# **09-137 DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

**Chapter 17: FURBEARERS AND TRAPPING**

**17.01 Scope of Rules:**

These rules shall apply to the taking, possession, transportation, registration, hunting and trapping of furbearing animals in Maine, except for those areas closed to trapping described in Title 12 M.R.S. Chapter 925, subchapter 1. These rules also apply to the trapping of bears in Maine.

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**17.03** **Definitions**

1. **Bait:** means animal matter including meat, skin, bones, feathers, hair or any other solid substance that used to be part of an animal. This includes live or dead fish. For the purposes of this chapter bait does not include animal droppings (scat), urine or animals, dead or alive, held in a trap as the result of lawful trapping activity.
2. **Beaver Dam:** means a dam built by a beaver to provide a pond as protection against predators and to provide easy access to food during winter. For the purposes of this chapter, the remains of an inactive or breached beaver dam that is in disrepair and is no longer being maintained by beaver are not considered to be beaver dams. See section [17.06](#Seasons) for additional information on legal measurement of trap location from a beaver dam.
3. **Beaver House:** means any cavity in the bank which is capped by beaver with mud and sticks. For the purposes of this chapter holes in the bank not capped with mud and sticks are not considered to be beaver houses. See section [17.06](#Seasons) for additional information on legal measurement of trap location from a beaver house.
4. **Blind Set**: means any set designed to catch a wild animal, without the use of bait, lure or visible attractor, by intercepting the animal as it moves naturally through its habitat. Bait, lure and visible attractors do not include animal droppings (scat) or urine.
5. **Built-up Portion of a Town:** is defined within Title 12 M.R.S. §23.
6. **Cage-Type Live Trap:** means a type of restraining trap that fully encloses a captured animal within wood, wire, plastic, or metal. This includes culvert-type traps used primarily for bear (see section [17.06](#Seasons) for specific trap construction for bear) and suitcase-type live traps, such as Hancock traps, that may be utilized in certain circumstances for live trapping of beaver (see section [17.06](#Seasons) for specific use requirements in certain areas).
7. **Catch Circle:** means the area that can be circumscribed by the outer edge of a trap when the trap and trap chain or cable are fully extended and moved in a circle (360°) around the anchoring point.
8. **Colony Trap:** is an enclosure-type device (often a wire rectangular cage) that allows for the capture of one or more muskrats in a single set. The trap design functions with one or more one-way entrances that allow muskrats to push through and enter, but prevents exiting by the mechanics and/or design of the door or opening. These traps may also be called by other names, but will be referred to as colony traps for purposes of this chapter.
9. **Covered Float:** means a float completely covered on the sides and top with solid material; or hardware cloth, screen, or other similar material having a mesh size no greater than 1/2-inch square. Covered floats must be completely surrounded by water when set, placed, and tended.
10. **Drowning Set:** is defined within Title 12 M.R.S. §10001 subsection 15.
11. **Enclosed Foothold Trap:** is designed to eliminate incidental catch of non-target species. Brand examples including but not limited to Duffer, Egg, Coon Cuff and dog proof type traps. Any trap that has similar specifications is considered an Enclosed Foothold Trap, regardless of brand or source of modification.
12. **Killer-type Trap:** is a device designed to capture and kill an animal when two rotating jaws close on either side of the animal’s neck or chest. These devices are commonly known as body-gripping traps, or Conibear™ traps. There are various manufacturers, but all have a similar design and operational characteristics, two rotating jaws powered by one or two sets of springs.
13. **Muskrat Den:** A muskrat den is any cavity which is capped by muskrats with vegetative matter, including but not limited to hollow stumps and bank cavities. Holes in the bank not capped with vegetative matter are not considered to be muskrat dens. See section [17.06](#Seasons) for additional information on legal measurement of trap location from a muskrat den.
14. **Pelt:** means the raw, untanned skin of the animal, whether removed from or attached to the carcass.
15. **Steel Foothold Trap:** is a device with two jaws designed to capture and restrain an animal by gripping the toes or foot. Foothold traps typically have two metal jaws attached to a baseplate with a pan triggering device. When the animal steps on the pan of the trap, it triggers the springs to close the jaws. Foothold traps typically are categorized by the type of spring (e.g. coil or long spring) and are made in varying sizes appropriate for specific animals.
16. **Wildlife Management District (WMD):** WMDs are delineated, geographical sections of the State that have similarities in biological and geophysical characteristics and are utilized to manage wildlife species’ populations on a more localized scale. See Rule Chapter 16 for WMD boundary descriptions.

**17. Visible Attractor**: means an object hung or placed at a trap site location that serves as a visual cue to attract an animal to the trap. Visible attractor includes, but is not limited to, CD-disc, tin can cover, foil, tinsel, feathers, bones, fur, mechanical devices, or any like items. Fruits or vegetables used for muskrat trapping, urine, and animal droppings (scat) are not considered a visible attractor. Small pieces of flagging can be used to mark trap site locations.

