

**Background Report
Draft Rule 68A-1.004
Agenda Item 8.A.
February 7, 2018**

DRAFT RULE

RULE NO: 68A-1.004 **RULE TITLE:** Definitions.

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to provide a definition for the term “pre-charged pneumatic air gun.” The effect of the proposed rule amendment will be to ensure that pre-charged pneumatic air guns allowed for taking wildlife meet the definition of such as defined in 68A-1.004.

SUMMARY: The proposed rule amendment provides a definition for the term “pre-charged pneumatic air gun” to ensure that pre-charged pneumatic air guns allowed for taking wildlife meet the definition as set out in 68A-1.004.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-1.004 Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to wild animal life and freshwater aquatic life. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

(1) through (58) No change.

(59) Pre-charged pneumatic air gun – A commercially-manufactured air gun that is charged from an external high compression source such as an air compressor, air tank, or external hand pump and is specifically designed to propel a bolt, arrow, or other projectile commonly used for hunting.

(59) through (93) renumbered (60) through (94) No change.

PROPOSED EFFECTIVE DATE: July 1, 2018

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-15-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-1.04, Amended 6-1-86, 5-10-87, 10-8-87, 3-1-88, 4-13-88, 4-27-89, 4-11-90, 7-1-92, 4-20-93, 3-1-94, 7-1-94, 4-1-96, 11-23-97, 7-1-98, 6-23-99, Formerly 39-1.004, Amended 7-1-00, 5-1-01, 5-1-03, 7-1-04, 5-26-05, 7-1-06, 4-1-07, 7-1-08, 10-23-08, 7-1-10, 11-8-10, 1-1-11, 4-9-13, 7-29-15, 5-11-16, 7-1-18.