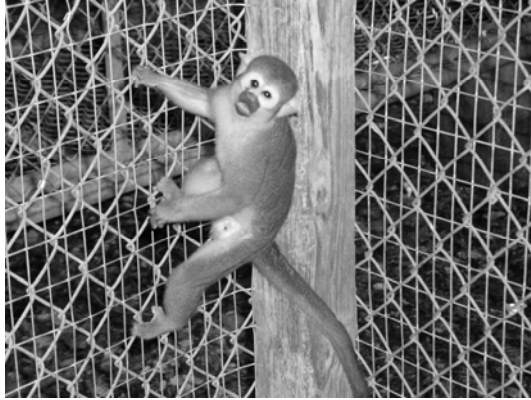


Captive Wildlife Regulations

Final Public Hearing

February 2007



FLORIDA FISH AND WILDLIFE CONSERVATION
COMMISSION



The last comprehensive review of the Commission’s captive wildlife rules was in 1994. Since then, Florida has grown to 18 million people, suffered from the escape of numerous types of exotic wildlife (example - tigers and pythons) and has experienced an increase in human/wildlife interaction, especially in neighborhood situations.

This prompted staff to initiate a review process of all captive wildlife rules. Last year, 11 experts were brought together to start the evaluation process. The captive wildlife technical advisory group was the first step in developing these rules.

- 1. The advisory group made recommendations to staff.**
- 2. Staff presented rules to the public in workshops.**
- 3. Staff received additional input from stakeholders such as the County Animal Control Association, animal rights groups and individual pet owners.**

These rules include: What is an appropriate neighborhood; new caging specifications for large constrictor species which exceed twelve feet upon maturity; a new designation for reptiles of concern; new rules for venomous reptiles and new protocols for disaster response plans for captive wildlife.

Proposed are some new rules, some technical changes, cleanup of existing rules and a title change for this section from “Wildlife as Personal Pets” to “Wildlife in Captivity.”

Rule Summary

68A-1.004 - Establishes definitions for the terms “captive wildlife,” “critical incident,” “disaster,” “relative,” “reptiles of concern,” “venomous reptile” and redefines the term “person.”



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- 1) The “Captive Wildlife” definition will allow the Commission to apply the captive wildlife regulations to wildlife maintained for a variety of activities.
- 2) Critical Incident – Any condition which results in the release or escape of captive wildlife from its enclosure, cage, leash, or other constraint.
- 3) Disaster – A sudden calamitous event that causes great damage, loss or destruction.
- 4) Person – As used in these rules shall have the same meaning as in section 1.01, F.S.
- 5) Relative – An individual who is related as: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepsister, stepbrother, half brother, or half sister.
- 6) “Reptiles of Concern” will encompass the large constrictors, monitors, and other reptile species that the Commission may deem to have a negative impact on the environment or become a threat to public safety.
- 7) The “venomous reptile” definition is designed to include surgically altered venomous specimens where the fang and/or venom sac has been removed (“Venom-void”) and to include several species of the rear-fanged colubrids.

Rule Summary

68A-6.0022 - The rule is re-titled to include Class I, II and III wildlife. It clarifies how an applicant's previous convictions of captive wildlife violations will determine whether or not they qualify for a permit. The rule establishes who may offer references as to the applicant's experience with Class I, II or III wildlife, that providing false information of experience is a violation, that applicants must provide a facility location of captive wildlife, and that facilities housing Class I and II wildlife and Class III capuchin, spider and woolly monkeys be inspected and approved prior to issuance of the permit. The rule requires that each applicant must document, in writing, actions that would be taken in preparation for disasters and critical incidents.



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This rule includes additional restrictions on permit issuance for persons that have been convicted of violations relating to venomous reptile or reptiles of concern involving unsafe housing of wildlife or that could potentially endanger the public and any violation involving importation of wildlife.

The permit applicant's references may include only one family member (relative) and at least one reference must be from someone licensed by the Commission for the same or higher authorization of wildlife for which the applicant is seeking. Also, providing false information about the applicant's experience, either by the applicant or any reference, is prohibited.

Applicants for permits must provide the facility location where captive wildlife is housed. Additionally, written documentation of a course of action to be taken in preparation for critical incidents or disasters must be provided.

Rule Summary

68A-6.003 - Clarifies what constitutes "leased" property when applying for a license for Class I and II wildlife. It will establish a list of Class I and II species that are exempt from the five (5) acre and two and one-half (2½) acre requirements and would address in what "zoning use" category a Class I facility may be located.