**17.04** **General Information for Trapping of Upland Game and Furbearing Animals**

1. **General Prohibition**

It shall be unlawful for any person to have in their possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of these regulations. There shall be a closed season for the hunting or trapping of any wild bird or wild animal for which an open season is not herein specifically provided or that is provided by law.

1. **Limits**

No person shall hunt, trap or have in their possession at any time more than the numerical limits of any given species of upland game or furbearing animal which are specifically set forth in these regulations.

1. **Keeping Upland Game and Furbearing Animals Alive**

No person shall keep alive any upland game or furbearing animal which such person has taken, whether by hunting or trapping, except in accordance with the provisions of 12 M.R.S. §12152 and §12261 as amended, providing, among other things, for the issuance of permits for such purposes by the Commissioner of Inland Fisheries and Wildlife.

1. **Incidental Catch of Lynx**

Any lynx caught incidentally, whether dead or alive, during any trapping season must be reported to a game warden or biologist of the department as soon as possible and prior to removing the animal from the trap, unless a department official cannot be reached in time to prevent injury to the lynx. Any lynx released under this provision must be reported to the department within 24 hours from the time it was discovered.

1. **Incidental Catch of Other Species**

Any other furbearing animal caught incidentally during a closed season for that species must be immediately released alive, or, if found dead in the trap, must be reported to a game warden as soon as possible and prior to removal of the animal from the trap and trap site location except as otherwise provided within this chapter. Any such incidental catch found dead in the trap must be turned over to a game warden or biologist of the department within 48 hours from the time it was discovered.

6. **Gray Squirrel Prohibition on Trapping in Certain Areas**

No person shall hunt gray squirrels on any land which have been dedicated as a public or private park or which are within the limits of compact or built-up portions of any city or town.

7. **Destruction of Beaver and Muskrat House, Dams or Dens**

No person except agents of the Commissioner or someone authorized by the department may damage, destroy, or disturb any beaver house, beaver dam, muskrat house, or muskrat den. However, in accordance with Title 38 §480 a person may be authorized to remove a beaver dam without a permit.

**17.05** **Statewide General Trapping Season**

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| **Statewide General Trapping Season** |
| Species | Date Season Opens | Location |
| **Bobcat****Coyote****Fisher****Fox****Marten****Mink****Muskrat****Opossum****Otter****Raccoon****Red Squirrel****Skunk****Weasel** | **Opens the Sunday preceding the 1st****day of the regular****firearm season on****deer through****December 31st****annually.** | **Statewide** |

* 1. **Seasons and Specific Information for Trapping of Furbearing Animals**

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1. **Bear Trapping\***

A. **Season Dates**

The bear trapping season is set in accordance with M.R.S. Title 12 §12260.

B. The bag limit on bears by trapping is one bear per year. A person may not trap bear after that person has killed or registered a bear by trapping during that calendar year. A person may not possess more than 2 bears in any calendar year, except a person may keep more than two legally obtained bear in that person’s home or as otherwise provided in law.

C. **Restrictions for Bear Trapping**

 Except as otherwise provided by state law, no person may set, place or tend any bear trap that is not in conformity with 12 M.R.S. §12260 and the following provisions:

(1) No person may have more than 1 trap set for bear at any one time.

(2) Bear may be trapped only with the use of cable traps (foothold cable restraint) or cage-type live traps (see section [17.03](#Definitions) for definition) in accordance with the provisions of 12 M.R.S. §12260. The Belisle style and modified conibear traps are not legal.

(3) Whenever a cage-type live trap is used to trap for bear, the trap must be enclosed and must be heavily constructed to prevent damage from bears, and also must have adequate openings for ventilation and cooling inside when the door is closed. Traps must also be constructed with no sharp intrusions to injure bears, and be large enough for bears to turn around inside the closed trap.

(4) Whenever a cable trap (foothold cable restraint) is used to trap for bear,

i. the cable must be set at or below ground level in such a manner as to catch the animal only by the foot or leg;

ii. the cable must be at least 3/16 inches in diameter;

iii. the cable must include a swivel;

iv. the cable must be securely attached to a fixed anchor point;

v. if a tree is used as an anchor, it must be at least 6 inches in diameter at 4.5 feet above ground level and must be free of limbs for at least 7 feet above the ground;

vi. the distance from the anchor to the end of the closed cable loop (e.g. the catch circle) must be no greater than 8 feet; and

vii. the area within the catch circle must be clear of woody vegetation, debris and manmade material that could cause entanglement of a trapped bear. This restriction does not include a tree used as an anchor. Sticks and rocks, and rotten/decaying woody material may be used for stepping guides, blocking, and backing for trap sets, if they are not rooted to the ground.

