Aquatic Invasive Species Statute Guide as of January 2013

All minimum and maximum penalties have court cost included

NR CHAPTER 19 – MISC. GAME, FUR, FISH

NR 19.05(3): Transport live fish away from waters or shores of restricted waters
Citation Penalty Amount $343.50 Maximum $2,152.50 (F-84)

NR 19.055(1)&(2): Fail to drain water from a boat, trailer, or boating or fishing equipment before transporting: (1) away from water, bank, or shore, or: (2) into this state for use on waters of this state [*also see NR 40.07(2)&(3)]*
Citation Penalty Amount $243.00 Maximum $343.50 (M-73)

NR 19.057: Bait Dealer violation of Wild Bait Harvest Permit conditions and restrictions
Citation Penalty Amount $343.50 Maximum $2,152.50 (F-87)

NR 19.27(4)(a)1.: Illegally possess, use, or release live crayfish inland waters
Citation Penalty Amount $222.90 Maximum $2,152.50 (F-36)

NR CHAPTER 20 – FISHING ON INLAND & OUTLYING WATERS

NR 20.08(3): Release any unused bait into any waters
Citation Penalty Amount $645.00 Maximum $2,152.50 (F-86)

NR 20.08(6): Use or possess live fish as fishing bait imported without permit
Citation Penalty Amount $1,147.50 Maximum $2,152.50 (F-85)

NR 20.08(7): Illegal use or possession of dead fish as fishing bait
Citation Penalty Amount $222.90 Maximum $2,152.50 (F-86)

CHAPTER 23 – PUBLIC LAND AND CONSERVATION

23.24(3)(a)1.: Unlawfully introduce nonnative aquatic plants into waters of state **1st Offense**
Citation Penalty Amount $389.50 Maximum $389.50 (W-27)

23.24(3)(a)1.: Unlawfully introduce nonnative aquatic plants into waters of state **2nd offense within 5 yrs.**
CRIME: Bail = $500.00 ($700-$2657.50 and/or 6-9months) (W-27)

CHAPTER 30 – NAVIAGBLE WATERS, HARBORS, AND NAVIGATION

30.07(2)(a): Launching or placing a vehicle, boat, boat trailer, equipment or gear of any type into navigable waters of the state, which navigable has an aquatic plant or aquatic animal attached. **1st Offense**
Citation Penalty Amount $295.00 Maximum $767.50 (W-30)

30.07(2)(a): Launching or placing a vehicle, boat, boat trailer, equipment or gear of any type into navigable waters of the state, which navigable has an aquatic plant or aquatic animal attached. **2nd Offense within 3 yrs**
Citation Penalty Amount $547.00 Maximum $2,657.50 (W-30)

30.07(2)(b): Transporting a vehicle, boat, boat trailer, equipment or gear of any type on a public highway which has an aquatic plant or aquatic animal attached. **1st Offense**
Citation Penalty Amount $232.00 Maximum $767.50 (W-30)

30.07(2)(b): Transporting a vehicle, boat, boat trailer, equipment or gear of any type on a public highway which has an aquatic plant or aquatic animal attached. **2nd Offense within 3 yrs**
Citation Penalty Amount $358.00 Maximum $2,657.50 (W-29)

30.07(6): Fail to comply with a law enforcement officer's order to remove all aquatic plants or animals before placing any vehicle, boat, seaplane or other object in navigable water, or to remove the vehicle, boat, seaplane or other object from navigable water. **1st offense**
Citation Penalty Amount $358.00 Maximum $767.50 (W-26)

30.07(6): Fail to comply with a law enforcement officer's order to remove all aquatic plants or animals before placing any vehicle, boat, seaplane or other object in navigable water, or to remove the vehicle, boat, seaplane or other object from navigable water. **2nd Offense within 3 yrs**
Citation Penalty Amount $610.00 Maximum $2,657.50(W-26)

30.07(6): Fail to comply with a law enforcement officer's order to not transport or operate a vehicle, watercraft, or other object on a highway if the officer has reason to believe that it has aquatic plants or aquatic animals attached. **1st offense**
Citation Penalty Amount $295.00 Maximum $767.50 (W-26)

