

68A-6.004 Possession of Class I, II, and III Wildlife: Permit Application Criteria.

(1) Permits to possess wildlife in captivity, issued pursuant to Section 379.3761 or 379.3762, F.S., and the provisions of this chapter, shall authorize the keeping of captive wildlife, of the type and number specified in applications approved by the Commission, in accordance with law and Commission rules. Captive wildlife maintained under permit shall, unless otherwise authorized, be maintained only at the facility specified in the permit application and approved by the Commission.

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

All applicants shall qualify for permits as follows:

(a) Age Requirement: Applicants to possess Class I or Class II wildlife shall be at least 18 years of age.

(b) Applicants 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 application.

(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 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 family (except crocodilians which shall be in the same biological order; 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 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. Additional documentation may include records of prior permits for the keeping of captive wildlife, employment records, and any other competent documentation of the requisite experience.

3. Documented educational experience in zoology or other relevant biological sciences, obtained at the college or technical school level or above, may substitute for up to six months or 500 hours of the required experience.

4. Providing false information to document the applicant's experience, by the applicant or any reference, is prohibited as provided in Sections 837.012 and 837.06, F.S.

(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-6.004(2)(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 500 hours of substantial practical experience (with documentation and compliance procedures as noted in subparagraphs 68A-6.004(2)(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 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, or Class III capuchin, spider, or woolly monkeys, or sloths 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-6.004(2)(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 9 CFR (effective January 2017, which is hereby incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-11137>). 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.

(3) Class I or II wildlife permit application requirements: An applicant shall make application to the Commission by submitting the online application through <http://www.GoOutdoorsFlorida.com>. The applicant for a permit to possess Class I or II wildlife shall provide the following information:

(a) The applicant's legal name, date of birth, and contact information to include personal phone number, business phone number, and email address, if any.

(b) To be permitted as a business, in addition to paragraph (a), the applicant shall provide the name of the business and the business shall be currently registered through the Florida Department of State, Division of Corporations.

(c) The complete mailing address to include city, state, and zip code for the applicant/business.

(d) The complete facility address where the wildlife is located to include city, state, and zip code.

(e) Whether the facility is owned or leased by the applicant, unless otherwise exempt pursuant to subsection 68A-6.010(4), F.A.C. A copy of the valid and current lease agreement shall be submitted with the application in the event that the facility location is under lease to the applicant.

(f) The county or counties where the facility is located.

(g) The size (in acres) of the property on which the facility is located, unless otherwise exempt pursuant to subsection 68A-6.010(4), F.A.C.

(h) The current inventory of Class I and II wildlife possessed, identified by species and quantity. If no Class I or II wildlife is currently possessed, then the planned inventory shall be provided, identified by species.

(i) The applicant's acknowledgement that the information provided in the application is true, accurate, and complete.

(4) Qualification requirements for a permit to possess Class III wildlife:

(a) Age Requirement: Applicants to possess Class III wildlife shall be at least 16 years of age.

(b) Applicants for permits to possess capuchin, spider, or woolly monkeys, or sloths shall meet the age, experience and examination requirements for authorization to possess Class II wildlife in subsection 68A-6.004(2), F.A.C., provided that substantial practical experience for sloths shall be demonstrated in the same biological suborder.

1. The above experience documentation requirements relating to sloths shall not apply to those applicants who have held a valid captive wildlife permit and have documented possession of sloths in their captive wildlife application inventory prior to the effective date of this rule.

(c) Applicants shall be able to provide satisfactory caging facilities as required in the standard caging requirements of this chapter, within 30 days of notification of ~~tentative~~ approval for a permit. In accordance with subsection 68A-6.004(6), F.A.C., applicants for permits to possess capuchin, spider, or woolly monkeys, or sloths shall provide satisfactory caging as required by this chapter prior to the issuance of the permit.

(d) Applicants shall ensure that the conditions under which the wildlife will be held shall not constitute a threat to the public or to the animal.

(5) Class III permit application requirements: An applicant shall make application to the Commission by submitting the online application through <http://www.GoOutdoorsFlorida.com>. The applicant for a permit to possess Class III wildlife shall provide the following information:

(a) The applicant's legal name, date of birth, and contact information to include personal phone number, business phone number, and email address, if any.

(b) To be permitted as a business, in addition to paragraph (a), the applicant shall provide the name of the business and the business shall be currently registered through the Florida Department of State, Division of Corporations.

