



ADMINISTRATIVE RULES OF MONTANA



12.6.2210 CONTROLLED SPECIES PERMITS

- (1) A permit is required for all controlled species except those identified in ARM 12.6.2208(2)(b) and (c).
 - (a) The department shall assess a fee of \$25 to obtain or renew a permit to possess a controlled species. The permit must be renewed annually. Renewal is contingent upon submission of the annual fee plus submission of any required reporting of current inventory and any changes to inventory during the preceding year; and
 - (b) the department shall assess a fee of \$100 to obtain or renew a permit to sell, breed, or exchange a controlled species. The permit must be renewed annually. Renewal is contingent upon submission of the annual fee plus submission of any required annual reporting of current inventory and any changes to the inventory during the preceding year.
- (2) A controlled species permit must require the permittee:
 - (a) to provide annual reports on forms provided by the department, unless the department has given written authorization for a different format concerning births, deaths, sales, and purchases of any controlled species;
 - (b) to provide a viable bio-security plan to control the spread of disease and an emergency response plan to protect emergency personnel and the species involved;
 - (c) to report the escape of any controlled species to the department within 24 hours of the escape and accept responsibility and liability for recapture costs;
 - (d) to report any injuries to humans inflicted by the controlled species to local public health officials within 24 hours of infliction of the injury;
 - (e) to report injuries inflicted by the exotic species on domestic animals to the Department of Livestock within 24 hours of infliction of the injury; and
 - (f) to report injuries inflicted by the exotic species on Montana wildlife to the department within 24 hours of infliction of the injury.
- (3) The department may require additional conditions on a permit to protect Montana's native wildlife and plant species, livestock, horticultural, forestry, agricultural production, and human health and safety. Permit conditions may include, but are not limited to, individual identification of animals. A person must comply with all permit conditions in order to receive or retain a permit. The department may suspend or cancel a permit if the permittee violates or fails to comply with a permit condition or is convicted of violating a federal or state law, or county or city ordinance associated with possession of the exotic wildlife species.

- (4) The department may amend, suspend, or cancel a permit if necessary to protect native wildlife, livestock, public health, public safety, or the environment.
- (5) The department shall document compliance with conditions, either through inspection by representatives of the department or through affidavit by the permittee prior to possession of the exotic wildlife species in Montana.
- (6) A person that displays, exhibits, or uses a controlled species for exhibition or commercial photography or television may import the species into Montana without a controlled species permit if the animal:
 - (a) is accompanied by evidence of lawful possession;
 - (b) is not in this state for more than 90 days or a time period authorized by the department;
 - (c) 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
 - (d) 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.
- (7) An interstate shipment of a controlled 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.

Authorizing statute(s): 87-5-702, 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, 2007 MAR p. 1187, Eff. 8/24/07; AMD, 2010 MAR p. 2812, Eff. 12/10/10.