30.07(6): Fail to comply with a law enforcement officer's order to not transport or operate a vehicle, watercraft, or other object on a highway if the officer has reason to believe that it has aquatic plants or aquatic animals attached. **2nd Offense within 3 yrs**
Citation Penalty Amount $421.00 Maximum $2,657.50 (W-26)

NR CHAPTER 40 – INVASIVE SPECIES

NR 40.04(3): Transport, possess or transfer a prohibited invasive species
Citation Penalty Amount $295.00 Maximum $389.50 (K-1) **

NR 40.04(3): Introduce a prohibited invasive species
Citation Penalty Amount $389.50 Maximum $389.50 (K-2) **

NR 40.05(3): Transport, possess or transfer a restricted invasive species
Citation Penalty Amount $295.00 Maximum $389.50 (K-3) **

NR 40.05(3): Introduce a restricted invasive species
Citation Penalty Amount $389.50 Maximum $389.50 (K-4) **

NR 40.06(4): Fail to keep a current, correct and complete record of all permit activities under invasive species permit
Citation Penalty Amount $169.00 Maximum $389.50 (K-5) **

NR 40.06(5): Alter or deface an invasive species permit issued under Chapter NR 40, Wis. Adm. Code (K-5)
Citation Penalty Amount $295.00 Maximum $389.50 (K-5) **

NR 40.06(6): Violate any term of any invasive species permit issued under Chapter NR 40, Wis. Adm. Code (K-5)
Citation Penalty Amount $232.00 Maximum $389.50 (K-5) **

NR 40.07(1): Failure to notify the DNR of the escape of a restricted invasive fish species within 24 hours.
Citation Penalty Amount $263.50 Maximum $389.50 (K-6) **

N4 40.07(2): Failure to remove all aquatic plants or aquatic animals attached to, or drain all water from, any vehicle or equipment (other than boating or fishing equipment) immediately after removal from the water, and before leaving a boat launch or associated parking area. *[also see NR 19.055(1)]*
Citation Penalty Amount $200.50 Maximum $389.50 (W-35) **

NR 40.07(3): Transporting over land from another state any vehicle or equipment (other than boating or fishing equipment) for use on waters of the state without first removing all attached aquatic plants and aquatic animals and draining all water before entering the state. *[also see NR 19.055(2)]*
Citation Penalty Amount $232.00 Maximum $389.50 (W-29) **

NR 40.07(4): Operate a vehicle, watercraft or other object of any kind in any wetland or non-navigable water of the state if the vehicle, watercraft or other object has an aquatic plant or aquatic animal attached to the exterior.
Citation Penalty Amount $295.00 Maximum $389.50 (W-30) **

NR 40.07(5): Transporting any material identified as having the potential for carrying an invasive species from a DNR infestation control zone, a DATCP quarantine area, or a USDA APHIS quarantine area.
Citation Penalty Amount $295.00 Maximum $389.50 (K-7) **

NR 40.07(6): Using a live prohibited fish invasive species as fishing bait.
Citation Penalty Amount $358.00 Maximum $389.50 (K-8) **

NR 40.07(6): Unlawful use of live non-native crayfish for bait on inland or outlying waters.
Citation Penalty Amount $187.90 Maximum $389.50 (K-8) **

NR 40.07(7): Introduce a nonnative algae or cyanobacteria species in any water of the state
Citation Penalty Amount $389.50 Maximum $389.50 (W-36) **

** For any Intentional violations of the above listed NR 40 offenses are crimes = Shall be fined not less than $1,000 nor more than $5,000, or shall be imprisoned for not less than 6 months nor more than 9 months or both.
CRIME: Bail $500

** For any 2nd or subsequent violations of the above NR 40 offenses within 5 years are crimes = Shall be fined not less than $700 nor more than $2,000 or shall be imprisoned for not less than 6 months nor more than 9 months or both.
CRIME: Bail $500

Note: This may not be a complete list of all aquatic invasive species statutes.

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.