



ADMINISTRATIVE RULES OF MONTANA



12.6.1124 MARKING

- (1) If a goshawk (*Accipiter gentiles*), Harris's hawk (*Parabuteo unicinctus*), peregrine falcon (*Falco peregrinus*), or gyrfalcon (*Falco rusticolus*) is taken from the wild, acquired from a rehabilitator, or from another falconer, the raptor must be banded with a permanent, nonreusable, numbered service leg band provided by the department. An International Organization for Standardization (ISO) compliant (134.2 kHz) microchip may be purchased and implanted in the bird in addition to a band. Contact the department for information on obtaining and disposing of bands. Within ten days from the day on which the raptor is taken from the wild, it must be reported, including band number and/or microchip information, by submitting a paper form 3-186A to the department or by submitting the information electronically as authorized by the department. An appropriate band may be requested from the department in advance of any effort to capture a raptor.
- (2) A raptor bred in captivity must be banded with a seamless metal band, in accordance with 50 C.F.R. 21.30. It also may have an implanted ISO-compliant (134.2 kHz) microchip. If a seamless band is removed or lost, a request for a replacement service nonreusable band must be requested from the department and the required information must be reported immediately upon rebanding or microchipping the raptor by submitting a paper form 3-186A to the department or by submitting the information electronically as authorized by the department. A band that is removed or lost, must be replaced or an ISO-compliant (134.2 kHz) microchip must be implanted in the bird and the microchip information reported by submitting a paper form 3-186A to the department or by submitting the information electronically as authorized.
- (3) If the band must be removed or is lost from a raptor, the loss of the band must be reported within five days, and then the permittee must do at least one of the following:
 - (a) request a service nonreusable band from the department and submit the required information immediately upon rebanding the raptor by submitting a paper form 3-186A to the department or by submitting the information electronically as authorized by the department; or
 - (b) purchase and implant an ISO-compliant (134.2 kHz) microchip in the bird and report the microchip information by submitting a 3-186A form to the department or by submitting the information electronically as authorized by the department.
- (4) A band must not be altered, defaced, or counterfeit. The rear tab of a band on a raptor taken from the wild may be removed and an imperfect surface may be smoothed if the integrity of the band or the numbering is not affected.
- (5) The department may provide an exemption if health or injury problems caused by the band are documented. A copy of the exemption paperwork must be kept by the permittee when transporting or flying the raptor. If the bird is a wild goshawk, Harris's hawk, peregrine falcon, or

gyrfalcon, the band must be replaced with an ISO-compliant microchip that the service will supply to the department. The service will not provide a microchip for a wild goshawk, Harris's hawk, peregrine falcon, or gyrfalcon unless it has been demonstrated that a band causes an injury or a health problem for the bird.

- (6) A raptor removed from the wild may not be banded with a seamless numbered band.
- (7) Copies of all electronic database submissions documenting take, transfer, loss, rebanding, or microchipping of each falconry raptor must be kept until five years after the bird has been transferred, lost, or died.

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

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

History: NEW, 1992 MAR p. 2381, Eff. 10/30/92; AMD, 2009 MAR p. 1470, Eff. 8/28/09.