 (5) Whenever a cable trap (foothold cable restraint) is used in conjunction with a device that is designed to capture a bear when it reaches into the device to obtain bait (e.g. bucket, tube, or pipe-style traps):

i. the opening and inside diameter of the device must be no more than 6 inches;

ii. animal-based bait and/or lure may not be placed within the device. Animal-based bait is defined as animal matter including meat, skin, bones, feathers, hair or any other solid substance that used to be part of an animal. This includes live or dead fish;

iii. the trigger must be recessed at least 12 inches below the opening of the device;

iv. any bait and/or lure within the device may not be placed above the trigger, or between the trigger and the opening; and

v. the opening to the device must be covered by a weight of at least 30 pounds when set, placed, and tended to prevent access by non-target species.

(6) A bear caught in a trap must be killed or released and not moved away from the catch site. A bear caught in a trap may not be used in conjunction with a hunt or to train a dog(s) for bear hunting.

(7) The placement of bait when trapping for bear must be done in accordance with the provisions of M.R.S. Title 12 §11301, subsection 1.

 **\*Data Collection for Bear**

See section [17.07](#Registration) for mandatory submission of bear teeth.

1. **Beaver Trapping**
2. **Beaver Trapping Season:**

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| **Beaver Trapping Season Dates by WMDs** |
| **WMDs** 1, 2, 3, 4 | Opens on Sunday 2 weeks prior to the General Fall Trapping Season and extends through April 30th  |
| **WMDs** 5, 6, 8, 9, 10, 11 | Opens on Sunday 1 week prior to the General Fall Trapping Season and extends through April 30th |
| **WMDs** 7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 | Opens on Sunday 1 week prior to the General Fall Trapping Season and extends through April 15th |

1. **Closed Areas for Beaver Trapping:**

 (See season dates chart for WMDs above in 2.A.)

1. **Closed Areas within WMDs:**

**WMD 5** The following town shall be closed but with the excepted part of the town open:

**Trout Brook Twp.,** except north of Trout Brook.

The following towns shall be open but with the excepted part of the town closed:

**Ashland,** except unnamed brook on land owned by Artemus and Rosemary Coffin located north of Goding Road and west of Route 11.

**WMD 6** The following towns shall be open but with the excepted part of the town closed:

**Ashland,** except section of Nowland Brook on land owned by Ronald Rushinal adjacent to the Nowland Road.

**Castle Hill,** except unnamed tributary to North Branch Presque Isle Stream on land owned by Melvin Johnson. Land located on east side of Haystack Mountain and south of Route 163.

**Fort Fairfield**, except the property of Jane and Mark Stanford at 122 West Limestone Road containing a portion of Hacker brook.

**WMD 7** The following towns shall be open but with the excepted part of the town closed:

**Twp. 6 North of Weld,** except Mud Pond and outlet.

**Upton,** except section of B Brook from the confluence with B Pond, downstream to the first road crossing.

**WMD 8** The following towns shall be open but with the excepted part of the town closed:

**The following towns shall be open but with the excepted part of the town closed:**

**Blake Gore, except Capehorn Pond.**

**Forsythe Twp., except Turner Pond.**

**Holeb Twp., except Fish Pond and tributaries.**

**Johnson Mountain Twp., except Markham and outlet to Route 201.**

**Prentiss Twp., except Capehorn Pond.**

**Tomhegan Game Sanctuary, the Pittston Farm Game Sanctuary, the Moosehead Lake Game Sanctuary and Somerset Game Sanctuary shall all be open.**

**WMD 9** The following towns shall be open but with the excepted part of the town closed:

**T2 R12 WELS,** except for the property of Ben Bailey located from the intersection of the Sias Hill/Greenville Road and the western boundary of the T2 R12 WELS township line south to the T1 R12 WELS township line east along the southern boundary of T2 R12 WELS to the intersection the T2 R12 WELS southern boundary and Gulliver Brook. From this intersection the property line follows Gulliver Brook northwest to Big Fisher Pond where the property line runs west to east across the middle of the pond where it then continues along the road at the outlet of Big Fisher Pond in a south then northwest direction to the Sias Hill/Greenville Road where the property line follows the Sias Hill/Greenville road in a southwesterly line to the western T2 R12 WELS township line boundary.

**WMD 12** The following towns shall be open but with the excepted part of the town closed:

**Gilead,** except Carlton Brook.

**Hartford,** except part of the west tributary to Little Bear Pond that runs through the property owned by Sylvia Mahoney. The closed beaver flowage is located on the northeast side of the Mahoney Road.

**Twp. 6 North of Weld,** except Mud Pond and outlet.

**WMD 13** The following towns shall be open but with the excepted part of the town closed:

**Concord Twp.,** except Owen’s Marsh and outlet to Route 16.

**WMD 15** The following towns shall be open but with the excepted part of the town closed:

**Brownfield,** except Shuther Brook from Peary Mt. Road downstream to Shepards River.

**Cornish,** except that portion of “the heath”, and eastern tributary of Brown Brook, one-half mile eastward from Watson Hill Road.

