky.gov/Wildlife/Pages/Rabies.aspx>.

~~(17) {(16)}~~ "Event" means a planned activity conducted by the department or a group for the purpose of boating, fishing, hunting, shooting, trapping, or other recreational activity.

~~(18) {(17)}~~ "Exotic wildlife " means wildlife species that have never naturally existed in the wild in Kentucky, including species introduced by man that have become naturalized.

~~(19) {(18)}~~ "Federally protected wildlife~~{[-]}~~" means any wildlife species listed by the U.S. Fish and Wildlife Service as threatened or endangered, and any birds protected under the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act.

~~(20) {(19)}~~ "Field trial" means an organized event where unleashed hunting dogs are worked and judged.

~~(21) {(20)}~~ "Firearm" means a breach or muzzle-loading rifle, shotgun, or handgun.

~~(22) {(21)}~~ "Firing line" means the area where a weapon is shot or discharged, as designated by:

(a) Signage;

(b) A shooting bench; or

(c) A range officer.

~~{(22)} ["Fishing outfitter" means the holder of a valid license, issued by the department, which authorizes a person to solicit for guiding services or provide guiding services for clients in the taking or attempting to take fish and which may have fishing guides authorized to assist clients on behalf of the license holder.]~~

(23) "Fishing guide" means the holder of a valid license, issued by the department, which authorizes a person to assist a fishing outfitter license holder's clients in taking or attempting to take fish and is employed by or contracted with a fishing outfitter license holder.

(24) "Fishing helper" means a person who assists a fishing outfitter or fishing guide and is in the same boat or is directly alongside of the fishing outfitter or fishing guide if standing on a stream or riverbank while guiding others in the taking or attempting to take of fish.

(25) "Fishing outfitter" means the holder of a valid license, issued by the department, which authorizes a person to solicit for guiding services or provide guiding services for clients in the taking or attempting to take fish and which may have fishing guides authorized to assist clients on behalf of the license holder.

~~(26) {(25)}~~ "Group" means:

(a) A club, society, or association;

(b) Ten (10) or more persons who gather to conduct an event; or

(c) A field trial.

(27) "Group Activity" means an activity conducted by a group on department-controlled lands that requires prior authorization by the department due to the size of the gathering, the nature of the activity, and its potential impacts on public use, public safety, and natural resources.

~~(28) {(26)}~~ "Harass" means any action that creates the likelihood of injury to wildlife by annoying it with aircraft or unmanned aircraft to such an extent as to significantly disrupt normal behavior patterns, which include breeding, feeding, or sheltering.

~~(29) {(27)}~~ "Horse" means a horse, pony, mule, donkey, llama, or similar beast of burden.

~~{(28)} [{"Hunting outfitter" means the holder of a valid license, issued by the department, which authorizes a person to solicit for guiding services or provide guiding services for clients in the taking or attempting to take wildlife and which may have hunting guides authorized to assist clients on behalf of the license holder.}]~~

~~(30) {(29)}~~ "Hunting guide license" means the holder of a valid license, issued by the department, which authorizes a person to assist a hunting outfitter license holder's clients in taking or attempting to take wildlife and is employed by or contracted with a hunting outfitter license holder.

(31) "Hunting outfitter" means the holder of a valid license, issued by the department, which authorizes a person to solicit for guiding services or provide guiding services for clients in the taking or attempting to take wildlife and which may have hunting guides authorized to assist clients on behalf of the license holder.

~~(32) {(30)}~~ "Injurious substance" means a substance which may be harmful to wildlife, or wildlife habitat.

~~(33) {(31)}~~ "Mechanized vehicle" means a motor vehicle, bicycle, or other human conveyance except a wheelchair.

~~(34) {(32)}~~ "Mentee" means an individual who is participating or going to participate in a mentored event to receive guidance and instruction from a mentor to learn the lawfully compliant methods and techniques for engaging in the activity being performed in the mentored event.

