

ARTICLE V – ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

#005 REASONABLE ACCOMMODATIONS

- A. The Director shall have the authority to grant variances from the regulations adopted by the Wildlife Commission, including but not limited to manner of take and access accommodations, for the sole purpose of providing reasonable accommodations to persons with a significant impairment of a major life function resulting in functional impairment under the Americans with Disabilities Act. Such accommodations may be provided if they are reasonably required to allow the person to participate in wildlife programs or access wildlife properties to participate in wildlife related recreation and do not:
 - 1. Significantly alter the purpose of the Division of Wildlife property or program for which the accommodation is requested;
 - 2. Jeopardize the safety of the applicant or any other person; or
 - 3. Pose undue hardship for the Division of Wildlife
- B. Application for such accommodations must be made on a form available from and submitted to the Division of Wildlife at least 30 days prior to the requested effective date.
- C. The application shall include a statement from a licensed medical doctor, a certified physical therapist, a certified occupational therapist, or a certified recreational therapist containing:
 - 1. A descriptive medical diagnosis of the significant impairment of the major life function listed, including the nature of the impairment and the type and degree of functional limitation of the impairment.
 - 2. A narrative description of how the accommodation requested is reasonably required to allow the applicant to participate in the wildlife program or access the wildlife property in question.
- D. Such applications will be reviewed on a case by case basis and additional documentation may be required if necessary to establish the applicant's disability or the reasonableness of the accommodation requested. If any accommodation is authorized, the applicant will be provided with a special permit listing the accommodation and any conditions of its use. In the case of properties and facilities designated exclusively for hunters with qualifying disabilities, this permit shall allow a permittee and attendant access to such properties and facilities.
 - 1. When shooting from a motor vehicle is authorized, the permittee is authorized to discharge a firearm or release an arrow from a stationary motor vehicle only after all forward motion has ceased and the motor has been turned off or is incapable of forward motion. No shooting may be done from a public road.
- E. Permits are free of charge, and valid for the time period designated on the permit. The temporary or permanent nature of the person's disability, and whether and when the person's condition may be expected to change may be considered in establishing the time period for which the permit will be valid. Permits shall be presented for inspection upon request by an officer of the Division.
- F. Hunters with permits must be accompanied by another person when necessary to ensure that the wildlife taken is retrieved and properly prepared for human consumption. Such person may dispatch wounded wildlife when so authorized as a condition of the permit.
- G. Persons provided with any accommodation under this regulation shall comply with all other applicable laws and regulations. Permits allow variances only from regulations specifically addressed and only in the manner and under the circumstances set forth therein.