**Porter,** except Thurston Brook from Kennard Hill Road to Bickford Pond and Mill Brook from Maine/New Hampshire border to Bickford Pond.

**Waterford,** except portion of Kedar Brook upstream of Route 37.

**Otisfield,** except Coon Swamp and tributaries.

**WMD 16** The following towns shall be open but with the excepted part of the town closed:

**Mercer,** except the land of David P. Van Burgel and Kathy J. Scott, which is located between the Hampshire Hill Road and the Rome Road and includes a portion of Hilton Brook.

**WMD 17** The following towns shall be open but with the excepted part of the town closed:

**Atkinson,** except the flowage located on the east side of the Dorr Road and within the Bud Leavitt Wildlife Management Area.

**Hartland,** except tributaries to Thompson Brook west and north of Route 23 that are on the property owned by John Studt.

**Hermon,** except the land of Herbert Bates bordered on the north by the Fuller Road, on the east by the New Boston Road, on the south by Route 2/100, and to the west by the Billings Road.

**WMD 19** The following towns shall be open but with the excepted part of the town closed:

**T3 ND,** except Duck Lake Brook.

**T4 ND,** except Duck Lake Brook.

**WMD 21** The following towns shall be open but with the excepted part of the town closed:

**Pownal,** except tributary to Chandler River between Allen Road and Chadsey Road, and Chandler River between Poland Range Road and Lawrence Road.

**WMD 22** The following towns shall be completely closed with no part of the town open:

**Perkins Twp. (Swan Island)**

**WMD 23** The following towns shall be open but with the excepted part of the town closed:

**Montville,** except the parcel of land owned by the Sheepscot Wellspring Land Alliance located north of the Burnham Hill Road, west of the Howard Road, south of the Penny Road, and east of the Halldale Road.

**Montville,** except land owned by the Sheepscot Wellspring Land Alliance located north of the Burnham Hill Road between Herb Jackson Road and the Mountain Road.

**Searsmont,** except the land owned by Ravenwood Collective Inc c/o Lily Fessenden located south of the Barret Road, between the town lines of Montville on the west, Morrill on the east, and encompassing Thompson Brook

**Waldo,** except the wetlands located on the property of Jeffrey S. Peters at 80 East Waldo Road in the town of Waldo.

**WMD 25** The following towns shall be open but with the excepted part of the town closed:

**Bristol,** except unnamed tributary to the Pemaquid River that passes through the land owned by James Deucher, north of the Rock Schoolhouse Road (Fire Road B 31-1).

**Bristol,** except Johnson’s Meadow on Trout Brook, so called, to the Chamberlain Post Office.

**Edgecomb,** except the property of Lloyd Lawrence east of Parson’s creek, and west of Parson’s Point Toad.

**Edgecomb,** except Charles and Constance Schmid Land Preserve, a private land preserve that encompasses 766 acres located off of the Middle Road, Old County Road and Mount Hunger Road East, and Mount Hunger Road North.

**Jefferson,** except south of the Atkins Road, west of Route 215 to the town line, and west of the Egypt road to the Jefferson /Whitefield town line.

**Northport,** except the land of Ovid Santoro located east of State Route 52, north of the Northport/Lincolnville town line, north of Pitcher Pond, west of the thread of Sucker Brook, and south of Pitcher Road.

**Rockport,** except for the waterbodies known as “reflection ponds” located north of Park Street, on both the east and west side of Whitetail Drive, and on both the north and south side of Reflection Pond Road. All waterbodies within this subdivision shall be closed.

**South Thomaston,** except the land of C. M. Waterman, so called Towers Brook, west and north of Route 73, and south of the Grierson Road.

**Whitefield,** except the land owned by Lisa Tuttle, including the beaver flowage located along the west side of Weary Pond Road, just inside the boundary of the Jefferson-Whitefield Sanctuary.

**Whitefield,** except east of the Weary Pond Road to the Jefferson/Whitefield Town line, east of Hollywood Boulevard to the Jefferson/Whitefield Town Line, and south of the Hilton Road.

**Note: Land in the Jefferson-Whitefield Sanctuary that is in the town of Whitefield will be open to beaver trapping except for the areas described above.**

**Woolwich**, except the flowage located on the property of Yvonne Stanton east of Hockomock Road and South of Murphy’s Corner Road.

**WMD 26** The following towns shall be open but with the excepted part of the town closed:

**Searsport,** except flowage on the property of Richard and Joyce Stevens located south and east of the junction of the Mt. Ephraim road and the Nickels Road.

**Stonington,** except the land of Richards Marital Trust and Richards Community Property Trust, including Ames Pond and a portion of its inlet.

**WMD 29** The following towns shall be open but with the excepted part of the town closed:

**Frenchboro,** except Long Island.

1. **Restrictions for Beaver Trapping**
2. Traps set for beaver are restricted to killer-type traps and drowning sets.

