

PROPOSED FINAL RULE  
Captive Wildlife Permit Requirements and Exceptions – 68A-6.003  
Agenda Item 6B  
December 15, 2021

**68A-6.003 Permit Requirements and Exceptions.**

(1) Except as otherwise provided in this Title, no person shall possess any native or non-native wildlife in captivity except as authorized by permit issued in accordance with Section 379.3761 or 379.3762, F.S., and as provided in this chapter.

(2) No permit shall be issued to any other entity for a facility of which the current permittee is an owner, officer, director, principal, employee, or agent or in which the current permittee holds any interest, when either:

(a) The Commission has notified the current permittee in writing that revocation or non-renewal proceedings have been or will be brought against the permit, until such time as final administrative action is rendered; or

(b) The current permittee has been arrested, charged, indicted, or has appealed the conviction of a crime which is a violation of any provision of chapters 379 or 828, F.S., or rules of the Commission, or other similar laws or rules in this or any jurisdiction that relate to the subject matter of the license, permit or authorization, until such time as final criminal disposition is rendered.

(3) Any person whose permit is revoked or non-renewed as provided for in subsection 68-1.010(2), F.A.C., shall be subject to the following provisions:

(a) Such person shall have ninety (90) days after the final administrative disposition to lawfully dispose of all captive wildlife previously authorized under the revoked or non-renewed permit . Except as provided in paragraph (3)(b), sale, if sale was previously authorized under the permit, or transfer of such wildlife shall be authorized within the lawful disposition period for the purposes of complying with this Rule.

(b) The facility and wildlife previously authorized under the revoked or non-renewed permit may not be sold or otherwise transferred to any facility within Florida of which the person is an owner, officer, director, principal, employee, or agent or in which the person holds any interest.

(c) Records of final disposition for all wildlife must be maintained for one (1) year and provided to the Commission within thirty (30) days after the ninety (90) day lawful disposition period. Such records shall include the following:

1. The common and scientific name of each species.

2. The number of individual animals of each species.

3. Documentation of final disposition.

4. If transferred or sold, the full name, address, and Florida captive wildlife license ID (if applicable) of the recipient.

5. The date of transfer, sale, or other disposition.

(d) The Commission shall have the authority to verify the final disposition of wildlife previously authorized under the revoked or non-renewed permit, including inspection by officers of the Commission, pursuant to Section 379.304, F.S.

(e) Such person may not continue to benefit from the facility or wildlife previously authorized under such permit after the ninety (90) day lawful disposition period.

(f) Such person shall not conduct exhibition or sale of any captive wildlife regulated under Chapter 68A-6 on the behalf of any other person or any other facility or permittee, including but not limited to as an employee, agent, or volunteer, whether paid or unpaid, for a period of three (3) years following final administrative action.

(4) Any employee authorized or permitted as qualified personnel on a corporation's license in accordance with Rule 68A-6.004(2)(e) or 68A-6.017(3)(a)4., F.A.C., whose authorization or permit is revoked or non-renewed as provided for in Rule 68-1.010(2), F.A.C., shall not continue to have involvement with the care, feeding, handling, or husbandry of any wildlife authorized or permitted under the corporation's license following final administrative action.

(5)(2) Persons possessing any captive wildlife for purposes of public display or sale shall obtain a permit as specified in Section 379.3761, F.S.

(6)(3) Class I wildlife shall not be possessed for personal use, except as follows:

(a) Any Class I wildlife possessed for personal use on August 1, 1980, shall be eligible for a permit in accordance with the provisions for Class II wildlife. Any Class II wildlife possessed as personal use wildlife in accordance with

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Captive Wildlife Permit Requirements and Exceptions – 68A-6.003  
Agenda Item 6B  
December 15, 2021

Section 379.3762, F.S., that is uplisted to Class I upon the effective date of Rule 68A-6.002, F.A.C., shall be eligible for a permit in accordance with the provisions of Class II wildlife. No other Class I wildlife shall be transferred or kept for personal use.

