

6234.2200 USE OF TRAPS.

Subpart 1. **Trap-tending hours and use of lights.** Trap-tending hours and use of lights are regulated as provided by Minnesota Statutes, section 97B.931.

Subp. 2. **Trap-tending interval; nondrowning sets.**

A. Any trap, except a body-gripping or "conibear" type trap, capable of capturing a protected wild animal and not capable of drowning the animal must be tended at least once each calendar day and any animal captured must be removed from the trap. A body-gripping or "conibear" type trap need not be tended more frequently than once every third calendar day and any animal captured must be removed from the trap.

B. Foothold traps with a jaw spread of 4.75 inches or less or a rat type snap trap, contained entirely within a container with an opening of no more than two inches in height or width, need not be tended more frequently than once every third calendar day and any animal captured must be removed from the trap. This item applies only to sets that are designed to immediately kill the animal.

Subp. 3. **Trap-tending interval; drowning sets.** Except for traps set under the ice, any trap capable of drowning the captured animal must be tended at least once each third calendar day and any animal captured must be removed from the trap.

Subp. 4. **Exposed bait.** A person may not set or maintain any leghold trap within 20 feet of bait located in such a manner that it may be seen by soaring birds.

Subp. 5. **Size restriction on body-gripping traps.** A person may not set, place, or operate, except as a waterset, any body-gripping or "conibear" type trap that has a maximum jaw opening, when set, of greater than 7-1/2 inches measured from the inside edges of the body-gripping portions of the jaws.

Subp. 6. **Size restriction on leghold traps.** A person may not set, place, or operate any leghold trap that has a maximum jaw opening, when set, of greater than 8-3/4 inches measured from the inside edges of the jaws.

Subp. 7. **Placement of body-gripping traps.** A person may not set, place, or operate any body-gripping or "conibear" type trap that has a maximum jaw opening, when set, of greater than 6-1/2 inches measured from the inside edges of the body-gripping portions of the jaws:

A. in a road right-of-way within 500 feet of a building occupied by a human or livestock without written permission of the landowner, except as a completely submerged waterset; or

B. in or within three feet of the opening of a six-foot-wide or smaller culvert, except as a completely submerged waterset.

Subp. 8. [Repealed, 22 SR 292]

Subp. 9. **Marking trapping site.** Prior to the opening of the trapping season for any protected species of wild animal, no trap, either set or unset, may be placed or staked and no flag, stake, or other device may be placed for the purpose of marking or preempting a trapping site. During the muskrat trapping season, no flag, stake, or other device may be placed in or on a muskrat house for the purpose of marking or preempting a trap site unless an operational trap is set at the site at the time it is first staked or marked.

Subp. 10. **Removal of traps.** A trap placed for a protected wild animal may not be left in place, either set or unset, after the close of the applicable trapping season.

Subp. 11. [Repealed, 22 SR 292]

Subp. 12. **Authorized agent.** A trapper may authorize, in writing, an agent who possesses all necessary licenses to check, pick up, and reset, at the same site, traps set by the trapper. Authorized agents may remove trapped animals and, if the animal removed from the trap is required to be tagged as provided by part 6234.2600, must affix their own tag to the animal as prescribed.

Statutory Authority: *MS s 97B.605; 97B.611; 97B.615; 97B.621; 97B.625; 97B.631; 97B.635; 97B.911; 97B.915; 97B.921; 97B.925*

History: *18 SR 83; 20 SR 2287; 22 SR 292; 35 SR 505*

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