(2) Cage-type traps as defined within section [17.03](#Definitions) also include suitcase-type live traps, such as Hancock style traps. The setting of suitcase-type traps during the beaver trapping season is prohibited except, under the direct authorization of an IFW wildlife biologist or game warden as part of the department’s animal damage control program. These traps must be set with the bottom portion of the trap in the water, and with the opening of the trap facing away from land.

(3) Measurements for dams, dens, and houses must be made from the trap itself. Sticks and poles used to construct the set are not considered part of the trap. See [17.09](#Locations)-2. for requirements on distances.

* 1. **Dams:** must be measured from where the nearest edge of the dam meets ground, water or ice;
	2. **Dens:** must be measured from the nearest opening; and
	3. **Houses:** must be measured from where the nearest edge of the house meets water or ice. In the case of a capped cavity on the bank, the distance shall be measured from where the nearest intersection edge of the cap meets the ground, water or ice.

(4) No person shall use meat or fish as bait when trapping for beaver.

(5) Any otter, muskrat, or mink taken incidental to beaver trapping may be lawfully possessed

1. **Destruction of Beaver and Muskrat House, Dams or Dens:**

See section [17.04](#General)-6 for more information

1. **Muskrat Trapping**
2. **Muskrat Trapping Season**

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| **Muskrat Trapping Season Dates by WMDs** |
| **WMDs** 1, 2, 3, 4, 5, 6, 9, 10, 11 | **Early Muskrat Trapping Season**Opens on Sunday 1 week prior to the General Fall Trapping Season and extending through the day prior to the opening of the General Fall Trapping Season. |
| **Statewide** | Opens the Sunday preceding the 1st day of the regular firearm season on deer through December 31st annually. |
| **WMDs** 7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 | Ends April 15(coincides with late beaver trapping season) |
| **WMDs** 1, 2, 3, 4, 5, 6, 8, 9, 10, 11 | Ends April 30(coincides with late beaver trapping season) |

 \*See [17.06](#Seasons) – 3. B. for Muskrat Trapping Restrictions after February 28.

1. **Muskrat Trapping After the Close of the General Trapping Season:** After the close of the general trapping season a person may trap muskrat in any WMD open to beaver trapping.
2. **Restrictions for Muskrat Trapping**
3. **Early Muskrat Season:** For WMDs that are open to muskrat trapping prior to the general trapping season the following restrictions apply:
4. All traps must be set at or below ground or water level;
5. The use of exposed bait or visible attractor at any trap site location is prohibited;
6. Killer-type traps may be used for muskrat trapping and must have a jaw spread no greater than 5 inches;
7. Foothold traps shall be limited to an inside jaw spread between 3 11/16 inches and 5 3/8 inches (measured at the dog when set, see section [17.08](#Types) 1-A for specific measuring instructions) for muskrat sets during this special season; and
8. Colony traps can be used but must meet restrictions defined in Section [17.08](#Types)-3.
9. **After February 28th:** in those (WMDs) open to beaver trapping the following restrictions apply:
10. Only killer-type traps, foothold traps, and colony traps may be used and must be set, placed, and tended to remain underwater; or
11. Foothold traps may be used when on “covered floats” with the following restrictions: (See the definition of “Covered Floats” within [17.03](#Definitions) definitions section).

i. Access to the float will be limited to openings at the extreme ends of the float and the openings will not exceed 7 inches in height, or 14 inches in width;

ii. The use of exposed bait or visible attractor on covered floats is prohibited;

iii. Only one trap may be placed per float;

iv. The trap must be recessed 3 inches or greater from any opening in the cover;

v. The trap chain or wire must be at least 3 feet long; and

vi. The maximum foothold trap size for covered floats sets shall be limited to a No.1 ½, or equivalent (maximum inside jaw spread no greater than 5 3/8 inches, when set) for muskrat sets during this special season.

1. Measurements for dams, dens, and houses must be made from the trap itself. Sticks and poles used to construct the set are not considered part of the trap.
2. **Dens:** must be measured from the nearest opening; and
3. **Exemption to Incidental Catch Requirements When Trapping for Muskrat**

Any otter, raccoon or mink taken incidental to muskrat trapping may be lawfully possessed.

1. **Destruction of Beaver and Muskrat House, Dams or Dens**

See section [17.04](#General)-6. For more information

1. **Early Fox and Coyote Statewide Trapping Season Dates**
2. **Season Dates**

There shall be an early fox and coyote trapping season statewide from the Sunday two weeks before the opening of the general fall trapping season through the day before the opening of the general fall trapping season.

1. **Exemption to Incidental Catch Requirements for Early Fox and Coyote Trapping**

Any raccoon, skunk or opossum taken incidental to fox and coyote trapping may be lawfully possessed. During this early trapping season, except as provided in this section, it is unlawful to take or possess any furbearing animal other than fox, coyote, raccoon, skunk and opossum.

