

NOTICE OF PROPOSED RULE
Rule 68A-6, F.A.C.
Agenda Item 5 A 2

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Law Enforcement

RULE NO:	RULE TITLE:
68A-6.0011	Possession of Wildlife in Captivity; Permit Requirements.
68A-6.002	Categories of Captive Wildlife.
68A-6.0021	Possession or Transfer of Class I Wildlife as Personal Use Wildlife; Transfer of Wildlife.
68A-6.0022	Possession of Class I, II, or III Wildlife in Captivity: Permit Requirements.
68A-6.0023	General Regulations Governing Possession of Captive Wildlife; <u>Public Contact; Transfer of Wildlife and Record Keeping Requirements.</u>
68A-6.0024	Commercialization of Wildlife; Public Contact ; Bonding or Financial Responsibility Guarantee.
68A-6.0025	<u>Captive Wildlife Sanctuaries; Retired Performing Wildlife, Identification.</u>
68A-6.003	Facility and Structural Caging Requirement for Class I, II and III Wildlife.
68A-6.004	Standard Caging Requirements for Captive Wildlife.
68A-6.0041	Exceptions to Standard Caging Requirements for Captive Wildlife.
68A-6.005	Transportation Requirements for Wildlife; Caging Requirements for Performing and Non-Performing Animals.
68A-6.007	Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern.
68A-6.0071	Record Keeping and Reporting Requirements.

PURPOSE AND EFFECT: The purpose and effect of this rule is to address the possession, housing and transportation of captive wildlife. The proposed rules will clarify record keeping, documentation of experience, and housing requirements for the possession of captive wildlife. The proposed rules will address changes in classification of captive wildlife and public contact with captive wildlife. Additionally, the proposed new rule establishes requirements for the operation of captive wildlife sanctuaries.

SUMMARY: These rules address classification of wildlife; possession, transportation and housing of captive wildlife; public contact with captive wildlife; record keeping requirements; and captive wildlife sanctuaries

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will ___ or will not X have an impact on small business. A SERC has ___ or has not X been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution, 379.303, 379.304, 379.305, 379.372, 379.373, 379.374, 379.3711, 379.3761, 379.3762 FS.

A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

DATE AND TIME: During the regular meeting of the Commission, June 17 – 18, 2009, 8:30 a.m. to 5:00 p.m., each day.

PLACE: Plantation Inn, 9301 West Fort Island Trail, Crystal River, FL 34429

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Antista, General Counsel, Legal Office, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, FL 32399-1600.

THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:

68A-6.0011 Possession of Wildlife in Captivity; Permit Requirements.

- (1) No change.
- (2) The provisions of this chapter shall not apply to entities operating solely as research facilities, which are

registered and regulated as such in accordance with Animal Welfare Act (7 U.S.C. 2131, et. seq.) and regulations promulgated thereunder, provided the following requirements are met:

(a) Such facilities must maintain on premises a detailed research proposal which shall state with particularity the research objectives, methodology, and study duration, and outline planned safeguards to assure proper containment of the wildlife. Maintain an annual record of progress toward the research project objectives. Such research proposal and record of progress shall be available for inspection upon request of Commission personnel.

(b) Such facilities housing wildlife must maintain such wildlife in cages or enclosures which meet the structural requirements as specified in Rule 68A-6.003, F.A.C.

(3) The provisions of this chapter shall not apply to persons possessing the following non-native wildlife species exclusively for the purpose of production of meat, skins or hides, feathers or progeny thereof, and not for personal possession or public display or exhibition:

(a) – (d) No change.

(e) Bison

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3761, 379.3762 FS. History–New 6-21-82, Amended 7-5-84, Formerly 39-6.011, Amended 6-1-86, 5-10-87, 4-13-88, 12-19-89, 7-1-90, 4-20-93, Formerly 39-6.0011, Amended _____.

68A-6.002 Categories of Captive Wildlife.

(1) The Commission hereby establishes the following categories of wildlife including their taxonomic successors and subspecies thereof:

(a) Class I:

1. – 2. No change.

3. Gibbons and Siamangs (family Hylobatidae) (~~genus *Hylobates*~~)

4. – 5. No change.

6. Baboons (genus *Papio* ~~*Papio*~~)

~~7. Siamangs (genus *Symphalangus*)~~

8. – 17. renumbered as 7. – 16. No change.

~~17. 18.~~ Cape buffalos and Gaur (family Bovidae) (~~*Synceerus caffer caffer*~~)

~~18. 19.~~ Crocodiles (except dwarf and Congo) (family Crocodylidae ~~Crocodylidae~~)

20. – 22. renumbered as 19. – 21. No change.

22. Hyenas and Aardwolf (family *Hyaenidae*)

23. Cougars, panthers (*Puma concolor*)

24. Cheetahs (*Acinonyx jubatus*)

(b) Class II:

1. – 3. No change.

4. Guenons (genus *Cercopithecus* ~~*Cercopithecus*~~)

5. Patas monkeys (genus *Erythrocebus*)

6. Vervet, Grivet or Green monkeys (genus *Chlorocebus*)

~~7. 5.~~ Bearded Sakis (genus *Chiropotes* and *Pithecea*)

~~8. 6.~~ Guereza monkeys (genus *Colobus*)

~~7.~~ Celebes black apes (genus *Cynopithecus*)

~~9. 8.~~ Idris (genus *Indri*)

10. 9. Macaques and Celebes black apes (genus *Macaca*)

~~11. 10.~~ Langurs (genus *Presbytis*)

11. – 15. renumbered as 12. – 16. No change.

~~16.~~ Cougars, panthers (*Puma concolor*)

17. Bobcats (*Lynx rufus*)

18. ~~Cheetahs (*Acinonyx jubatus*)~~

~~18. 19. Caracals (*Caracal caracal*)~~

20. – 24. renumbered as 19. – 23. No change.

