

MEMORANDUM

DATE: March 17, 2009

TO: Reptiles and Frog Dealers, Collectors, and Interested Persons

FROM: Colonel Julie Jones
Director, Division of Law Enforcement

SUBJECT: Reptile and Amphibian Regulations

Individuals (both resident and non-resident) may collect non-protected and non-regulated species of reptiles and amphibians for personal use (on lands on which one has permission) without special permits or other authorization. Collecting for the purpose of sale, or collecting venomous and "Reptiles of Concern" which are the Burmese python, amethystine python, reticulated python, African rock python, green anaconda and Nile monitor species, requires licenses/permits as noted below. This memorandum will provide information on all protected and regulated species of herptiles in Florida.

In order to possess venomous reptile and reptiles of concern species, a license is required. The cost of this license is \$100 per year. If you plan to exhibit the venomous reptiles at any time during the year, you must post \$10,000 cash or a \$10,000 surety bond payable to the Florida Fish and Wildlife Conservation Commission. Please refer to Chapter 379.374, Florida Statutes (F.S). The surety bond must be for a period of not less than one year. You may contact your Insurance Agent for additional bond information. Please attach the bond to your completed application and return it to us. A sample of an appropriate Surety Bond form can be found on our website at www.MyFWC.com/permits.

In order to sell venomous reptiles and reptiles of concern species and/or exhibit or sell non-venomous reptiles or amphibians, you must also complete an application for the Exhibition or Sale of Wildlife. The cost of the license is \$50 per year.

Below are relevant portions of Rules 68A-25.002 and 68A-25.006, Florida Administrative Code (F.A.C.), as well as portions of other rules relating to the possession and sale of reptiles and frogs in Florida.

As provided by 68A-25.002(15), F.A.C., after July 1, 1990, any person or entity not currently permitted to possess or exhibit venomous reptile species must qualify for a permit by meeting the following criteria:

- (1) Applicant must demonstrate no less than one year of substantial, practical experience (to consist of no less than 1,000 hours) in the care, feeding, handling, and husbandry of the species for which the permit is sought, or other species within the same biological order, which are substantially similar in size, characteristics, care and nutritional

requirements to the species for which the permit is sought. For the purposes of demonstrating compliance, applicants shall submit documentation of such experience, including: a description of the experience acquired, the dates the experience was obtained, and the specific location(s) where acquired, and references of no less than two individuals having personal knowledge of your stated experience. Applicant must provide references of no less than two (2) individuals, one of which must be licensed by the commission for wildlife of the same family or higher class for which the applicant is seeking authorization. Additional documentation may include records of prior permits for the keeping of venomous reptiles, employment records, or any other competent documentation of the requisite experience.

- (2) Documented educational experience in zoology or other relevant biological sciences obtained at the college or technical school or above may substitute for up to six months or 500 hours of the required experience.
- (3) If the applicant is unable to document such experience, the applicant may take a written examination as an alternative. 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 500 hours of substantial practical experience 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. Applicants scoring at least 80 percent correct on the examination shall be deemed as meeting the examination requirement for the particular species or family.
- (4) Shall not have been convicted of any violation of captive wildlife regulations or venomous reptile or reptile of concern regulations involving unsafe housing of wildlife or that could potentially endanger the public; any violation involving the illegal commercialization of wildlife; any violation involving cruelty to animals; or any violation involving importation of wildlife within three (3) years of the date of the application.
- (5) Must be at least 18 years old at the time of application.
- (6) Must provide a Critical Incident/Disaster Plan on form FWCDLE_619 (on our Web site at www.MyFWC.com/permits) and shall document in writing a course of action to be taken in

preparation for disasters or critical incidents. Part A is to be submitted at time of application. Part B remains at your facility and is to be made available for inspection.

F.A.C. 68A-25.002: General Provisions for Taking, Possession and Sale of Reptiles (relevant portions for reptiles not including alligators).