1. **Additional Restrictions for Early Fox and Coyote Trapping Season**

In addition to department rules and state laws which affect trapping in general, the following restrictions also apply when trapping during the early fox and coyote trapping season:

1. The use of exposed bait or visible attractor at any trap site location is prohibited;
2. Killer-type traps are prohibited except as authorized within section [17.06](#Seasons)-3-C. when trapping for muskrat; and
3. Foothold traps may not be set in the water except as authorized within section [17.06](#Seasons)-3-C when trapping for muskrat.
4. **Fisher Trapping**
5. **Bag Limit**

The harvest of fisher is limited to 25 fisher per trapper each year statewide.

1. **Incidental Catch of Fisher**

All fisher caught in excess of the annual limit (25) or outside of the fisher season must be immediately released alive, or if found dead in the trap, must be reported to a game warden as soon as possible and prior to removal of the animal from the trap and trap site location. Any such incidental catch found dead in the trap must be turned over to a game warden or biologist of the department within 48 hours from the time it was discovered. See section [17.04](#General) for lynx specific information when incidental catch occurs.

1. **Data Collection for Fisher**

See section [17.07](#Registration) for mandatory submission of fisher teeth.

1. **Marten Trapping**
2. **Bag Limit**

The harvest of marten is limited to 25 marten per trapper each year statewide.

1. **Incidental Catch of Marten**

Any marten caught in excess of the annual limit (25) must be immediately released alive, or, if found dead in the trap, must be reported to a game warden as soon as possible and prior to removal of the animal from the trap and trap site location. Any such incidental catch found dead in the trap must be turned over to a game warden or biologist of the department within 48 hours from the time it was discovered. See section [17.04](#General) for lynx specific information when incidental catch occurs.

1. **Data Collection for Marten**

See section [17.07](#Registration) for mandatory submission of marten teeth.

**17.07** **Registration of Furbearing Animals and Bears Taken by Hunting or Trapping**

1. **Data Collection; Mandatory Submission of Teeth**

A. **Bear -** Whenever a bear is presented for registration a premolar tooth must be removed from the bear and submitted to the department by the person presenting the bear for registration.

B. **Bobcat -** Whenever a bobcat is presented for registration, a lower lateral incisor, lower canine, or the lower jaw must be submitted to the department by the person presenting the bobcat for registration. There shall be a tissue sample provided (from either the tongue or a muscle) and the tissue and tooth sample shall be labeled. The label shall include the following information:

1. Species
2. Sex
3. Seal number

C. **Fisher, Marten or River Otter -** Whenever fisher, marten, or otter are presented for registration, the entire lower jaw or the lower canine must be submitted to the department by the person presenting the fisher, marten, or otter for registration. The tooth samples shall be labeled with the following information:

1. Month and Year
2. Sex
3. Species
4. Town of kill

2. **Bear Transportation Tag**

To meet the requirements of 12 M.R.S. §11352, the tag for transporting a bear must be a tag provided by the hunter, trapper or the department bearing the full name, address, and hunting or trapping license number of the person harvesting the bear.

3. **Mandatory Submission of Annual Trapper Survey**

Trappers ages 16 years old and older must complete and submit surveys provided by the department to be eligible to renew their trapping license.

Trappers must complete a survey by January 31st for any fur taken (in the previous calendar year) during the time that the fall trapping season begins through December 31st.

Trappers must complete a survey by May 31st for any fur taken from January 1st through April 30th of the same calendar year.

4. **Possession of Pelts Without Fur Registration Tag**

It shall be unlawful for any person to possess, sell, give away, buy, accept as a gift, offer for transportation or transport out of the State of Maine the pelt of any fox, bobcat, marten, fisher, beaver, mink or otter unless each pelt receives a permanent fur tag. The tag utilized for otter and bobcat will be a CITES tag which must be affixed by a game warden or a biologist.

**Coyote:** The pelts ofcoyotes taken from trapping must be tagged and registered in order to possess, sell, buy, trade, or transport the pelts out of the state.Coyotes taken by hunting must be tagged and registered prior to being bought, sold, traded, or transported out of the state. Coyotes can be gifted without a permanent fur tag, if a tag is attached to coyote with the following information: the person’s name who harvested the coyote, hunting or trapping license number of the person who harvested the animal, harvest method (hunt or trap), harvest date, and town of harvest. This information must be presented accurately to the tagging agent when the animal is registered.

5. **Possession and Transportation of Pelts Within the State**

Notwithstanding this regulation, any person who lawfully possesses the untagged pelt of any fox, bobcat, marten, fisher, coyote, beaver, mink or otter may transport that pelt within the jurisdiction of the state for purposes of pelt preparation and tagging.

6. **Presenting for Registration and Fee**

The pelts of all fox, bobcat, marten, fisher, coyote, beaver, mink and otter must be presented by the person who harvested the animal to a warden, or other agent of the Commissioner in order to be legally tagged. All information requested relating to the taking of each pelt shall be accurately and truthfully reported. A fee of 25¢ may be charged for each pelt that is tagged.