(c) The complete mailing address to include city, state, and zip code for the applicant/business.

- (d) The complete facility address where the wildlife is located to include city, state, and zip code.
- (e) The county or counties where the facility is located.
- (f) The current inventory of Class III wildlife possessed, identified by species and quantity. If no Class III wildlife is currently possessed, then the planned inventory shall be provided, identified by species.
- (g) The applicant's acknowledgement that the information provided in the application is true, accurate, and complete.
- (h) Applicants for permits to possess Class III wildlife as a hobbyist or for commercial use shall provide their current or planned type of commercial activity.
- (i) Applicants for permits to possess Class III wildlife for personal use shall satisfactorily answer questions developed by the Commission to demonstrate knowledge of general husbandry, nutritional needs, and behavioral characteristics of the species requested.
- (j) Applicants for permits to possess Class III wildlife for personal use shall provide the planned inventory, identified by species and quantity, and the name, address, and license number (if the sale or transfer takes place in Florida) of the source of their wildlife.
- (6) Except as otherwise provided, applicants for permits to possess wildlife in captivity shall specify the location of the facility at which the wildlife shall be kept or possessed. Prior to the issuance of a permit for Class I, Class II, or Class III capuchin, spider or woolly monkeys, or sloths, such facility shall be inspected and approved by Commission personnel prior to the issuance of the permit.
- (7) Disaster and Critical Incident Plans: Applicants for permits to possess wildlife in captivity as authorized pursuant to Section 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. Provisions of this subsection shall apply to permittees maintaining captive wildlife in Florida. Such course of action shall be made available for inspection upon request of Commission personnel and the director of the local emergency management agency for the county where the facility is located. All employees and volunteers at the facility are to be familiarized with the emergency plan. Such course of action shall include the following information:
 - (a) The name, business name (if applicable), physical address, and personal or business phone number for an emergency contact who does not reside at the facility location. Such individual may be responsible for assisting with emergency response or may assist in providing contact information for the permittee in the event of a critical incident or disaster. Such information shall be submitted to the Commission at the time of initial or renewal application.
 - (b) The name, business name (if applicable), physical address, and personal or business phone number for the veterinarian used to provide veterinary services for wildlife maintained at the facility. Such information shall be submitted to the Commission at the time of initial or renewal application.
 - (c) Emergency plan specifying the plan of action to be taken in the event of an emergency (natural disaster, fire, etc.) and critical incident. Plan shall specify pre-event, event, and post-event actions, including action plan for securing wildlife on site, evacuation of wildlife, location and contact information for temporary housing, length of stay at temporary housing, and re-entry to facility.
 - (d) A list of chemical capture equipment (including drugs, delivery systems, and supplies) and location where equipment is stored, if applicable.
 - (e) The name, physical address, and personal or business phone number for an emergency contact authorized to utilize chemical capture equipment, if applicable.
 - (f) A list of physical capture equipment (i.e., nets, catch poles, gloves, hooks, tongs, etc.) and location where equipment is stored.
 - (g) The name, physical address, and personal or business phone number for an emergency contact authorized to utilize physical capture equipment.
 - (h) A list of equipment utilized to temporarily house and transport wildlife (including transport cages and vehicles) and location where equipment is stored.
 - (i) The name, physical address, and personal or business phone number for an emergency contact authorized to utilize temporary housing and transport equipment.
 - (j) A schematic or graphic depiction of the facility, including the following:
 1. Site plan of the facility.
 2. Location of access point to facility if access is controlled by fences, gates, etc.
 3. Location of area(s) where captive wildlife is kept.

4. Location of supplies (i.e., food, medicines, capture equipment, etc.).

5. Location of each electricity and gas shutoff switch/valve.

(k) Emergency supply checklist, including food, water, medical supplies, generator(s), ice, or other miscellaneous supplies, if applicable.

(l) Location of storage and/or contact information for obtaining supplies.

(m) Current animal inventory, identified by species and quantity, and any identifying methods (microchip numbers, tattoos, marks, scars, etc.).

(n) For permittees where the facility is located out of state, the provisions of this subsection shall apply when such permittee is in travel status in Florida with Class I or Class II wildlife. In this instance, information as specified in paragraphs (c)-(m) above 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.

Rulemaking 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, 8-27-09, 9-30-19, 8-23-22, 7-17-23.