



ADMINISTRATIVE RULES OF MONTANA



12.6.1135 RAPTORS USED FOR EDUCATION

- (1) A general or master falconer may use a bird in conservation education programs presented in public venues.
 - (a) A federal education permit is not needed to conduct conservation education activities using a falconry raptor.
 - (b) An apprentice falconer may present conservation programs under the supervision of a general or master falconer.
 - (c) The bird must be used primarily for falconry.
 - (d) A fee may be charged for the presentation of a conservation education program. The fee may not exceed the amount required to recoup the costs of the presentation.
 - (e) Conservation education programs must provide information about the biology, ecological roles, and conservation needs of raptors and other migratory birds, although not all of these topics must be addressed in every presentation. Falconry birds may not be used for presentations that do not address falconry and conservation education.
 - (f) The permittee is responsible for all liability associated with conservation education activities.
- (2) Photography, filming, or other such uses of falconry raptors to make movies or other sources of information on the practice of falconry or on the biology, ecological roles, and conservation needs of raptors and other migratory birds, is allowable. The permittee may not be paid for these activities.
 - (a) Falconry raptors may not be used to make movies, commercials, or in other commercial ventures that are not related to falconry.
 - (b) Falconry raptors may not be used for entertainment; for advertisements; promotion or endorsement of any products, merchandise, goods or services; as a representation of any business, company, corporation, or other organization; or for promotion or endorsement of any products, merchandise, goods, services, meetings, or fairs, except for products related directly to falconry, such as hoods, telemetry equipment, giant hoods, perches, and materials for raptor facilities.
- (3) A general or master falconer may assist a permitted migratory bird rehabilitator to condition raptors in preparation for release to the wild. A rehabilitating bird may be kept at the falconer's facilities.
 - (a) The rehabilitator must provide a letter or form that identifies the bird and explains that the falconer is assisting in the raptor's rehabilitation.

- (b) The falconer's facilities do not need to meet the standards and are not subject to inspection for compliance of the standards of a rehabilitator facility.
 - (c) A raptor possessed for the purpose of rehabilitation does not need to be added to the falconry permit. It will remain under the permit of the rehabilitator.
 - (d) If a raptor cannot be permanently released to the wild, it must be returned to the rehabilitator within 180 days unless the department authorizes an extension or the raptor is transferred to another permit.
 - (e) All raptors able to be released into wild must be released or returned to the rehabilitator for release.
- (4) A master falconer may conduct abatement activities with a bird or birds possessed for falconry, with a special purpose abatement permit. With a special purpose abatement permit, payment may be received for providing abatement services. A general falconer may conduct abatement activities only as a subpermittee of the holder of the abatement permit.

Authorizing statute(s): 87-5-204, MCA

Implementing statute(s): 87-5-204, MCA

History: NEW, 2009 MAR p. 1470, Eff. 8/28/09.