

Aquatic Invasive Species Statute Quick Guide as of December 2009

NR40.07(1)- Failure to notify the DNR of the escape of a **restricted** invasive fish species within 24 hours.

Minimum Penalty: \$263.50 Maximum Penalty \$389.50

NR40.07(2)- Failure to remove all aquatic plants or aquatic animals attached to any vehicle or drain all water from any boat, trailer or other equipment or gear immediately after their removal from the water bank or shore and before leaving a boat launch area or associated parking area.

[see also NR 19.055] **Minimum Penalty: \$200.50 Maximum Penalty \$389.50**

NR40.07(3)- Transporting over land from another state any vehicle, boat, boat trailer, boating or fishing equipment, or other equipment or gear of any type for use on any water of the state or its bank or shore without first removing all attached aquatic plants and aquatic animals and draining all water before entering the state.

[see also NR 19.055] **Minimum Penalty: \$200.50 Maximum Penalty \$389.50**

NR40.07(4)(a)- Launching or placing a vehicle, boat, boat trailer, equipment or gear of any type into waters of the state, which has an aquatic plant or aquatic animal attached.

[see also s. 30.07(2)(a)] **Minimum Penalty: \$169 Maximum Penalty \$389.50**

Note: NR 40.07(4) does not require the person to have "reason to believe" the aquatic plants or animals were attached. This is broader than the previous 30.715(2) statute and also applies to any "animal" not just zebra mussels.

NR40.07(4)(a)- Transporting on a public highway a vehicle, boat, boat trailer, equipment or gear of any type which has an aquatic plant or aquatic animal attached.

Minimum Penalty: \$263.50 Maximum Penalty \$389.50

NR40.07(6)- Using a live **prohibited** fish invasive species as fishing bait.

Minimum Penalty: \$263.50 Maximum Penalty \$389.50

NR40.07(6)- Using any live non-native crayfish as bait for fishing on inland or outlying waters, except for rusty crayfish that are dead, or live rusty crayfish on the Mississippi River.

[See also NR 19.27(4)(a)1.] **Minimum Penalty: \$263.50 Maximum Penalty \$389.50**

NR40.07(7)- Introducing a nonnative aquatic plant, algae or cyanobacteria species in any water of the state, except waters of the state that are artificial, entirely confined and retained upon the property of a person, do not drain to other waters of the state, are not subject to intermittent or periodic flooding, and are not connected to any other water of the state.

[Similar to NR 109.08(2) & s. 23.24(3)(a)1., Stats.] **Minimum Penalty: \$ 389.50**

Maximum Penalty \$389.50

****For all the above NR 40 violations, a 2nd offense within 5 yrs is a crime with a min. fine of \$700 & max. of \$2,000.****

30.07(2)(a)- Illegal to place or operate a vehicle, seaplane, watercraft, or other object of any kind in a navigable water if it has any aquatic plants or aquatic animals attached to the exterior of the vehicle, seaplane, watercraft, or other object.

Minimum Penalty: \$295.00 Maximum Penalty: \$767.50

30.07(2)(b)- Illegal to take off with a seaplane, or transport or operate a vehicle, watercraft, or other object of any kind on a highway with aquatic plants or aquatic animals attached to the exterior of the vehicle, seaplane, watercraft, or other object.

Minimum Penalty: \$232.00 Maximum Penalty: \$767.50

NR19.05(3)- Illegally transport live fish or live fish eggs away from any water or its bank or shore.

Minimum Fine: \$343.50 Maximum Fine: \$2,152.50

NR20.08(6)- Posses or use live fish or fish eggs for use as fish bait if not imported in compliance with DATCP requirements (This means if people are using any minnows purchased in **any** state other than Wisconsin!).

Minimum Fine: \$1,147.50 Maximum Penalty: \$2,152.50

NR20.08(3)- Release any unused bait into any waters.

Minimum Fine \$645 Maximum Penalty: \$2,152.50

NR20.08(7)- Illegal possession of dead fish, frogs or crayfish as fishing bait.

Minimum Fine \$208.40 Maximum Penalty: \$2,138

Note: This is not a complete list of all aquatic invasive species statutes, but is a quick guide to the most commonly used AIS statutes in Wisconsin as of the date listed at the top of the page. NR40 laws should be used as a reference before any other AIS Natural Resource (NR) Administrative Codes.