1. All Class I wildlife possessed for personal use in accordance with the provisions for Class II Wildlife, shall be permanently identified by means of tattoo, brand, passive integrated transponder (PIT tag), photographic identification, or other method that clearly and permanently identifies that particular specimen so as to be distinguished from other specimens of the same species.

a. For photographic identification the photograph of the specimen must include sufficient distinguishing characteristics (marks, scars, and patterns, etc.) to enable that particular specimen to be distinguished from other specimens of the same species.

b. Record of identification including PIT tag numbers where applicable, along with information about the specimen being identified (species, method of identification, specimen name or number, gender and age) must be maintained in the possessor's records for as long as the specimen is possessed. Such records shall be made available for inspection, upon request, of commission personnel. A copy of such record shall be provided to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, upon annual renewal of the license issued in accordance with Section 379.3761, F.S., and authorizing possession of such wildlife.

2. Effective Date: All permanent identification requirements in this rule shall not take effect until January 1, 2010.

(b) Persons possessing Class I wildlife for personal use shall comply with all provisions of this chapter relating to the personal use of wildlife.

~~(7)(4)~~ Persons possessing Class II wildlife as personal use wildlife shall purchase a permit as provided in Section 379.3762, F.S.

~~(8)(5)~~ Persons possessing Class III wildlife as personal use wildlife shall obtain a no-cost permit from the Executive Director.

~~(9)(6)~~ Any person engaging in the business of breeding or the purchase or sale of exotic birds or birds customarily kept as pets shall be licensed as provided in Section 379.3761, F.S.

~~(10)(7)~~ The provisions of this chapter shall not apply to entities operating solely as research facilities, which are registered and regulated as such in accordance with Animal Welfare Act (7 U.S.C. 2131, et. seq.) and regulations promulgated thereunder, provided the following requirements are met:

(a) Such facilities must maintain on premises a detailed research proposal which shall state with particularity the research objectives, methodology, and study duration, and outline planned safeguards to assure proper containment of the wildlife. Maintain an annual record of progress toward the research project objectives. Such research proposal and record of progress shall be available for inspection upon request of Commission personnel.

(b) Such facilities housing wildlife must maintain such wildlife in cages or enclosures which meet the structural requirements as specified in Rules 68A-6.010 and 68A-6.011, F.A.C.

~~(11)(8)~~ The provisions of this chapter shall not apply to persons possessing the following non-native wildlife species exclusively for the purpose of production of meat, skins or hides, feathers or progeny thereof, and not for personal possession or public display or exhibition:

- (a) Ostrich
- (b) Cassowary
- (c) Rhea
- (d) Emu
- (e) Bison

~~(12)(9)~~ No permit shall be required for the sale of poultry, hamsters, guinea pigs, domestic rats and mice, gerbils, or chameleons (Anolis).

~~(13)(10)~~ Fox, skunks, bats, raccoons, or whitetail deer taken from the wild shall not be possessed as personal use wildlife and shall be possessed only in accordance with permits issued under Rules 68A-9.002, 68A-9.006, F.A.C., or Section 379.3761, F.S.

PROPOSED FINAL RULE  
Captive Wildlife Permit Requirements and Exceptions – 68A-6.003  
Agenda Item 6B  
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~~(14)~~(14) No permit shall be required to possess the following wildlife for personal use, unless possession of a species is otherwise regulated by other rules of the Commission:

- (a) Reptiles or amphibians (nonvenomous, unprotected)
- (b) Gerbils, hedgehogs
- (c) Honey possums, sugar gliders
- (d) Rats and mice
- (e) Moles; shrews
- (f) Rabbits
- (g) Squirrels; chipmunks
- (h) Ferrets (domestic; European)
- (i) Guinea pigs
- (j) Hamsters
- (k) Prairie dogs
- (l) Chinchillas
- (m) Shell parakeets
- (n) Canaries
- (o) Lovebirds
- (p) Cockatiels
- (q) Parrots
- (r) Finches
- (s) Myna birds
- (t) Toucans
- (u) Doves; ringed, ruddy, and diamond
- (v) Button quail

(15) A violation of the provisions of this Rule shall constitute a violation of Section 379.4015, F.S.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3761, 379.3762 FS. History—  
New 8-1-79, Amended 6-21-82, Formerly 39-6.03, Amended 6-1-86, 7-1-90, 7-1-92, 2-1-98, Formerly 39-6.003, Amended 1-1-08,  
1-8-08, 8-27-09, 11-8-10, 12-6-10, 9-30-19.*