No person shall take more than a total of five (5) native Florida freshwater turtles each day unless authorized by permit from the Executive Director, except that holders of commercial freshwater fishing licenses may take an additional 15 Florida softshell turtles (*Apalone ferox*) for a total of 20 turtles in the aggregate per day. Freshwater turtles may be taken manually or by baited hooks, bow, dip nets or traps so designed that any freshwater fish taken therein may escape, or by spearing only during daylight hours. The taking of turtles by bucket traps, snares, or shooting with firearms is prohibited. On Lake Okeechobee, no person may take or sell any peninsular cooter (*Chrysemys floridana peninsularis*), Florida red-bellied turtle (*Chrysemys nelsoni*), Florida snapping turtle (*Chelydra osceola*), or Florida soft-shelled turtle (*Trionyx ferox*) having a carapace length of less than eight inches. No softshell turtles (*Apalone* spp.), or their eggs, may be taken from the wild during the period May 1 to July 31. No person shall possess more than 50 eggs taken from the wild in the aggregate of species of freshwater turtle native to Florida except as authorized by permit from the Executive Director as provided in Rules 68A-9.002 and Chapter 68A-27, F.A.C. Eggs of those turtle species enumerated in Rule 68A-25.002(6), F.A.C., are subject to the same possession limits as apply for those turtles. This purchase or sale of turtle eggs taken from the wild is prohibited.

No persons shall buy, sell, or possess for sale any alligator snapping turtle (*Macrochelys temminckii*), box turtle (*Terrapene Carolina*, all four subspecies), Barbour's map turtle (*Graptmys barbouri*), Escambia River map turtle (*Graptemys ernsti*), diamondback terrapin (*Malaclemys terrapin*), river cooter (*Pseudemys concinna*), or loggerhead musk turtle (*Sternotherus minor*), or parts thereof.

No person shall possess more than two Barbour's map turtles, two Escambia River map turtles, two diamondback terrapins, two river cooters, two box turtles, two loggerhead musk turtles, or one alligator snapping turtle unless authorized by permit from the Executive Director. River cooters may not be taken from April 15 to July 31.

No person shall buy, sell, take, or possess any gopher tortoise (*Gopherus polyphemus*), or any part thereof, unless authorized by permit from the Executive Director. Possession of gopher tortoises may be authorized by permit when the owner can demonstrate that such tortoise(s) were legally acquired and possessed before July 1, 1988. No person shall possess any turtle or tortoise on which paint has been applied to its shell or

body parts, provided that water soluble, non-toxic identifying marking may be used in turtle racing contests.

No person shall buy, sell or possess for sale any Florida pine snake (*Pituophis melanoleucus mugitus*), nor shall any person possess more than one Florida pine snake, except that said restrictions shall not apply to amelanistic “albino” specimens.

F.A.C. 68A-27.002: General Prohibitions for Endangered, Threatened, and Species of Special Concern-Reptiles.

No person shall take, possess, harm, molest, harass or sell any of the following species, except as authorized by specific permit. American crocodile (*Crocodylus acutus*); Atlantic green turtle (*Chelonia mydas*); Atlantic hawksbill turtle (*Eretmochelys imbricate imbricate*); Atlantic ridley turtle (*Lepidochelys kempfi*); Leatherback turtle (*Dermochelys coriacea*); Mud turtle (*Kinosternon baurii*), lower keys population only; Loggerhead sea turtle (*Caretta caretta*); Blue-tailed mole skink (*Eumeces egregius lividus*); Sand skink (*Neoseps reynoldsi*); Big Pine Key ringneck snake (*Stilosoma extenuatum*); Florida brown snake (*Storeria dekayi victa*), lower keys population only; Florida ribbon snake (*Thamnophis sauritus*), lower keys population only; Indigo snake (*Drymarchon coriahs couperi*); Atlantic salt marsh water snake (*Nerodia fasciata taeniata*); Suwannee cooter (*Chrysemys concinna suwanniensis*); American alligator (*Alligator mississippiensis*); Florida key mole skink (*Eumeces egregius egregius*); and Red rat snake (*Elaphe guttata*), lower keys population only.

Regulations Regarding the Buying and Selling of Reptiles and Amphibians.

Pursuant to Rule 68A-6.0021, F.A.C., it shall be unlawful to buy, sell, or transfer any wildlife to or from any unpermitted entity within Florida. This means that you cannot sell animals without a license, and you cannot buy animals from a person who does not have a license. If the transferred animal requires a permit or license to possess, the recipient’s name, address and the license number shall be entered into the transferor’s records and made available for inspection by Florida Fish and Wildlife Conservation Commission (FWC) employees for a period of one year after the transfer. 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.