~~24. 25. Wolves, coyotes, jackals (family Canidae) (*Canis latrans*)~~

~~26. Gray wolves (*Canis lupus*) (including wolf x domestic hybrids which are 25 percent or less domestic dog)~~

~~27. Red wolves (*Canis niger*) (including wolf x domestic hybrids which are 25 percent or less domestic dog)~~

~~28. Asiatic jackals (*Canis aureus*)~~

~~29. Black backed jackals (*Canis mesomelas*)~~

~~30. Side striped jackals (*Canis adustus*)~~

31. – 37. renumbered as 25. – 31. No change.

~~38. Hyenas (all species) (family Hyaenidae)~~

~~32. 39. Dwarf crocodiles (*Osteolaemus tetraspis*)~~

~~33. 40. Alligators, caimans (except American alligator) (family Alligatoridae)~~

41. – 42. renumbered as 34. – 35. No change.

~~36. Giraffe and Okapi (family Giraffidae)~~

~~37. Tapir (family Tapiridae)~~

~~38. Wild cattle; forest, woodland and aridland antelope; and similar species of non-native hoofstock (family Bovidae)~~

~~Such non-native hoofstock to include: Forest buffalo, Banteng, Anoa, Waterbuck, Wildebeest, Hartebeest, Eland, Kudu, Nilgai, Bongo, lechwe, Roan and Sable antelope, Sitatunga, Bontebok, Blesbok, Topi, Kob, Addax, Oryx, Gemsbok, and other wild species of the family Bovidae which are of similar size, habits and nature.~~

~~(c) No change.~~

~~(d) Hybrids resulting from the cross between wildlife and domestic animal, which are substantially similar in size, characteristics and behavior so as to be substantially indistinguishable from the wild animal shall be regulated as wildlife at the higher and more restricted class of the wild parent.~~

~~(2) No change.~~

~~(3) No change.~~

~~(4) No change.~~

~~(5) Persons possessing Class III wildlife as personal use wildlife shall obtain a no-cost permit from the Executive Director. American alligators shall not be possessed as personal use wildlife and shall be possessed only in accordance with permits issued under Rule 68A-9.002, F.A.C., Section 379.3751 or 379.3761, F.S.~~

~~(6) Fox, skunks, bats, raccoons, or white tail deer taken from the wild shall not be possessed as personal use wildlife and shall be possessed only in accordance with permits issued under Rules 68A-9.002, 68A-9.006, F.A.C., or Section 379.3761, Florida Statute.~~

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

~~Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. FS. History–New 8-1-79, Amended 12-3-79, 6-4-81, 6-21-82, Formerly 39-6.02, Amended 6-1-86, 7-1-90, 7-1-92, 9-15-96, Formerly 39-6.002, Amended _____.~~

68A-6.0021 Possession or Transfer of Class I Wildlife as Personal Use Wildlife; ~~Transfer of Wildlife.~~

(1) Any Class I wildlife possessed for personal use on August 1, 1980, shall be eligible for a permit in accordance with the provisions for Class II wildlife. Any Class II wildlife possessed as personal use wildlife in accordance with 379.3762, F.S., that is uplisted to Class I upon the effective date of Rule 68A-6.002, F.A.C., shall be eligible for a permit in accordance with the provisions of Class II wildlife. No other Class I wildlife shall be transferred or kept for personal use.

(a) All Class I wildlife possessed for personal use in accordance with the provisions for Class II Wildlife, shall be permanently identified by means of tattoo, brand, passive integrated transponder (PIT tag), photographic identification, or other method that clearly and permanently identifies that particular specimen so as to be distinguished from other specimens of the same species.

1. For photographic identification the photograph of the specimen must include sufficient distinguishing characteristics (marks, scars, and patterns, etc.) to enable that particular specimen to be distinguished from other specimens of the same species.

2. Record of identification including PIT tag numbers where applicable, along with information about the specimen being identified (species, method of identification, specimen name or number, gender and age) must be maintained in the possessor's records for as long as the specimen is possessed. Such records shall be made available for inspection, upon request, of commission personnel. A copy of such record shall be provided to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, upon annual renewal of the license issued in accordance with Section 379.3761, F.S., and authorizing possession of such wildlife.

(b) Effective Date: All permanent identification requirements in this rule shall not take effect until January 1, 2010.

~~(2) It shall be unlawful for any person to buy, sell, or transfer any wildlife to or from an unpermitted entity within Florida. The recipient's name, address and the permit or license number if required shall be entered in the transferor's records and made available for inspection upon request of Commission employees for a period of one year after the transfer.~~

(3) renumbered as (2) No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented 379.3711, 379.372, 379.3761, 379.3762 FS. History— New 6-21-82, Formerly 39-6.021, Amended 6-1-86, 4-11-90, Formerly 39-6.0021, Amended _____.

68A-6.0022 Possession of Class I, II, or III Wildlife in Captivity: Permit Requirements.

(1) No change.

(2) No permit shall be required to possess the following wildlife for personal use, unless possession of a species is otherwise regulated by other rules of the Commission:

(a) – (b) No change.

(c) Honey possums, sugar gliders, ~~brush-tailed possums~~

(d) – (v) No change.

(3) – (4) No change.

(5) Qualification requirements for a permit to possess Class I or Class II wildlife:

All applicants shall qualify for permits as follows:

(a) – (b) No change.

(c) Experience Requirement for Class I permits:

1. Applicants shall demonstrate no less than one (1) year of substantial practical experience (to consist of no less than 1000 hours) in the care, feeding, handling and husbandry of the species for which the permit is sought, or other species, within the same biological ~~family order~~ (except ratites which shall be in the same biological sub-order; ~~and cougars, panthers or cheetahs which shall remain at the genus level~~), which are substantially similar in size, characteristics, behavior, habits, care and nutritional requirements to the species for which the permit is sought.

