



ADMINISTRATIVE RULES OF MONTANA



12.6.2220 PROHIBITED SPECIES PERMITS

- (1) The department may issue a permit for possession of a prohibited species only to the following:
 - (a) a zoo or aquarium which is an accredited institutional member of the American Association of Zoological Parks and Aquariums;
 - (b) a roadside menagerie or zoo licensed by the department;
 - (c) a business that displays, exhibits, or uses the species for exhibition or commercial photography or television and has a USDA Class C Exhibitor's license if the species:
 - (i) is accompanied by evidence of lawful possession;
 - (ii) is not in this state for more than 90 days or a time period authorized by the department;
 - (iii) is maintained under complete control and prohibited from coming into contact with members of the general public unless authorized for such contact by the department. If the person is displaying, exhibiting, or using animals for commercial purposes other than food or fiber, he/she must possess the appropriate license issued by the United States Department of Agriculture; and
 - (iv) is accompanied by an official certificate of veterinary inspection as defined in ARM 32.3.206 "Official Health Certificate" and an entry permit number issued by the Montana Department of Livestock within ten days of entry into Montana;
 - (d) a college, university, or government agency, for scientific or public health research;
 - (e) any other scientific institution, as determined by the department, for research or medical necessity;
 - (f) a tax-exempt nonprofit organization licensed by the United States Department of Agriculture that exhibits wildlife solely for educational or scientific purposes;
 - (g) a person who, due to a medical necessity, has assistance requirements that may be provided by the prohibited species and that requirement is certified by a physician licensed in the state of Montana; or
 - (h) a rescue facility for exotic wildlife with either national or state agency affiliation engaged in temporary housing of exotic wildlife for the purpose of rescue for relocation.
- (2) An interstate shipment of a prohibited species may be transported through this state, without a permit or license issued by the department, if:

- (a) the shipper or transporter has evidence of lawful possession of the species issued by the state or country where the species originated;
 - (b) mammals, birds, reptiles, and amphibians are accompanied by a certificate of veterinary inspection issued by an accredited veterinarian in the state or country where the species originated that indicates the destination and origin of the species being transported;
 - (c) fish are accompanied by a health certificate issued in the state or country where the species originated that indicates the destination and origin of the species being transported; and
 - (d) the species is not unloaded or otherwise released while being transported through this state.
- (3) The department may amend, suspend, or cancel a permit if necessary to protect native wildlife, livestock, public health, public safety, or the environment.

Authorizing statute(s): 87-5-704, 87-5-705, 87-5-712, MCA

Implementing statute(s): 87-5-705, 87-5-707, 87-5-709, 87-5-711, 87-5-712, MCA

History: NEW, 2005 MAR p. 814, Eff. 5/27/05; AMD, 2006 MAR p. 2823, Eff. 11/10/06; AMD, 2008 MAR p. 2179, Eff. 10/10/08.