



ADMINISTRATIVE RULES OF MONTANA



12.6.1103 FALCONRY PERMIT CLASSES

The department issues three classes of permits.

- (1) An apprentice permittee:
 - (a) must be at least 12 years old;
 - (b) if under 18 years of age, a parent or legal guardian, who is legally responsible for falconry activities, must sign the application;
 - (c) must have a sponsor who holds a general or master falconry permit for the first two years in which an apprentice permit is held, regardless of age of permittee. A sponsor may not have more than three apprentices at any one time;
 - (d) may possess only one raptor as described in 50 C.F.R. 21.29 (c)(3)(i)(E) and may not take more than two raptors from the wild during any calendar year;
 - (e) does not need to capture a wild raptor; a wild raptor can be transferred to the permittee by another falconry permittee. If the apprentice permittee takes a raptor from the wild, it must be less than one year of age;
 - (f) may not possess a raptor taken from the wild as a nestling;
 - (g) may not possess a bird that is imprinted on humans; and
 - (h) must have the raptor facilities pass inspection before a permit may be granted.
- (2) A general class permittee:
 - (a) must be at least 16 years old;
 - (b) if under 18 years of age, a parent or legal guardian, who is legally responsible for falconry activities, must sign the application;
 - (c) must submit documentation from a sponsor to the department stating that the permittee has practiced falconry at the apprentice falconer level or equivalent for at least two years, including maintaining, training, flying, and hunting raptors for at least four months in each year. That practice may include capture and release of falconry raptors.
 - (d) must possess and train or hunt with a raptor for portions of at least two seasons in the practice of falconry at the apprentice level and must be recommended by the sponsor;
 - (e) may possess up to three raptors and shall not take more than two raptors from the wild during any calendar year;

- (f) may take and possess any species of Falconiform or Strigiform except a golden eagle, a bald eagle, a white-tailed eagle, or a Steller's sea-eagle; and
 - (g) may use captive-bred raptors and hybrids of the species permitted to possess.
- (3) A master class permittee:
- (a) must have at least five years of experience in the practice of falconry at the general class level;
 - (b) may possess any number of captive-bred birds or hybrids of species considered native to North America provided they are used for the sport of falconry;
 - (c) shall not possess more than five wild raptors and may not take more than two raptors from the wild during any calendar year;
 - (d) may not take from the wild any species listed as endangered in 50 C.F.R. 17.11, but may transport, or possess such species in accordance with said regulations;
 - (e) may take and possess any species of Falconiform or Strigiform except a bald eagle;
 - (f) may take and possess a golden eagle, a white-tailed eagle, or a Steller's sea eagle only if meeting the qualifications set forth under (3)(h)(i);
 - (g) shall not take from the wild in any calendar year, as a part of the five-bird limitation, more than one raptor listed as threatened in 50 C.F.R. 17.11, and then only in accordance with those regulations; and
 - (h) may possess up to three eagles of the following species: golden eagle, white-tailed eagle, or Steller's sea eagle. The department must document the following before approving a request to possess an eagle to use in falconry:
 - (i) experience in handling large raptors, including information about species handled and the type and duration of the activity where the experience was gained; and
 - (ii) at least two letters of reference from people with experience handling and/or flying large raptors such as eagles, ferruginous hawks (*Buteo regalis*), goshawks (*Accipiter gentilis*), or great horned owls (*Bubo virginianus*). Each must contain a concise history of the author's experience with large raptors, which can include, but is not limited to, handling of raptors held by zoos, rehabilitating large raptors, or scientific studies involving large raptors. Each letter must also assess the applicant's ability to care for eagles and fly them in falconry.

Authorizing statute(s): 87-1-201, 87-5-204, MCA

Implementing statute(s): 87-5-204, 87-5-205, 87-5-206, MCA

History: Eff. 12/31/72; AMD, Eff. 5/1/77; AMD, 1992 MAR p. 2381, Eff. 10/30/92; AMD, 2009 MAR p. 1470, Eff. 8/28/09.