

68A-9.006 Wildlife Rehabilitation Permit.

(1) No person shall possess any sick, injured, orphaned, or otherwise impaired wildlife for rehabilitation purposes without a permit from the executive director in accordance with this rule section.

(2) A federal permit authorizing rehabilitation of migratory birds, approved by the director of the United States Fish and Wildlife Service, is required if possessing migratory birds for rehabilitation purposes.

(3) Application requirements:

(a) An applicant shall make written application to the Commission by completing the Joint State/Federal Special Purpose Permit Application for Wildlife and Migratory Bird Rehabilitation application form, FWCDLE 617, (dated 07/31/09 and incorporated herein by reference). Such application form shall be available at the Florida Fish and Wildlife Conservation Commission's Tallahassee and regional offices, or at http://www.myfwc.com/RULESAND REGS/Rules_Captive_index.htm. An applicant must be 18 years of age, or older.

(b) An applicant shall include in the permit application the name, address and telephone number of a veterinarian, who will assist the applicant by providing consulting and referral services regarding rehabilitation and treatment.

(c) After December 31, 1994, any person not permitted as a wildlife rehabilitator in the State of Florida shall obtain a wildlife rehabilitator's permit to perform wildlife rehabilitation services and shall qualify for a permit by one of the following methods:

1. Experience requirement: Applicants shall have no less than one (1) year of experience (consisting of no less than 1000 hours) in the care of sick, injured, orphaned, or otherwise impaired wildlife. Applicants shall submit written documentation of such experience, including a description of the specific experience acquired, and the dates and location where acquired. In addition, the application shall submit references from no less than two individuals, one of whom shall be a permitted rehabilitator, who shall state, based upon personal knowledge, that the applicant possesses the stated experience. Additional documentation may consist of records of prior permits for rehabilitation issued by other states or the United States Fish and Wildlife Service, employment records of wildlife rehabilitative facilities, or other competent documentation of experience.

2. Written examination: If the applicant is unable to document the requisite experience, the applicant may substitute for said experience by successful completion of a written examination administered by the Division of Law Enforcement. Upon receipt of an application, the Commission will notify the applicant of the time and place of the next scheduled rehabilitation examination. Applicants scoring at least 80 percent on the examination shall be approved for a permit, subject to a satisfactory inspection of the permittee's rehabilitation facility.

(d) An applicant for a permit shall provide satisfactory caging and other facilities to humanely house and treat wildlife within thirty (30) days of notification of approval of the application, unless otherwise specified in the Commission facility inspection report issued pursuant to subsection (3).

(e) A rehabilitation permit is not required for care or treatment of exotic or non-native wildlife, provided that persons possessing Class I, Class II or Class III exotic wildlife are licensed according to Rule 68A-6.002, F.A.C.; and persons possessing venomous reptiles or reptiles of concern are licensed in accordance with Rule 68A-6.007, F.A.C. Sick or injured exotic or non-native wildlife shall not be commingled in the same cage or enclosure with sick, injured or otherwise impaired native wildlife.

(f) Exotic or non-native wildlife or domestic animals may be used for fostering orphaned native wildlife.

(g) In addition to the above requirements, applications shall be subject to general application requirements and standards of Rule 68-1.010, F.A.C.

(4) The inspection requirements for wildlife rehabilitation facilities are as follows:

(a) Commission personnel shall inspect and approve an applicant's facility for keeping sick and injured wildlife and shall submit a written report to the inspections coordinator prior to the issuance of a rehabilitation permit. In the event an inspection report reveals that the facility is inadequate to properly care for wildlife, the applicant shall have 30 days from notification to correct these deficiencies. The applicant may then request a reinspection for approval of the facility after the 30-day period.

(b) Commission personnel may enter and inspect a permittee's rehabilitation facility to determine whether or not the permittee is in compliance with applicable laws and regulations. Complete, accurate written records shall be kept by the permittee and shall be made available for examination by Commission personnel.

(c) If an inspection of a rehabilitation facility reveals a violation of Commission regulations governing wildlife, the Commission shall require compliance as to pen specification and caging requirements in accordance with Rule 68A-6, F.A.C. If such violations pose an immediate threat to the proper recovery or health of the wildlife, at the direction of the Commission, the wildlife shall be removed and relocated to an approved facility or released.