68A-6.004 - Adds additional caging requirements for arboreal species of snakes, blood pythons and large constrictors.



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68A-6.003-The language addressing appropriate facility locations for Class I and certain Class II carnivores, originally found in Rule 68A-6.0022, F.A.C., was moved to this rule for consistency. There are several new components to the rule.

It establishes a list of Class I and II species that are exempt from the 5 and 2½ acre requirements due to their size and/or husbandry requirements. Such wildlife includes Class I and II crocodylians four (4) feet or less in length, the smaller Class II cats and primates. Also, Class I wildlife will not be allowed to be located on property zoned solely for residential use.

Three species of Class III primates, capuchin, spider and woolly monkeys, must comply with all caging requirements for Class II primates thus incorporating the double-door or safety entrances into the cages.

The rule would be effective January 1, 2008, but would not apply to those facilities licensed to possess captive wildlife species prior to that date. Any changes in authorization to possess wildlife would come under the new rule. It clarifies that applicants with "leased property" must have exclusive rights to occupy, possess, and use the property with no restrictions that would prevent eligibility for a permit.

68A-6.004 lists the requirements for caging or housing "arboreal" or tree-dwelling species of snakes and lizards to include perches that allow for basking or perching without touching the floor, sides, or roof of the enclosure. A section was added for the caging of large constrictors which exceed twelve feet upon maturity and the Blood python. New standard caging requirements were established in the following categories: up to five feet, 5-12 feet and greater than 12 feet in length.

Rule Summary

68A-6.007 - Establishes a list of reptiles of concern which will include five (5) large constrictors and the Nile monitor. As an alternative to the one-thousand (1,000) hours of experience required for possessing venomous reptiles, the rule will require a successful completion of an examination plus five hundred (500) hours of experience. For reptiles of concern, the successful completion of a questionnaire will be required. Out building and cage marking or identification will be required if used for housing venomous reptiles. Bite or exposure protocols and disaster/critical incident plans will be required as well.



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This rule establishes a list of “reptiles of concern” and applicable permit requirements necessary for their possession. The list includes the Indian or Burmese python, Reticulated python, African rock python, Amethystine or Scrub python, Green anaconda and the Nile monitor. Requirements for possession include obtaining a permit by completing an application, a qualifying questionnaire, specify the facility location, and provide caging that meets the same requirements for the housing of venomous reptiles.

Venomous reptile permit applicants will have the option of providing one-thousand (1,000) hours of experience in the care, feeding, handling and husbandry of the species or qualify by providing five-hundred hours of experience along with successfully passing a written exam administered by the Commission’s Division of Law Enforcement.

Venomous reptile possessors will be required to have a “bite or exposure protocol” consisting of emergency contact information, antivenin required for treatment and a plan of action to be taken in the event of a bite or exposure. All venomous reptiles be clearly identified in their enclosures with a card or sign stating “Danger-Venomous Reptile” and indicating the common and scientific name. This will alert public safety personnel to their presence when responding to an emergency situation.

Rule Summary

68A-6.0071 - Requires possessors of venomous reptiles and reptiles of concern to maintain records of births, deaths, acquisitions, sales and transfers. Establishes an Inventory Report form and time periods for its submission.

68A-6.0072 – Requires non-native venomous reptiles and reptiles of concern to be permanently marked or identified and any escapes to be reported to the Commission immediately upon discovery.



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68A-6.0071 requires record-keeping and reporting to the Commission of births, deaths, acquisitions, sales and transfers of venomous reptiles and reptiles of concern.

68A-6.0072 - In order to enhance the accountability of those who possess non-native venomous reptiles or reptiles of concern, staff recommends that these species be permanently identified. Live non-native venomous reptiles shall be permanently identified by photographs or PIT tags (microchips). Live reptiles of concern shall be identified by PIT tags in specimens which are two (2) inches or greater in diameter.

Persons authorized to possess any venomous reptile not indigenous to Florida or reptile of concern must report any escape of these specimens to the Commission immediately upon discovery.

Permanent identification requirements shall not take effect until July 1, 2008, for any live venomous reptiles not indigenous to Florida or any reptile of concern possessed prior to January 1, 2008.

Staff Recommendation

Staff recommends adopting the Rules as proposed.



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