

R12-4-401. Live Wildlife Definitions

In addition to definitions given in A.R.S. § 17-101, and for the purposes of this Article, the following definitions apply:

1. "Agent" means an individual that assists a special license holder in performing activities that are authorized by the special license to achieve the objectives for which the license was issued.
2. "Aquarium trade" means the commercial industry that lawfully trades in aquatic live wildlife and its customers.
3. "Captive live wildlife" means live wildlife that is held in captivity, physically restrained, confined, impaired, or deterred to prevent it from escaping to the wild or moving freely in the wild.
4. "Cervid" means a mammal classified as a Cervidae or member of the deer family found anywhere in the world, as defined in the taxonomic classification from Volumes I and II of Walker's Mammals of the World, Sixth Edition, 1999, and not including any later edition. A copy is available for inspection at any Department office and from the Johns Hopkins University Press, 2715 North Charles Street, Baltimore MD, 21218-4363.
5. "Circus" means a scheduled event where a variety of entertainment is the principal business, primary purpose, and attraction. "Circus" does not include animal displays or exhibits held as an attraction for a secondary commercial endeavor.
6. "Collect" means to take wildlife alive under the provisions of a scientific collecting permit.
7. "Commercial" means the buying or selling of wildlife or their parts, or the exchange of anything of monetary value for the use of wildlife.
8. "Domestic" means an animal species that does not exist in the wild, and includes animal species that have only become feral after they were released by humans that held them in captivity, or are individuals or populations that escaped from human captivity.
9. "Educational display" means a display of captive live wildlife to increase public understanding of wildlife biology, conservation, and management without requiring or soliciting payment from an audience or an event sponsor. For the purposes of this Article, "to display for educational purposes" refers to display as part of an educational display.
10. "Endangered or threatened" means wildlife that is listed in 50 CFR 17.11, revised as of August 4, 2004 not including any later amendments or editions, which is incorporated by reference. A copy of the list is available for inspection at any Department office, or it may be ordered from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.
11. "Evidence of lawful possession" means any license or permit that allows possession of a specific live wildlife species or individual, or other documentation that establishes lawful possession. Other forms of documentation may include but are not limited to: a statement of nonrequirement for a license or permit for specific live wildlife species, or individual granted by the country or state of origin.
12. "Exhibit" means to display captive live wildlife in public, or to allow photography of captive live wildlife, for any commercial purpose.
13. "Exotic" means wildlife or offspring of wildlife that is not native to North America.
14. "Fish farm" means a commercial operation designed and operated for propagating, rearing, or selling aquatic wildlife for any purpose.
15. "Game farm" means a commercial operation that is designed and operated for the purpose of propagating, rearing, or selling terrestrial wildlife or the parts of terrestrial wildlife for any purpose stated in R12-4-413.
16. "Hybrid wildlife" means an offspring from two different wildlife species or genera. Offspring from a wildlife species and a domestic animal species are not considered to be wildlife.
17. "Live baitfish" means any species of live freshwater fish designated by Commission order as lawful for use in taking aquatic wildlife under R12-4-313.
18. "Live bait" means aquatic live wildlife used or intended for use in taking aquatic wildlife.
19. "Native" means wildlife or offspring of wildlife that occurred naturally within the present boundaries of Arizona before European settlement.
20. "Nonnative" means wildlife or its offspring that did not occur naturally within the present boundaries of Arizona before European settlement.
21. "Photography" means any process that captures light to produce an exact image of wildlife or parts of wildlife on another medium.
22. "Propagate" means the production of offspring that qualify as wildlife from captive live wildlife parents.
23. "Rehabilitated wildlife" means live wildlife that is injured, orphaned, sick, or otherwise debilitated and is provided care to restore it to a healthy condition suitable for release to the wild or for lawful captive use.
24. "Restricted live wildlife" means wildlife that cannot be imported, exported, or possessed without a special license or lawful exemption. Restricted live wildlife are listed in R12-4-406.
25. "Shooting preserve" means any operation where live wildlife is released for the purpose of hunting.
26. "Special license" means any permit or license issued under this Article, including any additional stipulations placed on the license that authorizes specific activities normally prohibited by A.R.S. § 17-306 and R12-4-402.
27. "Stock" and "stocking" mean to release live aquatic wildlife into public or private waters other than the waters where taken.

28. "Wildlife of special concern" means any species listed in "Wildlife of Special Concern," published by the Arizona Game and Fish Department. A copy is available for inspection at any Department office.
29. "Zoonotic" means a disease that can be transmitted to humans from other animals.

Historical Note

Adopted effective April 28, 1989 (Supp. 89-2). Amended effective January 1, 1995; filed in the Office of the Secretary of State December 9, 1994 (Supp. 94-4). Amended by final rulemaking at 9 A.A.R. 3186, effective August 30, 2003 (Supp. 03-3). Amended by final rulemaking at 12 A.A.R. 980, effective May 6, 2006 (Supp. 06-1).