7. **Time Limits to Register Pelts**

The pelts of all fox, bobcat, marten, fisher, coyote, beaver, mink and otter taken by trapping must be presented for tagging within 30 days after the trapping season closes for that species. If there is an extended trapping season for that species, tagging is required 30 days after the close of the extended season. The exceptions include:

1. All otter taken by trapping between January 1 through April 30 must be tagged within 10 calendar days of harvesting the animal.
2. All bobcat taken by hunting must be tagged within 10 calendar days of harvesting the animal.
3. All fox taken by hunting must be tagged within 10 calendar days after the fox hunting season closes.
4. There is no closed day time hunting season for coyotes, so there is no deadline to tag coyotes taken by hunting.

8. **Pelts Brought to Maine from Another State, Country or Province**

1. The pelts, either raw or processed of any fox, bobcat, marten, fisher, coyote, beaver, mink and otter that come into Maine from any other state, country, or province must bear the official stamp, tag, or seal of such other state, country, or province; or
2. Any such pelt that comes into this state from any other state, country, or province which does not require an official stamp, tag, or seal must be tagged in accordance with this chapter by the person possessing the pelt; and
3. The fee as established within [17.07](#Registration) – 6. for tagging such imported pelts may be 25¢ for each pelt.
	1. **Types and** **Sizes of Traps**
4. In WMDs 1, 2, 3, 4, 5, 6, 8, 9, 10, and 11, animals may be trapped with:
	1. Any common ordinary steel trap except no foothold trap may be used that has an inside jaw spread of more than 5 3/8 inches, except a foothold trap with an inside jaw spread of more than 5 3/8 inches may be used if it is set so as to be fully or partially covered by water at all times. Inside jaw spread is the distance, with the trap in the set position, from the inside center of one jaw (at the dog) to the inside center of the opposite jaw when measured directly across the center of the pan and perpendicular to the base plate.
	2. Only killer-type traps with a jaw spread not to exceed 8 inches may be used, as provided within section [17.09](#Locations) paragraph 5 and 6. However, during the open season on beaver it shall be lawful to use a killer-type trap with a jaw spread larger than 8 inches if, when set, placed and tended, the trap is completely under water. Killer-type traps shall include Conibear traps and all other traps of that type. It shall be unlawful to use any trap with teeth on the jaws unless when set, placed and tended, the trap is completely covered with water.
5. It is lawful to trap furbearing animals with a cage-type trap, except suitcase-style traps used for beaver (see section [17.06](#Seasons)-C.) and cage-style traps in WMDs 1, 2, 3, 4, 5, 6, 8, 9, 10, and 11, must have an opening less than 13 inches in width or less than 13 inches in height, unless the cage trap is being used:
	1. For official wildlife research and survey activities that have been permitted by the department;
	2. For the removal of animals that are causing damage to property; or
	3. To capture bear.
6. Furbearing animals may be trapped with colony traps having outside dimensions no greater than 7 inches high by 7 inches wide by 40 inches long, only if set, placed, and tended so as to remain completely under water.
7. Furbearing animals may be trapped with dog-proof traps also known as enclosed foothold traps (as defined within section [17.03](#Definitions)) and all other traps of that type that are designed primarily to capture raccoons and avoid incidental catches of other animals.
8. Wooden-base rat traps may be set on land for weasel and red squirrel trapping if recessed in a wooden box with a hole no larger than 2 inches in diameter.

**17.09** **Location and Preparation of Traps**

1. **Prohibitions**
2. No person shall stake, hook, fasten or position a trap at any trap site location in the fields, forests or waters of the state prior to the opening day of the trapping season.
3. No person shall make any advance preparation on the trapping grounds for the taking of beaver or muskrat previous to the open season on these animals.
4. No person shall use meat or fish as bait when trapping for beaver.
5. **Placement of traps near beaver or muskrat dams, dens or houses**

See section [17.06](#Seasons)-2.C. (3) for additional information on how to measure while beaver trapping

Except as provided herein, no person, except an agent of the Commissioner, shall place, set or tend any traps.