(5) Standards for Wildlife Rehabilitation.

(a) Care, disposition, dispersal, or release of wildlife, their carcasses, parts, products or progeny shall be as follows:

1. Wildlife possessed for rehabilitation purposes may be held no longer than 180 days before it must be released, transferred or euthanized. Wildlife shall be rehabilitated in such a manner as to be able and ready to survive release into the wild. Species of native wildlife that fully recover shall be released into the wild, except American alligators and American crocodiles. Fully recovered individual animals of these species must be placed into a properly licensed exhibition, educational, or breeding facility as directed by commission personnel. The release of native wildlife shall occur at or near the point of capture, or onto habitat where such wildlife naturally occur, and which will biologically support the species.

2. Wildlife may be retained for rehabilitation purposes longer than the 180-day period in instances where a licensed veterinarian has certified that a longer holding period is necessary in the interest of the health and welfare of the wildlife. Medical records concerning all wildlife for which an extension of the 180-day period is obtained shall be maintained at the facility and made available for inspection, upon request, by Commission personnel.

3. Wildlife undergoing rehabilitation or medical treatment shall not be exhibited. Permittees may keep wildlife with permanent physical impairments for educational display under permit in accordance with Section 379.3761, F.S., and Chapter 68A-6, F.A.C.

4. When wildlife has been diagnosed as “psychologically impaired or imprinted” by an independent rehabilitator and a veterinarian it shall not be considered non-releasable unless such finding is approved by the Commission.

5. When wildlife has been diagnosed as “physically impaired” it shall be evaluated by an independent rehabilitator or veterinarian and an authorized Commission representative before it is considered to be non-releasable due to its physical impairment.

6. Permittees shall place non-releasable wildlife in a properly licensed exhibition, educational, or breeding facility.

7. Wildlife may be transferred or relocated to other licensed rehabilitation facilities at the discretion of the Commission to facilitate alternative treatments and optimum care.

8. When euthanasia of wildlife is necessary, euthanasia shall be humane.

(b) All permanently impaired wildlife kept by the permittee shall be maintained in enclosures that meet or exceed the minimum pen specifications of Rule 68A-6.004, F.A.C., except as otherwise authorized by the Commission. Permittees shall not transfer wildlife to unauthorized individuals without first obtaining prior approval from the Commission.

(c) Unless otherwise authorized by subsection (4) or the permit, Commission approval must be obtained prior to the disposition or dispersal of wildlife, their carcasses, parts, products or progeny thereof, possessed under the provision of this permit.

(d) Birds and other animals that die while in the custody of the permittee shall be completely destroyed or, subject to the approval of the Commission, be offered to a museum, university or other educational facility.

(e) All permittees shall keep a daily log on each animal entering the facility for treatment. The log shall include a record of the animal’s treatment, condition, and disposition. Such records shall be subject to inspection by Commission personnel. Permittees shall submit reports of such records to the Commission upon request.

(f) Wildlife shall be cared for at the facility listed in the wildlife rehabilitator permit, except under the following circumstances:

1. The volume of wildlife needing care is beyond the capacity of the permittee’s facilities; or

2. When continuous care of wildlife is required; or

3. Insufficient space is available for volunteers to work with the number of wildlife requiring treatment; or

4. When a raptor has been temporarily given to a General or Master Falconer in order to condition the raptor in preparation for its release to the wild.

Under these conditions, volunteer workers may care for specimens off-premise on a temporary basis. Each permittee is authorized to have up to ten (10) volunteers to aid in the off-premise rehabilitation of wildlife. A current listing of the name and address of off-premise volunteers shall be kept by the permittee. Upon submission of biannual permit renewal information to the Commission, permittees shall submit a listing of all off-premise volunteers who have assisted the facility during the permit period. Volunteers keeping migratory birds off-premise shall record their daily work time in a log book on a daily basis. Those volunteers who care for native mammals only are not required to record daily work time. All volunteers are responsible for maintaining a log of the animals cared for off-premise, to include a record of treatment, condition, and disposition. Volunteers shall possess a copy of the rehabilitation permit when temporarily possessing wildlife off-premise. The permittee shall be fully responsible for the volunteer’s treatment and possession of the wildlife.