2. For purposes of demonstrating compliance, applicants shall submit documentation of such experience, including:

a. A description of the specific experience acquired.

b. The dates and times the experience was obtained and the specific location(s) where acquired.

c. References of no less than two (2) individuals, no more than one of which may be a relative of the applicant, having personal knowledge of the applicant's stated experience; ~~One of these references of which~~ must be licensed by the commission for wildlife of the same family and the same or higher class for which the applicant is seeking authorization or a representative of a professional organization or governmental institution. Examples of such organizations or institutions include, but are not limited to, universities, public service agencies, zoological associations, herpetological societies and veterinarians.

d. No change.

3. – 4. No change.

(d) Experience and examination requirements for Class II permits:

1. Applicants may qualify for a permit for Class II wildlife by documenting one year of experience (to consist of no less than 1000 hours) as defined in subparagraphs 68A-6.0022(5)(c)1.-4., F.A.C., above. If the applicant is unable to document such experience, as an alternative, the applicant may take a written examination. The successful completion of a written examination for the particular species or family, administered by the Division of Law Enforcement, together with the documentation of not less than ~~400~~ 500 hours of substantial practical experience (with documentation and compliance procedures as noted in subparagraphs 68A-6.0022(5)(c)1.-4., F.A.C., above) in the care, feeding, handling and husbandry of the species or family for which the permit is sought may be substituted for the one-year/1,000-hour requirement. Upon receipt of an application, the Commission shall notify the applicant of the time and place of the next examination. Applicant scoring at least 80 percent correct on the examination shall be deemed as meeting the examination requirement for the particular species or family.

2. The above requirements shall not apply to applicants for permits to possess ostriches, rheas, emus, cassowaries or coyotes when possessed for purposes other than public exhibition or personal use.

3. The above requirements shall not apply to applicants for permits to possess American alligators in accordance with Section 379.3751, F.S.

4. The above requirements shall not apply to applicants for permits to possess species of the family *Bovidae* in accordance with Sections 379.3711 and 379.3712, F.S.

(e) Any licensed corporation applying for a permit or authorized to possess Class I or Class II wildlife must have qualified personnel responsible for the care of such wildlife. The corporation must provide documentation of experience for at least one person. Such person shall comply with the requirements defined in subparagraphs 68A-6.0022(5)(c)1. – 4. and (d)1., F.A.C., above. Such documentation of experience shall be submitted to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, and subject to approval upon initial application and upon each instance of change in qualified person.

(f) Any person authorized pursuant to Section 379.3761, F.S., to exhibit or sell Class I wildlife shall obtain and maintain a current and valid USDA license, where applicable, pursuant to the Animal Welfare Act and Animal Welfare Regulations of Title 9CFR. Such USDA license shall be obtained within 180 days of initial licensing by the Florida Fish and Wildlife Conservation Commission. Failure to obtain and maintain a current and valid USDA license may result in denial or revocation of any Class I authorizations issued by the Florida Fish and Wildlife Conservation Commission.

(6) No change.

(7) Disaster and Critical Incident Plans: Applicants for permits to possess wildlife in captivity as authorized pursuant to Sections 379.3761 or 379.303, F.S., or the provisions of this chapter shall document in writing a course of action to be taken in preparation for disasters or critical incidents. Such course of action shall be documented on the Captive Wildlife Critical Incident/Disaster Plan form FWCDLE_619 (06/09 02-06), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. This form shall consist of two parts. Part A of form FWCDLE_619 shall be submitted at the time of initial application or renewal; and Part B shall be retained in the permittee's files or file at the facility location and be made available for inspection upon request of Commission personnel.

(a) Provisions of this subsection shall apply to permittees maintaining captive wildlife in Florida.

(b) For permittees where the facility is located out of state, the provisions of this subsection shall apply when such permittee is in travel status with Class I or Class II wildlife. In this instance Part B must accompany the Class I or Class II wildlife while in travel status in Florida and shall describe the course of action to be taken in the event of a critical incident or natural disaster in Florida.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3761, 379.3762 FS. History—New 7-1-90, Amended 7-1-90, 7-1-91, 2-1-98, Formerly 39-6.0022, Amended 4-30-00, 1-1-08, Amended, _____.

68A-6.0023 General Regulations Governing Possession of Captive Wildlife; Public Contact; Transfer of Wildlife and Record Keeping Requirements.

(1) No change.

(2) Caging Requirements:

(a) All wildlife possessed in captivity shall, except when supervised and controlled in accordance with subsection (3) hereof, be maintained in cages or enclosures constructed and maintained in compliance with the provisions of Rules 68A-6.003, ~~and~~ 68A-6.004, and 68A-6.007, F.A.C.

(b) No change.

(c) All cages or enclosures less than 1,000 square feet shall be covered at the top to prevent escape (except paddocks, reptile enclosures and habitats specified below). Class I or Class II wildlife shall not be kept in uncovered enclosures that are less than 1,000 square feet, except as specified in Rule 68A-6.004, F.A.C. All outdoor enclosures for non-native venomous reptile species and reptiles of concern shall be topped with close-meshed wire or an equivalent barrier to provide additional security as specified in Rule 68A-6.007, F.A.C. For the purpose of this section, the following definitions apply:

1. Paddocks: Areas enclosed by fencing, railing or other Commission-approved structures which allow animals to graze or browse.

2. Reptile enclosures: Areas encompassed by smooth walls or other Commission-approved materials which provide safe keeping of venomous and non-venomous snakes, crocodilians and other reptiles.

