

### 68A-6.001 Captive Wildlife Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to the possession of wildlife in captivity, in accordance with Chapter 68A-6, F.A.C. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

(1) Basic first aid - medical attention administered immediately after the injury occurs and at the facility or location where it occurred, consisting of a one-time, short-term treatment, and requiring little technology or training to administer. Examples include, but are not limited to, bandaging and cleaning of minor cuts and scrapes.

~~(2)~~(4) Conviction/convicted – any judicial disposition other than acquittal or dismissal.

~~(3)~~(2) Elevated platform or perching area – surface or structure, either natural or manmade, positioned above the floor, or above the grade level of the cage or enclosure, that will provide a resting area for the animal(s).

~~(4)~~(3) Employee – any person working for ~~under~~ a permit or license holder or at a licensed or permitted facility, whether paid or unpaid.

~~(5)~~(4) Escape-proof – all potential escape routes, to include but not limited to windows, vents, gaps, cracks and doors, are secured in a manner to prevent escape.

~~(6)~~(5) Free-handling – the act of physical contact with venomous reptiles without the use of hooks, tongs, tools, specialized gloves, or other standard handling equipment.

~~(7)~~(6) Gnawing and chewing items – natural or artificial materials that provide for the health of teeth, so as to, keep teeth sharp, wear down enamel and promote general oral hygiene. Gnawing items include, but are not limited to, logs and trees. Chewing items include, but are not limited to, woody stems, knuckle bones, and rawhide objects; suitability dependent upon species.

~~(8)~~(7) Handling – the act of physical contact with venomous reptiles with the use of hooks, tongs, tools, specialized gloves, or other standard handling equipment.

~~(9)~~(8) Lock/locked – a device operated by a key, combination, key card or other locking mechanism approved by the Commission to prevent unauthorized intrusion and make the primary enclosure, secondary containment or building(s) inaccessible to unauthorized personnel.

~~(10)~~(9) Native – a species, subspecies or isolated populations of species or subspecies that occur naturally in Florida or that has been reintroduced into its historic range, rather than occurring in Florida as a result of accidental or deliberate introduction by humans.

~~(11)~~(40) Open air habitats or moated areas – areas enclosed by Commission-approved fences, walls, or moats which provide safe keeping of species specified in this chapter.

~~(12)~~(44) Original floor area – the total square footage required for the initial number of animals specified. For example, this is calculated by finding the new total area required for 4 squirrel monkeys when the original floor area equals 20' for 1 or 2 animals (4' x 5' x 5' high). For each additional animal, there is an increase in cage or enclosure size by 25 percent of original floor area. For two additional monkeys: 25% x 20' x 2 animals = 10'; add 10' to 20' = 30 total square feet of floor area required for 4 monkeys. New cages or enclosures can be 6' x 5' x 5' high, or any width/length dimension that equals or exceeds the increased cage or enclosure space.

~~(13)~~(42) Paddocks – areas enclosed by fencing, railing or other Commission-approved structures which allow animals to graze or browse.

~~(14)~~(43) Primary enclosure – any structure or device used to directly confine wildlife to a limited amount of space including, but not limited to, cages, pits, paddocks, moated areas and other enclosures.

~~(15)~~(44) Reptile enclosures – areas encompassed by smooth walls or other Commission-approved materials which provide safe keeping of venomous and non-venomous snakes, crocodylians and other reptiles.

~~(16)~~(45) Sale/sell – the transfer of property or other things to a buyer for an agreed price. The term shall include all lesser acts related thereto, such as attempting to sell, offering to sell, to barter, exchange, trade, or auction.

~~(17)~~(46) Secondary containment – a secondary means of containing wildlife which surrounds or encompasses the primary cage or enclosure and is designed to contain wildlife that has escaped the primary cage or enclosure including, but not limited to, rooms, outbuildings or perimeter fences.

(18) Serious bodily injury – injury to any person which consists of a physical condition that causes death, creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

~~(19)~~(47) Shelter, nest box or den – a structure that protects captive wildlife from the elements (weather conditions).

Such structures may vary in size depending on the security and biological needs of the species. They are particularly described as follows:

(a) Shelter – A structure which shall provide protection from the elements and from extremes in temperature that are detrimental to the health and welfare of the animal. When vegetation and landscaping is available to serve as protection from the elements, access to a shelter shall also be provided during inclement weather conditions. Such shelter shall be attached to or adjacent to the paddock, habitat, or enclosure.

(b) Nest box or den – An enclosed shelter that provides a retreat area within, attached to, or adjacent to a cage or enclosure of specified size, which shall provide protection from the elements and from extremes in temperature that are detrimental to the health and welfare of the animal.

(20)(48) Supervision – Regulating and monitoring a process, activity or task.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.303, 379.304, 379.305, 379.372, 379.373, 379.374, 379.3761, 379.3762 FS. History–New 12-31-16, Amended 9-30-19.*

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