F.A.C. 68A-6.004: Standard Caging Requirements for Non-Venomous Reptiles.

- 1) **Snakes and glass lizards:** In addition to requirements for this section, each

enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to insure the well being of the species. The environment or devices shall be non-injurious, and may include, but not limited to hot rocks, artificial lights, natural sunlight and heat strips. Each enclosure shall be provided with a non-injurious substrate such as newspaper, processed wood shavings, rocks, sand, or indoor-outdoor carpet.

Such substrate shall be disposed of or sanitized at intervals sufficient to insure the health of the animal(s). A cage or enclosure having a perimeter equal to the length of the longest specimen, the width of the cage shall be ten inches or not less than 30 % of the length of the longest specimen which ever is greater, and enclosure shall not be required to exceed 3 feet. For each additional specimen, increase perimeter by 10 %.

- 2) **Blood pythons or large constrictors:** In addition to requirements for this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to insure the well being of the species. The environment or devices shall be non-injurious, and may include, but not limited to hot rocks, artificial lights, natural sunlight and heat strips. Each enclosure shall be provided with a non-injurious substrate such as newspaper, processed wood shavings, rocks, sand or indoor-outdoor carpet.

(A) Specimens up to five (5) feet in length. For up to two specimens, a cage or enclosure 2.5 feet by 1 foot. For each additional specimen increase perimeter by 10 %. Constrictors of this size possessed for exhibition or sale are exempt from this minimum cage requirement but shall meet the requirements as indicated for snakes and glass lizards.

(B) Specimens 5 feet to 12 feet in length. For up to two specimens, a cage or enclosure with a perimeter equal to 1.25 times the length of the longest specimen. The width of the cage shall not be less than 30 % of the length of the longest specimen and shall not be required to exceed 3 feet. For each additional specimen, increase perimeter by 10 %.

(C) Specimens greater than 12 feet in length. For up

to two specimens, a cage or enclosure with a perimeter equal to the length of the longest specimen. The width of the cage shall not be required to exceed 3 feet. For each additional specimen, increase perimeter by 10 %.

- 3) **Lizards (other than glass lizards):** In addition to requirements of this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to ensure the well-being of the species. The environment or devices shall be non-injurious, and may include but is not limited to hot rocks, artificial lights, natural sunlight and heat strips. Each enclosure shall be provided with a non-injurious substrate such as gravel, newspaper, processed wood shavings, rocks sand, or indoor-outdoor carpet. Such substrate shall be disposed of or sanitized at intervals sufficient to ensure the health of the animal(s).
- (I) **Lizards up to 6 inches in length:** For one or two lizards, a cage 12 inches by 8 inches, 6 inches high. For each additional lizard, increase size by one inch in length and width.
 - (II) **Lizards 7 to 12 inches in length:** For one or two lizards, a cage 20 inches by 10 inches, 12 inches high. For each additional lizard, increase size by two inches in length and width.
 - (III) **Lizards 13 to 24 inches in length:** For one or two lizards, a cage 30 inches by 12 inches, 12 inches high. For additional lizard, increase enclosure size by three inches length and width.
 - (IV) **Lizards 25 to 36 inches in length:** For one or two lizards, an enclosure 48 inches by 16 inches, 20 inches high. For each additional lizard, increase enclosure size by 10 inches or 25 percent in length and width.
 - (V) **Lizards 37 inches to 6 feet in length:** For one or two lizards, an enclosure 6 feet by 3 feet, 4 feet high. For each additional lizard, increase the enclosure by 25 percent of the original floor area.
 - (VI) **Lizards over 6 feet in length:** For one or two lizards, an enclosure 9 feet by 6 feet, 4.5 feet high. For each additional lizard, increase the enclosure by 25 percent of the original floor area.

- 4) **Turtles (other than tortoises and box turtles):** In addition to the requirements of this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to ensure the well being of the species. The environment and devices shall be non-injurious, and may include, but are not limited to artificial lights and natural sunlight. Each enclosure shall be provided with a non-injurious substrate, such as gravel, rocks, or sand. Each enclosure shall have a pool of water that will allow submersion of the largest turtle. For soft-shelled turtles, a non-abrasive pool bottom is required. Enclosure size for all turtles shall be based up on the size of the largest specimen in the enclosure.