3. Open air habitats or moated areas: Areas enclosed by Commission-approved fences, walls, or moats which provide safe keeping of species specified in Rule 68A-6.004, F.A.C.

(d) Caging considered unsafe or otherwise not in compliance herewith shall be reconstructed or repaired within 30 days after notification of such condition. In the event such condition results in a threat to human safety or the safety of the wildlife maintained therein, the wildlife maintained therein shall, at the direction of the Commission, be immediately placed in an approved facility, at the expense of the permittee, owner, or possessor, until such time as the unsafe condition is remedied. In instances where wildlife is seized or taken into custody by the Commission, said permittee, owner, or possessor of such wildlife shall be responsible for payment of all expenses relative to the animal's capture, transport, boarding, veterinary care, or other costs associated with or incurred due to such seizures or custody. Such expenses shall be paid by said permittee, owner, or possessor upon any conviction or finding of guilt of a criminal or noncriminal violation, regardless of adjudication or plea entered, of any provision of Chapter ~~379~~ ~~372~~ or 828, F.S., or rules of the Commission, or if such violation is disposed of under Section 921.187, F.S. Failure to pay such expenses shall be grounds for revocation or denial of permits to such individuals to possess wildlife.

(3) Unconfined captive wildlife shall be maintained under rigid supervision and control, so as to prevent injuries to members of the public. No captive wildlife shall be tethered outdoors unsupervised. To provide for public safety, all wildlife shall be ~~tethered or~~ controlled in such a manner as to prevent physical contact with the public and a structural safety barrier, as provided in paragraph (2)(b) above, must be present to prevent physical contact with unconfined Class I or Class II wildlife. except as follows:

(a) Public contact exhibition.

1. General: All wildlife that will be used for contact with the public shall have been evaluated by the exhibitor to insure compatibility with the uses intended. All wildlife shall be exhibited in a manner that prevents injuries to the public and the wildlife. The exhibitor shall take reasonable sanitary precautions to minimize the possibility of disease or parasite transmission which could adversely affect the health or welfare of citizens or wildlife. When any conditions exists that results in a threat to human safety, or the welfare of the wildlife, the animal(s) shall, at the direction of a Commission officer, be immediately removed from public contact for an interval necessary to correct the unsafe or deficient condition.

2. Class I wildlife shall only be permitted to come into physical contact with the public in accordance with the following:

a. Full contact: For the purpose of this section, full contact is defined as situations in which an exhibitor or employee handler maintains proximate control and supervision, while temporarily surrendering physical possession or custody of the animal to another. Full contact with Class I wildlife is authorized only as follows:

- I. Class I cats (Felidae only) that weigh not more than twenty-five (25) pounds;
- II. Chimpanzees, orangutans, and gorillas that are not less than six (6) months of age and weigh not more than twenty-five pounds;
- III. Gibbons and siamangs not less than four (4) months of age and not more than two (2) years of age;
- IV. Elephants as approved in Rule 68A-6.0042, F.A.C.

b. Incidental contact: For the purpose of this section, incidental contact is defined as situations in which an exhibitor or employee handler maintains control, possession and supervision of the animal while permitting the public to come into contact with it. Incidental contact with Class I wildlife is authorized only as follows:

- I. Class I carnivores except cheetahs and cougars that weigh not more than 40 pounds;
- II. Chimpanzees, orangutans, and gorillas that are not less than six (6) months of age and weigh not more than 40 pounds;
- III. Gibbons and siamangs that are not less than four (4) months of age: no maximum poundage or age limit;
- IV. Elephants;

V. Incidental contact with other Class I wildlife must be approved in writing by the Commission prior to the use of the wildlife for incidental contact with the public. Factors to be considered when approving such contact are found in subsection (3)(a)1.

3. Public contact or handling intervals for Class I wildlife shall be limited as to frequency, intensity, and duration so that such handling will not adversely affect the health, welfare, or safety of the animals, nor expose the public to injury.

(4) – (5) No change.

(6) No person shall possess any wildlife requiring a permit for personal use, or any wildlife for sale or exhibition, without documentation of the source and supplier of such wildlife. Possessors of such wildlife must maintain an accurate record of all changes in inventory including births, deaths, acquisitions and sales or transfers of all wildlife. Such records shall be open to inspection upon request by commission personnel.

(a) Records of births or deaths must include the date of the birth or death and the quantity and species of each birth or death. For the purposes of this section “birth” shall be defined as the initial hatch or live birth date for the clutch or litter.

(b) Records of acquisition must include the date of acquisition; quantity and species of wildlife acquired; name and complete address of the supplier and permit or license identification number of the supplier where applicable.

(7) It shall be unlawful for any person to buy, sell, or transfer any wildlife to or from an unpermitted entity within Florida. No person shall sell or transfer wildlife without documenting such sale or transfer. The record of sale or transfer must be entered in the transferor's records and made available for inspection upon request of Commission personnel for a period of three years after the sale or transfer.

(a) Records of sale or transfer shall include the date of sale or transfer; quantity and species of wildlife sold or transferred; name and complete address of the recipient; and permit or license identification number of the recipient where applicable.

(b) Records of sale or transfer are not required for wildlife that may be possessed for personal use without a permit as specified in Rule 68A-6.0022 (2)(a) – (v), F.A.C., unless such record keeping requirements are otherwise regulated by other rules of the Commission.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.1025, 379.304, 379.303 FS. History—New 7-1-90, Amended 2-1-98, Formerly 39-6.0023, Amended _____.

68A-6.0024 Commercialization of Wildlife; ~~Public Contact~~; Bonding or Financial Responsibility Guarantee.