(g) Permittees may Transfer Raptors to a General or Master Falconer.

1. A permittee may temporarily transfer raptors to an individual who holds a valid General or Master Falconry permit for the falconer to assist in conditioning the raptors for release to the wild. For falconers assisting the permittee:

a. The permittee must provide the falconer with a letter or form that identifies the bird and explains that the falconer is assisting in its rehabilitation.

b. The falconer does not need to meet the rehabilitator facility standards. The falconer must meet the facility standards of a falconer.

c. The falconer does not have to add the raptor possessed for rehabilitation purposes to his or her falconry permit; it will remain under the permit of the rehabilitator.

d. Upon coordination with the permittee, the falconer must release all releaseable raptors to the wild or return them to the permittee for release within the 180-day timeframe in which the permittee is authorized to possess the birds, unless the Commission authorizes the falconer to retain and condition a bird for longer than 180 days, or unless the permittee transfers the bird to the falconer to hold under his/her falconry permit.

2. Permittees may transfer raptors to a General or Master Falconer in order to add the raptor to the falconer's permit.

a. The falconer may acquire a raptor of any age of a species that he/she is permitted to possess directly from a rehabilitator. Transfer to the falconer is at the discretion of the rehabilitator.

b. The transfer would be required to be reported pursuant to paragraph 68A-9.005(13)(a), F.A.C.

c. If the falconer acquires a bird from a rehabilitator, it will count as one of the raptors the falconer is authorized to take from the wild that year.

(h) All wildlife shall be kept in accordance with general requirements governing captive wildlife, pens and caging set forth in Rules 68A-6.004, 68A-6.0041, 68A-6.0023 and 68A-9.005, F.A.C.

(i) Wildlife shall be maintained in humane conditions and within compatible groups, provided with appropriate food, and kept in sanitary manner to provide optimum conditions for recovery. Cages or enclosures housing wildlife shall be constructed so as to prevent escape and protect the caged animal from injury. Such cages or enclosures shall be free of sharp edges, projections, or objects detrimental to the animal(s) safety, or, objects that impede the movement of the animal(s).

(j) Permittees shall not refuse to accept wildlife in need of care, except when:

1. The permittee does not have appropriate space or facilities; or

2. The permittee lacks experience or expertise with the species of wildlife so as to present a danger to the wildlife, the permittee or the public. However, the permittee shall provide referrals to the nearest rehabilitator where appropriate care may be provided.

(k) Permittees receiving any species classified as state endangered shall notify the Tallahassee office of the Commission's Division of Law Enforcement within seventy-two (72) hours of the receipt of the wildlife.

(l) Permittees or their volunteers shall not require a fee associated with wildlife rehabilitation services, nor shall permittees or their volunteers require fees for rehabilitation services, including the pick-up, delivery, or acceptance, of sick, injured, orphaned or otherwise impaired wildlife. This limitation shall not apply to professional fees charged by a licensed veterinarian.

(m) Permittees or their volunteers shall not represent themselves as agents of the Commission. Permittees or their volunteers shall not enter upon the property of another for the purpose of taking possession of wildlife unless authorized by the owner, lessee, or custodian of the property.

(n) A permit is valid when issued and expires December 31, of the second calendar year after issuance, unless otherwise specified for migratory birds by the United States Fish and Wildlife Service.

(6) Under certain emergency conditions, such as oil spills, hurricanes, floods, and other natural or manmade disasters, the Commission may impose additional restrictions or provide for permit exemptions as may be necessary to safeguard affected wildlife such as, but not limited to, the coordination and direction of rehabilitation permittees and their facilities, the assignment of zones for implementing rehabilitative services, and the authorization of additional volunteers to aid in the capture and treatment of wildlife.

(7) The permit may be subject to revocation, suspension, or non-renewal in accordance with Rule 68-1.010, F.A.C.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-6-94, Formerly 39-9.006, Amended 8-27-09, 3-24-13, 3-24-13, 7-1-13.