~~(35) {(33)}~~ "Mentor" means an adult who:

(a) Has previously participated in a particular activity; ~~{and}~~

(b) Is well versed in the techniques, equipment, and safety concerns related to the activity that is to occur at an event~~{,}; and~~

(c) Passes a background check prior to accompanying a mentee during a department administered mentored event.

~~(36) {(34)}~~ "Mentored event" means an event during a statewide season in which mentors accompany mentees.

~~(37) {(35)}~~ "Mobility-impaired" means an individual who meets the requirements of 301 KAR 3:026 Section 2(1).

~~(38) {(36)}~~ "Motor vehicle" is defined in KRS 189.010(19).

~~(39) {(37)}~~ "Novice" means a person who has not:

(a) Held the applicable license for an event activity for more than two (2) license years in total;

(b) Held the applicable license for an event activity within the past three (3) years;

(c) Successfully harvested the targeted species for an event within the past three (3) years; or

(d) For shooting and boating activities, participated in the activity more than five (5) times within the past three (3) years.

~~{(38)} [{"Nuisance wildlife" means vertebrate wildlife that causes or may cause damage or threat to agriculture, human health, safety, or property.}]~~

~~{(39)} [{"Nuisance wildlife control operator" or "NWCO" means the holder of a valid permit, issued by the department, which authorizes the taking of nuisance wildlife for commercial purposes.}]~~

- (40) "Participant" means an individual who engages in boating, fishing, hunting, shooting, or trapping, as part of an event.
- (41) "Pistol pit" means a shooting range that is established for target shooting with pistols.
- (42) "Qualified assistant" means an individual who is participating in the activity with the mobility-impaired individual and designated by the mobility-impaired individual.
- (43) "Rabies vector species" means a:
- (a) Bat of any species (order Chiroptera);
 - (b) Coyote (*Canis latrans*);
 - (c) Gray fox (*Urocyon cinereoargenteus*);
 - (d) Raccoon (*Procyon lotor*);
 - (e) Red fox (*Vulpes vulpes*);
 - (f) Spotted skunk (*Spilogale putorius*);
 - (g) Striped skunk (*Mephitis mephitis*); or
 - (h) Hybrid of paragraphs (a) through (g) of this subsection.
- (44) "Range officer" means an individual designated as a National Rifle Association range officer, a National Shooting Sports Foundation range officer, a department hunter education instructor, or a law enforcement range officer, responsible for supervising a shooting range and ensuring compliance with this administrative regulation.
- (45) "Ride" means to ride, drive, or lead a horse.
- (46) "Rural habitat" means an area of the state not included within the boundaries of an incorporated or unincorporated city, village, or borough, and having a population in excess of 1,500 inhabitants.
- (47) "Safety zone" means an area downrange of a firing line where all public access is prohibited as designated by department signs.
- (48) "Self-service trap shooting range" means a shooting range that is established for people to shoot at moving targets with a shotgun.
- ~~(49)~~ ~~(50)~~ "Shooting range" or "range" means a public facility on lands owned or managed by the department through ownership, lease, license, or cooperative agreement, or a facility owned or managed by an affiliated partner of the department that is designated for the shooting of firearms or archery equipment.
- ~~(50)~~ ~~(49)~~ "Shooting station" means a location on the firing line for one (1) person to shoot, as designated by:
- (a) Signage;
 - (b) A shooting bench; or
 - (c) A concrete pad.
- (51) "Special Use Wildlife Management Area" or "Special Use WMA" means a Wildlife Management Area that is subject to special restrictions due to safety concerns or recorded deed restrictions on the subject property prohibit.
- (52) "Tube range" means a shooting range established for target shooting through designated steel tubes.
- (53) "Unmanned aircraft" means an aircraft operated without the possibility of direct human intervention from within or on the aircraft.
- (54) "WCO Permit" means the wildlife control operator's permit issued pursuant to Title 301 KAR 3:120.
- (55) "Wildlife control operator" or "WCO" means the holder of a valid permit, issued by the department, which authorizes the taking of nuisance wildlife for commercial purposes.
- (56) "Wildlife management area" or "WMA" means a tract of land:
- (a) Controlled by the department through ownership, lease, license, or cooperative agreement; and
 - (b) Having "Wildlife Management Area" or "WMA" as part of its official name.