(1) Because the possession of wildlife in accordance with Section 379.3761, F.S., is commercial in nature any person permitted to possess wildlife per Section 379.3761, F.S., shall demonstrate consistent and sustained commercial activity in the form of exhibition or sale of such authorized wildlife. Consistent and sustained

commercial activity may be demonstrated by the following examples of business procedures including, but not limited to:

- (a) A regular media advertising campaign, or Internet Web site;
 - (b) Signs, billboards or flyers advertising commercial wildlife services or operations;
 - (c) Regular business hours during which the premises is open for commercial activity.
 - (d) Written business is conducted on printed letterhead, indicating the name of the company or business;
 - (e) Documented exhibition of wildlife to the public, with or without a charge;
 - (f) Sale of wildlife including any lesser acts thereof as defined in Rule 68A-1.004, F.A.C.
- (1) – (2) renumbered as (2) – (3) No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const., 379.374, 379.305, 379.304, 379.303 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.372, 379.373, 379.374, 379.305, 379.304 FS. History–New 2-1-08, Amended _____.

68A-6.0025 Sanctuaries; Retired Performing Wildlife and Identification.

(1) Only a corporation that is licensed in accordance with Section 379.3761, F.S., and exempt from taxation under section 501(a) of the Internal Revenue Code and described in sections 501 (c)(3) and 170(b)(1)(A)(vi) of such code, may operate a wildlife sanctuary for captive wildlife. For the purposes of this section a “wildlife sanctuary for captive wildlife” is defined as a facility established for the sole purpose of providing lifetime care for unwanted or infirmed captive wildlife. Such wildlife sanctuary for captive wildlife shall be operated in compliance with the provisions of Chapter 68A-6, F.A.C., and this section.

(a) Each wildlife sanctuary for captive wildlife must maintain and have available for inspection proof of current status as a Florida registered not-for-profit corporation and proof of current exemption from taxation under section 501(a) of the Internal Revenue Code and described in sections 501 (c)(3) and 170(b)(1)(A)(vi) of such code.

(b) Acts which perpetuate the commercial trade in wildlife, including the trade, sale, offering for trade or sale, breeding except as authorized herein, or buying of captive wildlife or parts thereof, by any such wildlife sanctuary for captive wildlife are prohibited.

(c) Full or incidental contact between the public and such captive wildlife as defined in Rule 68A-6.0023 (3)(a)2.- 3., F.A.C., is prohibited.

(d) All wildlife maintained by such sanctuary for captive wildlife shall be permanently identified by means of tattoo, brand, passive integrated transponder (PIT tag), photographic identification, or other method that clearly and permanently identifies that particular specimen so as to be distinguished from other specimens of the same species.

1. For photographic identification the photograph of the specimen must include sufficient distinguishing characteristics (marks, scars, and patterns, etc.) to enable that particular specimen to be distinguished from other specimens of the same species.

2. Record of identification including PIT tag numbers where applicable, along with information about the specimen being identified (species, method of identification, specimen name or number, gender and age) must be maintained in the possessors records for as long as the specimen is possessed. Such records shall be made available for inspection, upon request, of commission personnel. A copy of such record shall be provided to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, upon annual renewal of the license issued in accordance with Section 379.3761, F.S., and authorizing possession of such wildlife.

(e) Rare, endangered or otherwise protected specimens of wildlife may be transferred for breeding purposes in instances where such breeding program clearly enhances the survival potential of the species.

(f) Any sanctuary exhibiting Class I wildlife as listed in Rule 68A-6.002, F.A.C., must meet the bonding or financial responsibility guarantee requirements of Rule 68A-6.0024(3)(a) – (f), F.A.C.

(2) Any person licensed in accordance with Section 379.3761, F.S., who possesses performing wildlife that due to its age or physical condition may no longer perform, may retain such retired performing wildlife for the purposes of providing lifetime care for said wildlife. Such retired performing wildlife shall be permanently identified and records maintained and submitted as prescribed in paragraph (1)(d) 1.-2., above.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

68A-6.003 Facility and Structural Caging Requirement for Class I, II and III Wildlife.

(1) In addition to the standard caging requirements set forth in Rule 68A-6.004, F.A.C., Class I and Class II animals shall be caged in accordance with the following requirements:

(a) No change.

(b) All cages or enclosures constructed of chain link or other approved materials shall be well braced and securely anchored at ground level to prevent escape by digging or erosion. Cages shall be constructed using metal clamps, ties or braces of equivalent strength as the material required for cage construction for the particular species. Cages or enclosures using the ground as flooring must meet the following requirements:

1. For enclosures housing wildlife that exhibits a behavior of digging or burrowing:

Enclosures shall have a footer or bottom apron constructed of concrete, chainlink or equivalent strength material as specified in this rule for the housing of such wildlife. The footer must be a depth of 3 feet. In the instance of a bottom apron, the bottom apron must be securely attached to the bottom of the enclosure fencing or wall and extend inward into the enclosure a minimum of 3 feet. The bottom apron must be buried to prevent injury to the captive wildlife in the enclosure.

2. For enclosures affected by erosion:

Measures must be taken to stop the erosion. Such measures may include, but are not limited to, a footer or bottom apron as described above or other measures capable of ensuring the structural integrity of the enclosure and preventing the escape of the captive wildlife.

(2) In order to assure public safety, the facilities for the housing of Class I and Class II wildlife shall meet the requirements of this rule. Compliance with these requirements is a necessary condition for licensure. For the purposes of this rule, a “facility” means the site at which Class I or Class II wildlife are kept or exhibited. Applicants shall submit documentation verifying that the construction of the facility, its cages and enclosures are not prohibited by county ordinance and, if within a municipality, municipal ordinance.

