

**RULES
OF
TENNESSEE WILDLIFE RESOURCES AGENCY
BOATING & LAW ENFORCEMENT**

**CHAPTER 1660-01-33
RULES AND REGULATIONS GOVERNING TRACKING WOUNDED DEER**

TABLE OF CONTENTS

1660-01-33-.01	Tracking Wounded Deer Requirements
<u>1660-01-33-.02</u>	<u>Deer Recovery Using Unmanned Aircraft</u>

1660-01-33-.01 TRACKING WOUNDED DEER REQUIREMENTS.

The use of one dog may be used to locate a wounded deer under the following provisions:

- (1) Deer season must be legally open.
- (2) The dog must be maintained on a leash at all times and under the control of the hunter.
- (3) Only weapons legal for hunting for that season are allowed while tracking with the dog.
- (4) No weapons are permitted after legal shooting hours.
- (5) If the hunter chooses to use the services of a handler, then the hunter must accompany the handler at all times while afield.
- (6) The handler may only use one dog which must be leashed at all times and under the control of the handler. The handler is not required to possess a hunting license when providing this service to the hunter.
- (7) If the season requires hunters to wear daylight fluorescent orange, then the accompanying handler should also wear daylight fluorescent orange for safety.
- (8) If the deer travels off the property where it was legally shot, it is incumbent upon the hunter to obtain permission from any and all landowners to cross their property and/or to retrieve the deer.
- (9) The hunter shall notify the appropriate regional office of the Agency before initiating any tracking effort with a dog. The hunter shall specify the location where the tracking will occur, including the county and physical address.
- (10) Any tracking effort utilizing a dog shall terminate at midnight, local time.

Authority: T.C.A. §§ 70-1-206 and 70-4-118. **Administrative History:** Original rule filed December 10, 2018; effective March 10, 2019.

Rule 1660-01-33-.02. DEER RECOVERY USING UNMANNED AIRCRAFT

(1) Definitions.

- (a) "Deer", for the purposes of this Rule, also means members of the family Cervidae (i.e., elk) that may be taken on private lands consistent with incidental take of elk regulations.
- (b) "Drone pilot" means an individual who possesses the knowledge and expertise to operate and control drones for a wide range of purposes and operates a FAA-registered drone and has a FAA Part 107, Remote Pilot License.
- (c) "FAA" means Federal Aviation Administration.

- (d) “ReadyOp™ form” means a web-based platform used for planning, coordination, and secure communication. Specific to the activities contemplated in this Rule, it shall be used for registration and reporting by drone pilots.
 - (e) “Remote Pilot Certificate” means official FAA-issued license that allows individuals to operate drones commercially under the Small Unmanned Aircraft System (UAS) Rule, Part 107 of Title 14 of the Code of Federal Regulations.
 - (f) “Thermal imaging” means the use of infrared (IR) cameras mounted on a drone to detect and visualize heat signatures.
 - (g) “Unmanned aircraft”, “unmanned aerial vehicle”, and “drone” mean any aircraft that is operated without the possibility of direct human intervention from within or on the aircraft. These terms are further defined as any aircraft with no human pilot, no crew, and/or no passengers onboard, but rather is controlled remotely or is autonomous. For purposes of this Rule, these terms all have the same meaning.
- (2) A drone may be used for the recovery of a deer, reasonably believed to be mortally wounded, in the following circumstances:
- (a) When it can be reasonably concluded that a deer has been mortally wounded and cannot be located after attempts at location through traditional and historical tracking means.
 - (b) When the drone pilot and hunter are not in possession of a firearm or weapon that could be used for hunting deer.
 - (c) A drone may only be used for deer recovery thirty minutes after official sunset to midnight. In no event may a drone be used during legal hunting hours for that region of the state.
 - (d) Drones may only be used to recover deer over private property in which the hunter and drone pilot have permission to be upon.
 - (e) A drone may be authorized for recovery of elk during elk quota hunts only on public lands with permission of the Wildlife Manager for the public lands within the elk zone.
- (3) Drone Requirements and Limitations
- (a) A drone must be registered with the FAA to be used for deer recovery. (Drone registration shall be made in accordance with the process established by the FAA at <https://faadronezone-access.faa.gov/#/>)
 - (b) A drone used for the recovery of deer must be capable of using thermal imaging and be equipped with a light source powerful enough to visibly see if a deer is alive, mortally wounded, or dead. A light source may only be used to verify the status of the animal.
 - (c) A drone shall not have any mechanism equipped to make animal calls or noise that could be used to scare or lure a deer.
 - (d) A drone may not have any type of mounted weapon system or onboard netting system when used for deer recovery.
- (4) Responsibilities of Drone Pilots
- (a) A drone pilot shall have Remote Pilot Certificate issued by the FAA.

- (b) In no event may a drone be used to hunt, harass, chase, drive, flush, attract, pursue, worry, or follow after deer or other wildlife while undertaking a recovery as contemplated by this Rule.
- (c) If a drone pilot conducts deer recovery services for a fee, the drone pilot shall make a one-time, no fee required, registration with the TWRA using a ReadyOp™ form provided on the TWRA website. The form shall include, at minimum, the drone pilot's name, address, phone number, email address, and Remote Pilot Certificate Number. The form shall also include the TWRA Region of the State in which the drone pilot intends to provide deer recovery services to hunters.
- (d) Before each deer recovery flight, a drone pilot must make notification to TWRA before deploying the drone using a dedicated ReadyOp™ form provided on the TWRA website. The form shall include the approximate location of the deer recovery, the drone pilot's Remote Pilot Certificate Number, the registration number of the drone intended to be used for the recovery, the name and/or TWRA ID number of the hunter for which the drone pilot is providing the deer recovery service.
- (e) When a deer is located, and it is not immediately apparent that the deer is mortally wounded, the drone pilot may not provide location assistance to the hunter, and the recovery session must be immediately discontinued. Providing assistance with a drone to locate a deer that is alive or not reasonably believed to be mortally wounded constitutes hunting and is illegal.
- (f) If a deer is found dead or mortally wounded, the location and/or coordinates of the deer may be given to the hunter.
- (g) If the deer is found still alive and not mortally wounded, location and/or coordinates may not be given to the hunter and the drone recovery must be discontinued. However, coordinates may be shared with the hunter by the drone operator thirty minutes after sunrise the following morning.
- (h) A drone pilot shall report the results of all recovery efforts to TWRA using the ReadyOp™ form indicating whether the recovery was successful and the duration of the recovery or attempted recovery.
- (i) A drone pilot shall be responsible for their compliance with all matters related to legal property ownership and access.
- (j) A drone pilot shall be responsible for their compliance with federal and state law, regulations, or guidelines relating to drone flight. Nothing contained in this Rule confers any license or authority to a drone pilot to take any action beyond the narrow and limited matters detailed herein. At all times, this Rule is subservient and supplemental to federal and state law.

Authority: T.C.A. §§70-1-201, 70-1-206, 70-1-302, and 70-4-135