
TITLE 312 NATURAL RESOURCES COMMISSION

Proposed Rule
LSA Document #14-511

DIGEST

Adds [312 IAC 9-12-2.5](#) governing special circumstances hunting safety cards. Amends [312 IAC 9-12-3](#) to allow an individual with a special circumstances hunting safety card to purchase a hunting license. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5](#) Statement Concerning Rules Affecting Small Businesses

[312 IAC 9-12-2.5](#); [312 IAC 9-12-3](#)

SECTION 1. [312 IAC 9-12-2.5](#) IS ADDED TO READ AS FOLLOWS:

[312 IAC 9-12-2.5](#) Special circumstances hunter education certification

Authority: [IC 14-10-2-4](#); [IC 14-22-2-6](#); [IC 14-22-12-1.8](#)

Affected: [IC 12-7-2-61](#); [IC 14-22-35](#); [IC 20-35-1-2](#)

Sec. 2.5. (a) As used in this section, "individual with special circumstances" means an individual who:

- (1) has a developmental disability as defined in [IC 12-7-2-61](#);
- (2) is a child with a disability as defined in [IC 20-35-1-2](#); or
- (3) has a developmental disability as defined in [IC 12-7-2-61](#) that manifests itself on or after the individual is twenty-two (22) years of age and is due to injury or disease, but excludes an impairment that is attributable to the normal aging process.

(b) The department may issue a special circumstances hunting safety card under this section to an individual with special circumstances as described in this section who attends a complete course of instruction in hunter education offered by the department or the department's agent under [IC 14-22-35](#) but is unable to pass the examination.

(c) An individual with special circumstances must apply for a special circumstances hunting safety card on a completed and signed departmental form that includes a statement of disability completed by a licensed physician or nurse practitioner. If the applicant is under eighteen (18) years of age, a parent or legal guardian who is legally responsible for the applicant's activities must sign the application.

(Natural Resources Commission; [312 IAC 9-12-2.5](#))

SECTION 2. [312 IAC 9-12-3](#) IS AMENDED TO READ AS FOLLOWS:

[312 IAC 9-12-3](#) Demonstration of compliance with hunter education requirements

Authority: [IC 14-10-2-4](#); [IC 14-22-2-6](#)

Affected: [IC 4-21.5](#); [IC 14-22-11-3](#); [IC 14-22-12-1.7](#)

Sec. 3. (a) An agent duly appointed by the director under [IC 14-22-11-3](#), or a clerk of a county circuit court, must not issue a hunting license to an individual subject to section 2 of this rule unless the individual:

- (1) demonstrates compliance with section 2 **or** 2.5 of this rule; or
- (2) purchases an apprentice hunting license under [IC 14-22-12-1.7](#).

(b) An individual subject to section 2 **or** 2.5 of this rule may demonstrate successful completion of a hunter education program by any one (1) of the following methods:

- (1) The presentation of a certificate of completion that indicates a hunter education program offered by the department or the department's agent was successfully completed by the applicant. A certificate of completion shall be completed on a department form.
- (2) For an individual less than twelve (12) years of age upon completion of attendance at a hunter education course, the presentation of a certificate of attendance that indicates a hunter education program offered by the

department or the department's agent has been monitored by the applicant. A license issued under this subdivision authorizes an applicant to hunt only if the applicant is accompanied by a parent or guardian. A certificate of attendance shall be prepared on a department form.

(3) A statement made under oath or affirmation by the applicant, on a department form, stating the applicant successfully completed a hunter education program approved under section 2 of this rule.

(4) A properly completed hunting license issued previously to the applicant.

(5) A final order from the commission under [IC 4-21.5](#) and [312 IAC 3](#) stating the applicant is entitled to receive a hunting license.

(6) The presentation of a special circumstances hunting safety card issued by the department.

(Natural Resources Commission; [312 IAC 9-12-3](#); filed May 27, 1997, 3:50 p.m.: 20 IR 2758; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Nov 3, 2009, 3:34 p.m.: [20091202-IR-312090044FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#))

[Notice of Public Hearing](#)

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