1. within 5 feet of a beaver house, muskrat den or house;
2. within 5 feet of a beaver dam; or
3. within 5 feet of a beaver trap that has been set by another trapper.
4. **Exceptions:**
5. In WMDs 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 18 and 19 there is no required setback distance from an active beaver dam or beaver house.
6. **Placement of Steel Foothold or Killer-type Traps**
7. Steel foothold or killer-type traps must not be set within 50 yards of bait that is visible from above except if the bait is completely covered to prevent it from being seen from above, and it must be covered in such a way as to withstand wind action and other normal environmental conditions. Bait is defined as animal matter including meat, skin, bones, feathers, hair or any other solid substance that used to be part of an animal. This includes live or dead fish. For the purposes of this paragraph, bait does not include animal droppings (scat), urine or animals, dead or alive, held in a trap as the result of lawful trapping activity.
8. Steel foothold traps must be set at or below ground, ice, or snow level.
9. Steel foothold traps must have a chain that is mounted within the central portion of the base of the trap, and must have three swiveling points, with one swiveling point at the base of the trap, one midway in the chain, and one at the trap’s anchoring point. These restrictions do not apply to foothold traps that when set, placed, or tended are fully or partially covered by water, those that are set on a muskrat “float”, or dog-proof traps also known as enclosed foothold traps (as defined within section [17.03](#Definitions)).
10. **Placement of Foothold Traps** **in WMD’s 1-11, 14, 18, and 19**
11. Foothold traps must be securely anchored to the ground.
12. The use of drags is prohibited in these WMD’s.
13. Foothold traps must have the catch circle (as defined within section [17.03](#Definitions)) cleared of woody vegetation, debris and manmade material that could cause entanglement of a trapped animal.
14. Small sticks and rocks, and rotten/decaying woody material may be used for stepping guides, blocking, and backing for trap sets, if they are not rooted to the ground.
15. These restrictions do not apply to foothold traps that when set, placed, or tended are fully or partially covered by water, those that are set on a muskrat “float”, or dog-proof traps also known as enclosed foothold traps (as defined within section [17.03](#Definitions)).
16. **Placement of Killer-type Traps**

No person may set, place, or tend any killer-type trap unless:

1. Set completely underwater at all times **or**
2. The trap has an inside jaw spread less than or equal to 5 inches and the trap when set meets the following conditions:
3. When set so as to be partially covered by water at all times, or
4. When set under overhanging stream banks, or
5. When used in a blind set, as defined within section [17.03](#Definitions).
6. **Placement of Killer-type Traps with a Jaw Spread Not to Exceed 8 inches**

Notwithstanding 5. A. and 5 B. above, in all WMDs, killer-type traps with a jaw spread not to exceed 8 inches may be used on or above ground level if the trap is placed within a lynx exclusion device. The trap jaws must be completely within the device, the trap springs can be outside of the device.

1. **Exclusion Devices**

 Exclusion devices will have the following designs:

1. **Traps with Jaw Spread Less Than or Equal to 5 Inches**

For traps with a jaw spread less than or equal to 5 inches (primarily used for marten trapping), the device must have an opening of 4 inches x 4 inches or less. The entrance hole may be placed on the end or on the side of the device, and the set trap must be a minimum of 18 inches from the closest edge of the entrance hole.

1. **Traps with Jaw Spread Greater Than 5 Inches** **but Less Than 8 Inches**

For traps with a jaw spread greater than 5 inches but less than 8 inches, two designs may be constructed. For both devices, the trap must be placed no closer than 18 inches from the closest edge of the entrance hole. An example design is included in the annual Trapper Information Booklet.

1. The first design has an entrance hole on the end of the device that cannot exceed 5 inches x 6 inches. A baffle must be placed no more than 6 inches back from the entrance hole and the baffle opening must not exceed 5 inches x 6 inches. With the baffle in place, the entrance hole and interior opening may not overlap to create an unobstructed view to the interior of the exclusion device.
2. For the second design the entrance hole must not exceed 6 inches x 7 inches and must be placed on the side of the device. A baffle must be placed at the edge of the entrance with the baffle opening opposite of the entrance hole, and the baffle opening must not exceed 6 inches x 6 inches.
3. **Requirements for Exclusion Devices**

(1) The exclusion device can be constructed of wood, plastic, or wire mesh.

 If using wire mesh, the mesh cannot exceed 1 ½ inches by 1 ½ inches, or

 1 inch by 2-inch openings, (side to side).

(2) The wire or mesh used on an exclusion device must be 16 gauge or less

 (wire diameter of 0.05 or greater).

(3) The opening slot in the exclusion device that allows the trap springs to

 extend outside the device can be no more than 7 ½ inches wide and a

 height of no more than 1 ½ inches.

(4) The back of the device must be secured to withstand heavy pulling; if

 using wire mesh with a wood or plastic box, the wire mesh must wrap

 around two opposite sides of the box and be secured.

(5) When there is a joint, there must be a secure attachment point on two

 opposite sides of the device to ensure the device does not separate when

 set.

(6) The trap must be securely anchored independent of the exclusion device.

(7) Bait must not be visible from above.

(8) When enclosed in an exclusion device, killer-type traps can be set directly

 on the ground, or elevated in trees or on poles, with no specific

 requirements as to the height above ground or diameter of the tree or pole.

**17.10** **Fur Registration Agents and Tagging Operations**

**Note:** All information related to becoming a fur registration agent and the operation of a station is located within Department of Inland Fisheries & Wildlife Rule Chapter 16, *Hunting*.

STATUTORY AUTHORITY:

 12 M.R.S. §10104

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