

## Live Sale of Nuisance Alligators



Draft Rules  
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Florida Fish and Wildlife Conservation Commission

Version 1

This report covers proposed rule amendments that are technical in nature to remove an unintended exemption for experience hour requirements in a captive wildlife rule and revise the nuisance alligator program rule in support of allowing contracted nuisance alligator trappers to sell nuisance alligators alive. Full summaries of all proposed rule changes are included in the additional background material.

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## Current Situation

- Nuisance alligator trappers are exempt from experience requirements for a captive wildlife license
- Legal staff reviewed the exemption and believes it does not accomplish the intent
- The exemption is causing misunderstanding by captive wildlife license applicants
- Desire to continue to allow nuisance alligator trappers to sell live nuisance alligators to permitted facilities
- Solution: Make revisions to two existing rules



Currently, contracted nuisance alligator trappers must possess a License to Possess Class I and/or Class II Wildlife for Exhibition or Public Sale (captive wildlife license) to sell live nuisance alligators. Rule 68A-6.0022, F.A.C., requires applicants for a captive wildlife license to possess alligators for exhibition and sale to document they have 1,000 hours of experience handling and caring for alligators, except for persons who possess a license issued pursuant to the commercial alligator licensing statute (s. 379.3751, F.S.). This statute is where all licenses and fees for the alligator management program are established. The intent of this experience exemption was to only acknowledge that contracted nuisance alligator trappers and alligator farmers have, through their permitted activities, the needed experience to safely handle alligators, but not persons possessing other types of alligator-related licenses (agents and processors). Furthermore, the experience exemption has been recently reviewed by Commission legal staff who determined that the current rule language was worded in such a way that it does not actually accomplish what was originally intended. As a result, participants have had the misunderstanding that any person could buy a \$50 alligator trapping agent or farming agent license and then acquire the captive wildlife license for alligators, a dangerous Class II animal, without any experience. To continue to provide for the sale of live nuisance alligators by contracted trappers, staff is proposing revisions to two existing Commission rules.

## Possession of Class I, II, or III Wildlife in Captivity: Permit Requirements

### Current Rule:

- Includes an exemption from 1,000-hour experience requirement, but it does not accomplish what was originally intended

### Proposed Rule:

- Removes the 1,000-hour experience requirement exemption for persons licensed under s. 379.3751, F. S.



Current status of and proposed changes to Rule 68A-6.0022, F.A.C.

## Statewide Nuisance Alligator Program Rule

### Current Rule:

- Does not authorize contracted nuisance alligator trappers to sell live nuisance alligators. They must annually purchase a captive wildlife license if they wish to sell

### Proposed Rule:

- Provides contracted nuisance alligator trappers the option to sell live nuisance alligators without purchasing a captive wildlife license



Current status of and proposed changes to Rule 68A-25.003, F.A.C.

## Staff Recommendation

- Approve proposed rule amendments for advertising in the Florida Administrative Register
- File for final adoption if no hearing is requested
- Rules effective as soon as possible

