



# The National Agricultural Law Center

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## States' Unmanned Aerial Vehicle Laws: *Colorado*



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# A National Agricultural Law Center Research Publication

## States' Unmanned Aerial Vehicle Laws: Colorado

### **2 CCR 406-0:004**

*Current through November 5, 2022*

### **2 CCR 406-0:004 Aids in Taking Wildlife**

A. Aids Used in Taking Big Game, Small Game and Furbearers - Except as expressly authorized by these regulations, the use of baits and other aids in hunting or taking big game, small game and furbearers is prohibited.

1. Baits

a. Furbearers may be taken with the aid of baiting. Where permitted, baits shall consist solely of material of animal or plant origin and shall not contain any materials of metal, glass, porcelain, plastic, cardboard or paper. Wildlife used as bait shall be the carcass, or parts thereof, of legally taken furbearers, carp, shad, white and longnose suckers, and nonedible portions of legally obtained game mammals, birds and game fish.

2. Dogs

a. Use of dogs in the taking of wildlife is prohibited except as authorized in Commission Regulations. (See also: § 33-4-101.3, C.R.S.)

1. Dogs may be used to hunt or take mountain lion, small game, waterfowl, and furbearers, only as an aid to pursue, bring to bay, retrieve, flush or point, but not otherwise. Except as provided in (3) of this subsection, dogs shall not be used to hunt or take cottontail rabbits, snowshoe hares, and tree squirrels where a regular deer, elk, pronghorn or moose season is in progress.

2. A leashed dog may be used as an aid in locating and recovering wounded big game wildlife, except for black bears, with the purchase of an annual tracking permit. Tracking permits can be purchased for \$40.00 from any Colorado Parks and Wildlife Office by the dog handler. Prior to using the permit, the dog handler must notify a Colorado Parks and Wildlife Office and provide the following information: the dog handler's name, hunter's name (if different than the handler), hunter's CID number, location of use, species to recover, and time of use. Within five business days of using the permit, the handler must also notify the Division regarding whether they recovered the carcass. A dog may only be used to pursue or locate wounded big game during legal big game hunting hours. Provided however, that such pursuit may continue after legal big game hunting



hours if the handler contacts and obtains the permission of a Wildlife Officer prior to continuing such pursuit. In acting on any such request, the Wildlife Officer shall consider the general public safety and may authorize the dispatch of the wounded animal after legal hunting hours. The dog must be leashed at all times and can not be used to kill, chase, or harass wildlife. The properly licensed hunter is required to be present while the dog is tracking and the animal must be dispatched by the hunter using a legal method of take based on their license. The dog handler is required to wear daylight fluorescent orange or fluorescent pink while tracking, unless the handler is tracking an animal shot on an archery license.

3. Organized dog pursuit events involving the hunting of rabbits or hares conducted by state or nationally-recognized sporting associations may be conducted on private lands or public lands not concurrently open to big game hunting during the extended dog pursuit season for such species.

4. A valid small game license is required for all dog handlers participating in any dog pursuit event involving the hunting of rabbits or hares, in accordance with regulation #004(A)(2)(a)(3).

3. Other Aids

a. Mechanical calls may be used to take all species of wildlife during established seasons.

b. Except as otherwise provided in these regulations, electronic calls may only be used as an aid in taking the following species:

1. Furbearers;

2. Starting April 1, 2021, mountain lions during open seasons only and for Game Management Units 43, 44, 45, 60, 61, 70 west of Colo 141, 72, 73, and 444 only.

c. Decoys may be used.

d. European ferret may be used as an aid in taking small game only in conjunction with hawking. All ferrets used in this activity must be neutered, permanently tattooed on the left inguinal area and dyed along one-fourth (1/4) of their body length for easy field identification.

e. Manner of take accommodations may be issued to persons with disabilities, in accordance with #005.

B. It shall be unlawful to hunt any game birds, small game mammals or furbearers, with a centerfire rifle larger than .23 caliber during the regular deer and elk seasons west of Interstate 25, unless the hunter holds an unfilled deer or elk license for the season he is hunting.

C. It shall be unlawful to use a drone to look for, scout, or detect wildlife as an aid in the hunting or taking of wildlife.

1. For the purposes of this regulation, drone shall be defined as including, without limitation, any contrivance invented, used or designed for navigation of, or flight in the air that is unmanned or guided remotely. A drone may



also be referred to as “Unmanned Aerial Vehicle” (UAV) or “Unmanned Aerial Vehicle System” (UAVS).

D. Smart Rifles

1. All firearms used to take or attempt to take wildlife shall be fired only by humanly controlled, manually-operated mechanical triggers. No person shall use a smart rifle to take or attempt to take wildlife.

2. “Smart Rifle” means any firearm that is equipped with one or more of the following:

a. A target tracking system;

b. An electronically-controlled, electronically-assisted, or computer-linked trigger;

c. A ballistics computer.

E. Live-Action Game Cameras

1. No person shall use a live-action camera to locate, surveil, or aid or assist in any attempt to locate or surveil any game wildlife for the purpose of taking or attempting to take said wildlife during the same day or following day.

2. “Live-Action Game Camera” means any device capable of recording and transmitting photographic or video data wirelessly to a remote device, such as a computer or smart phone. “Live-action game camera” does not include game cameras that merely record photographic or video data and store such data for later use, as long as the device cannot transmit data wirelessly.

F. Aircraft, by permit only.

1. The Division may issue permits for the taking wildlife by aircraft when it is determined by the Director that such a permit is necessary for the protection of wildlife populations or for depredation purposes. Applicants shall fill out applications furnished by the Division and shall give such information thereon as may be required by the Division; including, if requested, a map of the area where control of animal damage is needed.

2. Permits shall not be issued for longer than a thirty (30) day period. A permit may, however, be renewed without submitting a new application unless deemed necessary by the Director. Any such permit may be revoked by the Director at any time. Permittees shall abide by restrictions and conditions set forth on the permit.

3. Permits to use aircraft will be issued only upon authority of the Director.

4. Reporting.

Within ten (10) days after expiration of an aircraft permit the permittee shall file a report on forms provided by the Division. The report shall contain all information the Division may request, including but not limited to: a) number of wildlife killed, b) location of each kill, and c) number of hours flown.