For one or two turtles, an enclosure with an area at least five times the shell length, by two times the shell width of the largest turtle. The pool area shall equal no less than two times the shell width, by two times the shell length of the largest turtle. A dry resting area equal to the size of the shell of the largest turtle shall be provided. For each additional specimen, increase original floor and pool area by 10 percent.

- 5) **Tortoises and box turtles:** In addition to the requirements of this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary for the well being of the species. The environment and devices shall be non-injurious and may include, but not limited to, artificial light and natural sunlight. Each cage shall be provided with a non-injurious substrate, such as gravel, rocks, newspaper, sand or indoor-outdoor carpet. Such substrate shall be kept clean.

Enclosures sizes for all tortoises and box turtles shall be based upon the size of the largest specimen in the enclosure. For one or two tortoises or box turtles, an enclosure with a floor area 10 times the shell size of the largest specimen in the enclosure. For additional specimens, the combined area covered by all their bodies shall not exceed 50 percent of enclosure area.

- 6) **Amphibians:** Aquatic amphibians shall be kept in water filled tanks, or aquaria. Semi-aquatic amphibians shall be kept in enclosures, tanks, or aquaria, with a water area and a dry area that shall permit moving and turning. Both the dry area and the water area shall provide room to accommodate all animals in the enclosure simultaneously.

- 7) **Crocodylians:** For one animal, an enclosure of sufficient size to permit moving and turning both on a dry area and in a pool of water the water being of sufficient depth to permit submersion. For additional animals, the combined area covered by all their bodies shall not exceed 50 percent of the enclosure area.

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

- 1) Any person who keeps, possesses, or exhibits poisonous or venomous and "Reptiles of Concern" reptiles shall also comply with Chapter 379.372-3-4 and 379.305.
- 2) Poisonous reptiles shall be kept enclosed in cages, cases, pits or enclosures of the following specifications:
 - (a) Cages may be constructed of a variety of materials including: plate glass of at least one-quarter inch thickness, break resistant plastic of similar strength, concrete reinforced with wire, sheet metal, molded fiberglass, plywood or interlocking lumber that has been treated to be impervious to moisture and is not less than one-half inch in thickness, or other materials which provide equivalent stability and security against escape and unauthorized intrusion.

Cages and doors shall be sealed. The doors of each cage shall be securely locked by a device operated by a key, combination, key card or other locking device approved by the commission to prevent unauthorized intrusion.
 - (b) A room may contain poisonous reptiles in cages that are not locked provided that such a room is locked to prevent unauthorized intrusion, is inaccessible to unauthorized personnel, is constructed and maintained as to be escape-proof, and for commercial facilities, has been inspected and approved as conforming to these rules by FWC personnel to use.
 - (c) Outdoor open-topped enclosures:
 - 1) For venomous reptile species native to the United States, the floors of outdoor cages shall be of concrete or masonry construction, at least two inches in thickness, or strength equivalent, with a minimum height of four

feet above the floor of the enclosure. Outdoor enclosures need not have concrete or masonry flooring if the enclosure meets the following additional specifications:

- (a) The enclosure shall have concrete or masonry walls, at least eight inches in thickness, or strength equivalent.
 - (b) The enclosure shall have footers made of concrete, or strength equivalent, extending not less than three feet below the grade level, outside the perimeter.
 - (c) The corners of the enclosure shall be designed guarded to prevent the escape of reptiles by climbing.
 - (d) All landscaping of the enclosure shall be arranged to ensure that vegetation or other structures do not allow for the escape of reptiles.
- 2) Entrance doors shall be kept securely locked on all outdoor enclosures to prevent escape and unauthorized intrusion and the enclosure shall be equipped with barriers to prevent visitors from falling into enclosures that are constructed below ground level.
 - 3) For venomous reptile species not native to the United States, all outdoor enclosures shall be topped with close-meshed wire or an equivalent barrier to provide additional security.

We appreciate your interest in reptile and amphibian regulations. If we can answer any further questions, please do not hesitate to write or call this office (850) 488-6253.