

**Captive Wildlife Regulations**  
**Summary of Additions and/or Changes**

**Effective Date: August 27, 2009**

Rules can be viewed at <https://www.flrules.org/Default.asp> by searching the rule numbers below.

**Rules affected:**

- 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.**
- 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; Public Contact; Transfer of Wildlife and Record Keeping Requirements.**
- 68A-6.0024 Commercialization of Wildlife; Bonding or Financial Responsibility Guarantee.**
- 68A-6.0025 Sanctuaries; Retired Performing Wildlife and Identification. (New Rule)**
- 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.**

### 68A-6.0011

- Requires research facilities registered and regulated according to the Animal Welfare Act (7 U.S.C. 2131, et. seq.) to maintain a detailed research proposal including research objectives, methodology, and study duration; and to outline planned safeguards to assure proper containment of the wildlife. The research proposal and annual record of progress must be made available for inspection upon request by Florida Fish and Wildlife Conservation Commission (FWC). All cages or enclosures must meet the structural requirements in Rule 68A-6.003, Florida Administrative Code (F.A.C.).
- A license is not required for Bison and offspring thereof that are possessed for the production of meat, skins or hides, and not possessed for personal pets or for exhibition.

### 68A-6.002

- The following animals are now listed as Class I wildlife:
  - Gaur (family *Bovidae*),
  - Hyenas and Aardwolf (family *Hyaenidae*),
  - Cougars, panthers (*Puma concolor*), and
  - Cheetahs (*Acinonyx jubatus*)
- The following animals are now listed as Class II wildlife:
  - All Sakis (*genus Chiropotes* and *Pithececa*)
  - Patas monkeys (*genus Erythrocebus*),
  - Vervet, grivet or green monkeys (*genus Chlorocebus*),
  - American alligator (family *Alligatoridae*),
  - Giraffe and okapi (family *Giraffidae*),
  - Tapir (family *Tapiridae*), and
  - Wild cattle; forest, woodland and aridland antelope (family *Bovidae*) including: 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* that are similar in size habits and nature.
- American alligators may be possessed for personal use by qualified individuals.
- Hybrids of domestic and wild animal crosses that are substantially similar in size, characteristics, and behavior to the wild parent will be regulated as wildlife.
- Fox, skunks, bats, raccoons, or white tail deer taken from the wild cannot be kept as pets.

#### **68A-6.0021**

- A “grandfather” clause provides that any Class II wildlife licensed and possessed for personal use before August 27, 2009, that is uplisted to Class I wildlife can continue to be kept for personal use.
- Class I wildlife that is “grandfathered” and possessed for personal use must be permanently identified by tattoo, brand, microchip, photo (of distinguishing scars, marks, or patterns), or other method that clearly and permanently identifies the animal from another of the same species. Owners have until **JANUARY 1, 2010**, to permanently identify their wildlife.
- Records of identification are to be made available for inspection and a copy must be provided upon annual renewal of the license.

#### **68A-6.0022**

- A permit is required to possess Brushtail possums for personal use.
- Applicants for Class I or Class II wildlife must document experience with the species or other species within the same biological family that are similar in size, characteristics, behavior, habits, care and nutritional requirements. Except for crocodylians, which will be at the biological order level; and cougars, panthers or cheetahs which will be at the genus level.
- Applicants for Class I or Class II wildlife are required to submit two (2) letters of reference. One (1) must be from a licensed individual or a representative of a professional organization or governmental institution. Examples include universities, public service agencies, zoological associations, herpetological societies, and veterinarians.
- For Class II wildlife the hours of experience required to take the captive wildlife exam has increased from 100 to 500 hours.
- Licensed alligator farmers and trappers are exempt from meeting the experience requirements for Class II wildlife.
- Licensed game farm and hunt preserve operators are exempt from meeting the experience requirements for Class II hoof stock.
- Licensed corporations possessing Class I or Class II wildlife must have qualified personnel responsible for the care of such wildlife. Corporations must provide

documentation of experience for at least one (1) person at time of application or upon change of qualified personnel.

- Anyone authorized to exhibit or sell Class I wildlife must obtain and maintain a current and valid USDA license, if applicable. The USDA license must be obtained within 180 days of licensing by FWC. Failure to obtain and maintain a current and valid USDA license may result in denial or revocation of any Class I authorizations.
- Out of state licensees must have their Captive Wildlife Critical Incident/Disaster Plan (CIDP) - Part B, with them while traveling in Florida with Class I or Class II wildlife. Part B of the CIDP must describe the course of action to be taken in the event of a critical incident or natural disaster in Florida.