APPROVED by the Fish and Wildlife Commission
RICH STORM, Commissioner

APPROVED BY AGENCY: September 10, 2026

FILED WITH LRC: September 14, 2026 at 12:30 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 24, 2026, at 11:00 a.m., at KDFWR Administration Building, 1 Sportsman's Lane, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Jenny Gilbert, Legislative Liaison, Kentucky Department of Fish and Wildlife Resources, 1 Sportsman's Lane, (502) 564-3400, fax: (502) 564-0506, email: fw.publicaffairs@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Jenny Gilbert, **Phone:** 502-564-3400, **Email:** fw.publicaffairs@ky.gov

Subject Headings:Fish and Wildlife, Hunting, Fishing, Conservation

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes definitions for terms used in 301 KAR Chapter 3.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to avoid confusion when interpreting the meaning of terms used in 301 KAR Chapter 3.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 150.025(1)(h) requires the department to promulgate administrative regulations to carry out the purpose of the chapter.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

By providing definitions for the terms used in 301 KAR Chapter 3, misinterpretation of the regulations should be minimized.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This amendment contains definitions to terms used in chapter 3 regulations. The amendment also removes definitions for terms no longer used in chapter 3 regulations.

(b) The necessity of the amendment to this administrative regulation:

This amendment is necessary to provide consistent definitions and terms used throughout all of Chapter 3 regulations.

(c) How the amendment conforms to the content of the authorizing statutes:

This amendment provides the most up to date terms used in regulation to carry out the purpose of the chapter as required by KRS 150.025.

(d) How the amendment will assist in the effective administration of the statutes:

The amendment will provide the public with the most recent and accurate terms used throughout Chapter 3 regulations.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?No

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

All individuals reading this regulation or any regulation in 301 KAR Chapter 3 will be affected.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

No additional actions will need to be taken to comply with this regulation. This regulation simply provides definitions for terms in 301 KAR Chapter 3.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

There will be no cost to comply with this regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

All individuals interpreting regulations within 301 KAR Chapter 3 will have a better understanding of the terms and all definitions will be located in one regulation.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

There will be no cost initially

(b) On a continuing basis:

There will be no cost on a continuous basis.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

The Fish and Game Fund

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

N/A

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

No direct or indirect fees will be established.

(10) TIERING: Is tiering applied?

No tiering is applied. This regulation applies to all individuals, businesses, and organizations impacted by the regulations in 301 KAR Chapter 3.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

KRS 150.025(1)(h)

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

N/A

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

{Response} The Department's Divisions of Wildlife, Fisheries, Information and Education and Law Enforcement will be impacted.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:No revenue will be generated by this administrative regulation during the first year.

For subsequent years:No expenditures will be experienced to administer this administrative regulation in subsequent years.

2. Revenues:

For the first year:No cost savings will be generated by this administrative regulation during the first year.

For subsequent years:No revenue will be experienced to administer this administrative regulation in subsequent years.

3. Cost Savings:

For the first year:N/A

For subsequent years:No cost savings will be experienced to administer this administrative regulation in subsequent years.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):
N/A

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

There is no fiscal impact of this administrative regulation.

(b) Methodology and resources used to reach this conclusion:

No methodology or resources were used to reach this conclusion as this is administrative regulation only contains definitions to be used in 301 KAR Chapter 3.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

This administrative regulation will not have a major economic impact to any entity identified in the questions above.

(b) The methodology and resources used to reach this conclusion:

No methodology or resources were used to reach this conclusion as this is administrative regulation only contains definitions.