(a) Notification of escapes: Any person authorized to possess any Class I wildlife as listed pursuant to Rule 68A-6.002, F.A.C., must report any escapes from the primary caging or enclosures or the approved facility location; or other enclosure, cage, leash or other constraint when wildlife is away from such approved facility location, to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement. Such reporting shall occur immediately upon discovery of the escape. Any person authorized to possess Class I wildlife shall maintain a list of the current contiguous land owners or neighbors in Part B of the Captive Wildlife Critical Incident/Disaster Plan form FWCDLE_619 (02-06 06/09), as required in subsection 68A-6.0022 (7), F.A.C. Such list shall include the name, address and contact phone number for contiguous land owners or neighbors. For the purposes of this section a “contiguous land owner or neighbor” shall mean the current resident for all properties sharing a common boundary with the facility location. The entire width of a dedicated roadway shall be considered sharing a common boundary in instances of a dedicated roadway between neighboring properties.

(b) No change.

(c) Facility requirements:

1. – 4. No change.

5. Zoning:

Facilities housing the following Class I wildlife may not be located on property within an area zoned solely for residential use. Changes in zoning subsequent to the issuance of the license or permit shall not be disqualifying provided the license is maintained in a current and valid status.

a. – f. No change.

g. Cape Buffalos (~~*Syneerus caffer caffer*~~) and Gaur (family *Bovidae*)

h. Hyenas and Aardwolf (family *Hyaenidae*)

(d) Exemptions:

The following Class I and Class II wildlife are exempt from the facility requirements of paragraph (2)(c)1. – 4., as

listed above:

1. – 3. No change.

4. Non-human primates: Uakaris (*genus Cacajao*), ~~Bearded s~~Sakis (*genus Chiropotes and Pithecea*), and Guenons (*genus Cercopithecus*) not including Patas monkeys (*genus Erythrocebus*), De Brazza's monkey (*Cercopithecus neglectus*), Blue monkey (*Cercopithecus mitis*), Preuss's monkey (*Cercopithecus preussi*) or any other non-human primate of the genus *Cercopithecus* which exceeds the normal adult weight of fourteen (14) pounds.

(e) Any Class I or Class II wildlife exempt from meeting the facility requirements of paragraph (2)(c)1. – 4., of this rule must meet the following:

1. – 3. No change.

(f) No change.

(3) No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3761, 379.3762 FS. History–New 8-1-79, Amended 6-21-82, Formerly 39-6.03, Amended 6-1-86, 7-1-90, 7-1-92, 2-1-98, Formerly 39-6.003, Amended 1-1-08, 1-8-08,_____.

68A-6.004 Standard Caging Requirements for Captive Wildlife.

(1) No captive wildlife shall be confined in any cage or other enclosure which contains more individual animals, or is smaller in dimension than as specified in this section, or is not equipped as specified in this section, except as defined in Rule 68A-6.0041, F.A.C., or as authorized in accordance with the following:

Requests for deviations from standard caging or enclosure requirements may be granted to allow for different size configuration (length, width and height) if the required square footage is adequate and if the locomotory needs of the animal(s) are not compromised. Wet or dry moats may be substituted for the required fencing for retaining some species of wildlife. Any proposed deviations from the standard caging or enclosure requirements, or proposals to use wet or dry moats to substitute for fencing, or proposals to use open air habitats except as provided herein, must be approved in writing by the Commission prior to the use of the cage or enclosure for housing animals.

(2) – (3) No change.

(4)(a) – (c) No change.

(d) Pandas (red).

In addition to the requirements for this section, each cage or enclosure shall be provided with an environment or devices that allows for temperature regulation necessary to ensure the well-being of the species. Each cage or enclosure shall have an accessible device to provide physical stimulation or manipulation compatible with the species. Such device shall be noninjurious, and may include, but is not limited to, climbing apparatus, foraging/browse items, pools of water, etc.

1. – 3. No change

(e) – (q) No change

(5) No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.303, 379.304 FS. History–New 8-1-79, Amended 6-22-80, 6-4-81, Formerly 39-9.03, Amended 6-21-82, Formerly 39-6.04, Amended 5-10-87, 4-13-88, 7-1-90, 9-1-90, 4-14-92, 2-1-98, Formerly 39-6.004, Amended 1-1-08,_____.

68A-6.0041 Exceptions to Standard Caging Requirements for Captive Wildlife.

Wildlife may be temporarily housed in cages or enclosures smaller than the sizes set forth in Rule 68A-6.004, F.A.C., only under the following circumstances:

(1) – (2) No change.

(3) The standard caging requirements, as defined in Rule 68A-6.004, F.A.C., except for the fencing requirements, shall not apply to facilities possessing ratites (ostriches, rheas, emus, and cassowaries) for propagation purposes only and not for public exhibition or as personal pets. Facilities possessing bison for propagation purposes only and not for public exhibition or as personal pets are exempt from the standard caging requirements, as defined in Rule 68A-6.004, F.A.C.

(4) Newborn and juvenile mammals may be temporarily kept in enclosures below the standard caging requirements and are exempted from the ~~facility multi-unit/land requirements of Paragraph 68A-6.0022(5)(c)~~ 68A-6.003(2)(e)1.-2., F.A.C., and structural strength requirements, Rule 68A-6.003, F.A.C., as follows:

- (a) – (b) No change.
- (5) – (9) No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.302, 379.303, 379.3711FS. History–New 7-1-90, Amended 7-1-92, 2-1-98, Formerly 39-6.0041, Amended _____.

68A-6.005 Transportation Requirements for Wildlife; Caging Requirements for Performing and Non-Performing Animals.

(1) This rule section applies to all Class I, all Class II and all Class III animals except those listed in paragraph 68A-6.0022(2).

~~(2)~~ (4) General requirements for transporting wildlife in vehicles. No vehicle shall be used in transporting any wildlife except as follows:

(a) – (f) No change.