#### **68A-6.0023**

- All outdoor enclosures for non-native venomous reptiles and reptiles of concern shall be topped with close-meshed wire or an equivalent barrier to provide additional security.
- A safety barrier must be present to prevent physical contact with unconfined Class I or Class II wildlife, except where public contact is allowed.
- Incidental contact with Class I wildlife, other than as specified, must be approved in writing by FWC prior to the use of such wildlife in incidental contact situations.
- Licensees must maintain accurate record of changes in inventory, including acquisitions and sales or transfers. Owners of Class I or Class II wildlife must also maintain an accurate record of all births and deaths. Records must be available for inspection upon request by FWC personnel.
- Records must be available for a period of three (3) years after the sale or transfer.
- Records of sale or transfer are not required for wildlife that can be possessed for personal use without a permit, except as required by other rules of FWC.

#### **68A-6.0024**

- Licensees authorized to exhibit or sell wildlife must demonstrate consistent and sustained commercial activity. Examples for demonstrating consistent and sustained commercial activity include: regular media advertising campaign or Internet Web site; signs, billboards, or flyers advertising commercial wildlife services or operations; regular open for business hours; written business conducted on printed letterhead indicating the name

of the company or business; documented exhibition of wildlife to the public, with or without a charge; and sale of wildlife.

**68A-6.0025 Sanctuaries; Retired Performing Wildlife and Identification. (New Rule)**

- Must be a not-for-profit corporation exempt from taxation. Proof of status as a Florida registered not-for-profit corporation and tax exemption under 501(c)(3) must be maintained on file and be available for inspection upon request by FWC personnel.
- Defines a “wildlife sanctuary for captive wildlife” as a facility established for the sole purpose of providing lifetime care for unwanted or infirmed captive wildlife.
- Trade, sale, offering for trade or sale, or buying captive wildlife or parts thereof is prohibited.
- Full or incidental contact with the wildlife is prohibited.
- Wildlife shall be permanently identified by means of tattoo, brand, PIT tag, or photographic identification.
- Rare, endangered, or protected wildlife may be transferred for breeding purposes, if it clearly enhances the survival of the species.
- Sanctuaries exhibiting Class I wildlife must be bonded or meet the financial responsibility guarantee requirements for the exhibition of Class I wildlife.
- Performing wildlife that due to age or physical condition can no longer perform may be kept for the purposes of providing lifetime care. Such retired performing wildlife must be permanently identified.

**68A-6.003**

- Cages or enclosures using the ground as flooring that house animals that exhibit a digging or burrowing behavior must have a footer or bottom apron.
- Measures must be taken to stop erosion to ensure the structural integrity of an enclosure and prevent the escape of wildlife for any cages or enclosures affected by erosion.

**68A-6.004**

- Proposals to use open air habitats, except as provided in the rule, must be approved in writing by the FWC prior to being used to house wildlife.

- Cages or enclosures housing red pandas are to provide an environment or be equipped with a device that allows for temperature regulation to ensure the well-being of this species.

#### **68A-6.0041**

- Farms raising bison that are not for public exhibition or possessed as personal pets are exempt from the standard caging requirements.

#### **68A-6.005**

- 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 the common and scientific names of the wildlife being transported.
- Trailers used to transport wildlife must have a label stating “**Live Animal**” affixed to the trailer access or loading door. The list containing the number of specimens and the common and scientific names of the wildlife being transported must be kept in the vehicle.

#### **68A-6.007**

- Clarifies that sub-species of Amethystine or scrub python that exceed 12 feet upon maturity are defined as a reptile of concern.
- Applicants for venomous reptiles are required to submit two (2) letters of reference. One (1) must be from a licensed individual or a representative of a professional organization or governmental institution. Examples include universities, public service agencies, zoological associations, herpetological societies, and veterinarians.
- Licensed corporations possessing venomous reptiles must have qualified personnel responsible for the care of such wildlife. Corporations must provide documentation of experience for at least one (1) person at time of application or upon change of qualified personnel.
- Out of state licensees must have their Captive Wildlife Critical Incident/Disaster Plan (CIDP) - Part B, with them while traveling in Florida with venomous reptiles or reptiles of concern. Part B of the CIDP must describe the course of action to be taken in the event of a critical incident or natural disaster in Florida.