

WAC 220-400-040 Possession of dead wildlife. (1) Except as authorized by permit of the director or as otherwise provided by this section, it is unlawful to possess wildlife found dead. This rule does not prohibit the possession of naturally shed antlers of deer, elk, or moose.

(2) Except as provided in subsection (4) of this section, an individual may remove and dispose of wildlife found dead on his or her property or an adjoining public roadway. Before removing the wildlife, the individual shall, by telephone, notify the department or the Washington state patrol communications office, and shall provide his or her name, address, telephone number, and the description and location of the wildlife. The individual may remove the wildlife for disposal only, and may not retain the wildlife for personal use or consumption. Other laws and rules may apply to the disposal, including rules of the department of health (WAC 246-203-121). Wildlife removed under this subsection remain the property of the state.

(3) Possession of wildlife in violation of subsections (1) and (2) is punishable under RCW 77.15.130, 77.15.400, 77.15.410, and 77.15.430 depending on the species involved in the violation.

(4) It is permissible to salvage and transport a deer or elk that is accidentally killed by a motor vehicle collision except for any deer killed by a motor vehicle collision in Clark, Cowlitz, and Wahkiakum counties.

(a) Big game licenses and tags cannot be used for the purpose of salvaging motor vehicle-killed deer or elk.

(b) A salvage permit must be obtained from the department within 24 hours of taking possession of the animal. Permits may be obtained on the department's web site or at department regional offices.

(c) The entire carcass, including entrails, of the animal must be removed from the road right of way.

(d) Any meat an individual deems unfit for human consumption or unusable animal parts must be disposed of pursuant to WAC 246-203-121. Individuals salvaging and consuming this meat do so at their own risk. The department makes no guarantee as to the fitness for consumption of deer or elk collected under a salvage permit.

(e) An individual may not kill an injured or wounded animal that they encounter for the purpose of salvage. Only a law enforcement officer or individuals or entities authorized by the department may euthanize an animal injured in a motor vehicle collision and that deer or elk may be taken for salvage.

(5) Possession of wildlife in violation of subsection (4) of this section is punishable under RCW 77.15.750.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-400-040, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090, and 77.32.155. WSR 16-12-087, § 232-12-287, filed 5/31/16, effective 7/1/16. Statutory Authority: RCW 77.12.047. WSR 03-16-087 (Order 03-175), § 232-12-287, filed 8/5/03, effective 9/5/03. Statutory Authority: RCW 77.12.040. WSR 95-10-026, § 232-12-287, filed 4/26/95, effective 5/27/95; WSR 81-12-029 (Order 165), § 232-12-287, filed 6/1/81. Formerly WAC 232-12-180.]