(g) Wildlife must be transported in a cage or enclosure. The cage or enclosure must be labeled “Live Animal” and list the number of specimens and common and scientific name of the wildlife. For wildlife that is transported in a trailer or compartment of a trailer, a label stating “Live Animal” must be affixed to the trailer access or loading door and the list. ~~The list containing the number of specimens and common and scientific name of the wildlife must be maintained in the vehicle.~~ The animal's cage or enclosure shall be as follows:

1. Be of sufficient strength and security to prevent escape.

2. ~~The cage or enclosure shall be~~ Large enough to ensure that each specimen has sufficient space to turn, stand erect, and lie naturally. Provided, however that certain species may be restricted in their movements according to professionally acceptable standards when such freedom of movement would constitute a danger to the animals, their handlers, or other persons. Elephants shall be tethered during transport (except nursing young).

(h) – (i) No change.

(2) – (3) renumbered as (3) – (4). No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.303, 379.304 FS. History–New 8-1-79, Amended 6-22-80, 6-4-81, Formerly 39-9.03, Amended 6-21-82, Formerly 39-6.05, Amended 5-10-87, 2-1-98, Formerly 39-6.005, Amended _____.

68A-6.007 Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern.

(1) Any person who keeps, possesses, exhibits or sells any venomous reptiles or reptile of concern shall comply with Sections 379.372, 379.373, 379.374, 379.305, 379.304, ~~and~~ 379.303, and 379.3761, F.S., and the provisions of this rule. The following reptiles, including their taxonomic successors, ~~any~~ subspecies or hybrids thereof, are designated as reptiles of concern:

(a) – (c) No change.

(d) Amethystine or Scrub python (*Morelia amethystinus* spp.) (all species exceeding 12 feet in length upon maturity)

(e) – (f) No change.

(2) No change.

(3) Experience requirements: Applicants for authorization to possess venomous reptiles or reptiles of concern shall meet the following experience requirements.

(a) Venomous reptiles: Any person or entity not currently permitted to possess or exhibit venomous reptiles must qualify for a permit by meeting the following criteria:

1. Applicants shall demonstrate no less than one (1) year of substantial practical experience (to consist of no less than 1,000 hours) in the care, feeding, handling and husbandry of the species or other species within the same biological family which are similar in characteristics and care to the species for which the permit is sought. For the purposes of demonstrating compliance, applicants shall submit documentation of such experience including:

a. A description of the specific experience acquired.

b. The dates the experience was obtained and the specific location(s) where acquired.

c. References of no less than two (2) individuals, no more than one of which may be a relative of the applicant, having personal knowledge of the applicant's stated experience; One of these references of which must be licensed by the commission for venomous reptiles of the same family for which the applicant is seeking authorization or a representative of a professional organization or governmental institution. Examples of such organizations or institutions include, but are not limited to, universities, public service agencies, zoological associations, herpetological societies and veterinarians.

d. Additional documentation may include records of prior permits for the keeping of venomous reptiles, employment records, and any other competent documentation of the requisite experience.

2. – 3. No change.

4. Any licensed corporation authorized to do business in Florida may apply for a permit or other authorization to possess venomous reptiles. Such corporation must have qualified personnel responsible for the care of such venomous reptiles. The corporation must provide documentation of experience for at least one person. Such person shall comply with the requirements defined in subparagraphs 68A-6.007(2)(a)-(b) and (3)(a)1.-3., F.A.C., above. Such documentation of experience shall be submitted to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, and subject to approval upon initial application and upon each instance of change in qualified personnel.

(b) No change.

(4) Facility requirements: All persons licensed to keep, possess, or exhibit venomous reptiles or reptiles of concern shall provide safe, secure and proper housing for said reptiles in cases, cages, pits or enclosures. It shall be unlawful for any person whether licensed or not to keep, possess, or exhibit any venomous reptile or reptile of concern in any manner not approved as safe, secure and proper by the Florida Fish and Wildlife Conservation Commission. Venomous reptiles or reptiles of concern shall be kept in cages, cases, pits or enclosures of the following specifications:

(a) – (b) No change.

(c) Outdoor open-topped enclosures:

1. – 4. No change.

~~(5)~~ 5. Facilities housing venomous reptiles shall maintain bite or exposure protocols for the species of venomous reptiles possessed and have a visible cage enclosure identification system identifying the venomous reptiles housed or maintained on the premises.

~~(a)~~ a. Bite or Exposure Protocol: Facilities or premises where venomous reptiles are housed or maintained shall have posted on the premises a venomous reptile bite protocol. Such protocol shall include: identification of the species by common and scientific name, emergency contact information, type of antivenin required for treatment of bites or exposures from the species housed or maintained, a plan of action to be taken in the event of a bite or exposure, and location of antivenin if stored on premises. In lieu of antivenin on premises contact information shall be provided for an antivenin bank or medical facility that maintains antivenin for the species possessed. Such protocol shall be clearly visible and posted in the room, building or other structure and in close proximity to where venomous reptiles are housed or maintained.

~~(b)~~ b. Cage Enclosure Identification System: Each cage or enclosure housing venomous reptiles shall be clearly

marked with a card or sign clearly stating “Danger Venomous Reptile” and identifying the species contained therein by common and scientific name. Such card or sign shall be clearly visible. A card or sign shall accompany the venomous reptile when it is removed from the cage or enclosure for handling or transport purposes.

~~(c)~~ ~~(d)~~ Facilities with one or more licensee at the same facility location may not commingle their respective live venomous reptile or reptile of concern inventories. All cages or enclosures must be clearly identified or visibly marked with the name of the licensee or other identifier to facilitate inventory inspections.

(5) – (6) renumbered as (6) – (7) No change.

~~(8)~~ ~~(7)~~ Transporting: Any person transporting venomous reptiles shall comply with Section ~~379.372~~ ~~372.86~~, F.S., and the provisions of this rule. Venomous reptiles shall be placed in a stout closely woven cloth sack, tied or otherwise secured. In lieu of a stout closely woven cloth sack, the venomous reptile may be contained in a trap or box of solid construction which is locked or otherwise secured. The sack, trap or box shall then be placed in a box. The box shall be of strong material in solid sheets, except for small air holes which shall be screened. Boxes containing venomous reptiles shall be prominently labeled “Danger – Venomous Reptiles.”

~~(9)~~ ~~(8)~~ Disaster and Critical Incident Plans: Applicants for permits to possess venomous reptiles or reptiles of concern in captivity shall document in writing a course of action to be taken in preparation for disasters or critical incidents. Such course of action shall be documented on the Captive Wildlife Critical Incident/Disaster Plan form FWCDLE_619 (~~06/09 02-06~~), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. This form shall consist of two parts. Part A of form FWCDLE_619 shall be submitted at the time of initial application or renewal; and Part B shall be retained on file at the facility location and be made available for inspection upon request of Commission personnel.

(a) Provisions of this subsection shall apply to permittees maintaining venomous reptiles or reptiles of concern in Florida.

(b) For permittees where the facility is located out of state, the provisions of this subsection shall apply when such permittee is in travel status with venomous reptiles or reptiles of concern. In this instance Part B must accompany the venomous reptile or reptile of concern while in travel status in Florida and shall describe the course of action to be taken in the event of a critical incident or natural disaster in Florida.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const., 379.373, 379.374 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.372, 379.373, 379.374, 379.3761, 379.303, 379.304, 379.3762, 379.305 FS. History—New 1-1-08, Amended 1-8-08, Amended _____.

68A-6.0071 Record Keeping and Reporting Requirements.

Any person who possesses any live venomous reptile or reptile of concern shall have a permit issued in accordance with Section 379.372, and if applicable Section 379.3761, F.S., and if applicable Section 379.304, F.S., and comply with Sections 379.304, F.S. and the provisions of this rule, Rule 68A-6.007, F.A.C., and, if applicable, Rule 68A-6.0072, F.A.C.

(1) Record Keeping:

Possessors shall maintain an accurate record of all changes in inventory including births, deaths, acquisitions, sales and transfers of all venomous reptiles or reptiles of concern. Such records shall be kept on the licensed premises on a Captive Wildlife Inventory-Reptile form, FWCDLE_620IV-R (~~06/09 12-06~~), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. Such records shall be open to inspection upon request by commission personnel.

(a) – (c) No change.

(2) Reporting:

(a) Persons exhibiting or selling live venomous reptiles or reptiles of concern in accordance with Section 379.372 or ~~379.3761~~ ~~379.304~~, F.S., shall complete a Captive Wildlife Inventory-Reptile form, FWCDLE_620IV-R (06/09 ~~12-06~~), and submit same to Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, upon annual renewal of license and six months thereafter.

(b) Persons possessing any live venomous reptile or reptile of concern in accordance with Section 379.372 ~~and 379.304, F.S., or any live reptile of concern in accordance with Section 379.303, F.S.~~, for personal use shall complete a Captive Wildlife Inventory-Reptile form, FWCDLE_620IV-R (06/09 ~~12-06~~), and submit same to Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, upon annual renewal of license and upon any instance of inventory change.

(c) No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.303, 379.304, 379.305, 379.372, 379.373, 379.374 FS. History–New 1-1-08, Amended 1-8-08,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON(S) ORIGINATING PROPOSED RULE: Colonel Julie Jones, Director, Division of Law Enforcement, Florida Fish and Wildlife Conservation Commission.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 17, 2008.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN F.A.W.: April 24, 2009.

**STATEMENT OF FACTS AND CIRCUMSTANCES JUSTIFYING PROPOSED RULES
FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT**

RULE NOS.	RULE TITLES:
68A-6.0011	Possession of Wildlife in Captivity; Permit Requirements.
68A-6.002	Categories of Captive Wildlife.
68A-6.0021	Possession or Transfer of Class I Wildlife as Personal Use Wildlife; Transfer of Wildlife.
68A-6.0022	Possession of Class I, II, or III Wildlife in Captivity: Permit Requirements.
68A-6.0023	General Regulations Governing Possession of Captive Wildlife; <u>Public Contact; Transfer of Wildlife and Record Keeping Requirements.</u>
68A-6.0024	Commercialization of Wildlife; Public Contact ; Bonding or Financial Responsibility Guarantee.
<u>68A-6.0025</u>	<u>Captive Wildlife Sanctuaries; Retired Performing Wildlife, Identification.</u>
68A-6.003	Facility and Structural Caging Requirement for Class I, II and III Wildlife.
68A-6.004	Standard Caging Requirements for Captive Wildlife.
68A-6.0041	Exceptions to Standard Caging Requirements for Captive Wildlife.
68A-6.005	Transportation Requirements for Wildlife; Caging Requirements for Performing and Non-Performing Animals.
68A-6.007	Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern.
68A-6.0071	Record Keeping and Reporting Requirements.

The purpose and effect of this rule is to address the possession, housing and transportation of captive wildlife. The proposed rules will clarify record keeping, documentation of experience, and housing requirements for the possession of captive wildlife. The proposed rules will address changes in classification of captive wildlife and public contact with captive wildlife. Additionally, the proposed new rule establishes requirements for the operation of captive wildlife sanctuaries.

Federal regulations exist pertaining to the breeding, selling, exhibiting and movement of captive wildlife. These regulations are consistent with Federal regulations pertaining to captive wildlife.