

R12-4-423. Wildlife Rehabilitation License

A. For the purposes of this Section, the following definitions apply:

1. "Agent," in addition to the definition in R12-4-401, means the same as "sublicensee" or "subpermittee" as these terms are used in federal regulations that this Section references.
2. "Assistant" means an individual who is not designated as an agent, as defined in R12-4-401 and this Section, who assists a wildlife rehabilitation license holder, and is under the direct supervision of the license holder at the premises described on the license.
3. "Migratory birds" means all species listed in 50 CFR 10.13, revised October 1, 1999, not including any later amendments or editions, which is incorporated by reference. A copy of the incorporated material 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.
4. "Taxa" means groups of animals within specific classes of wildlife occurring in the state with common characteristics that establish relatively similar requirements for habitat, food, and other ecological or behavioral factors pertinent to establishing standards of housing, care, or rehabilitation.

B. A wildlife rehabilitation license allows an individual to capture alive; transport; temporarily possess; rehabilitate; transfer to a practicing veterinarian for treatment or euthanasia or to another rehabilitator licensed for the wildlife; release; or euthanize an injured, diseased, disabled, orphaned, or otherwise debilitated live wildlife specified on the license. The license also allows an individual to export, transfer to a licensed zoo, or dispose of wildlife as directed in writing by the Department. A wildlife rehabilitation license holder shall not display for educational purposes, exhibit, or permanently possess wildlife held under the license. The Department may add stipulations to a license, as stated in R12-4-409, if the Department finds it is necessary to do so after reviewing an application for a license, submitted as prescribed by subsection (D), and evaluating the activities that an applicant proposes to perform.

C. Before applying for a wildlife rehabilitation license, an individual shall take an examination administered and supervised by the Department that covers wildlife rehabilitation; handling, transport, humane treatment, and nutritional, behavioral, developmental, ecological, and habitat requirements of wildlife; captivity standards established under R12-4-428; human and wildlife safety considerations; and state laws regarding wildlife rehabilitation, specifically R12-4-409 and this Section. An individual shall make an appointment with the Department to take the examination during normal business hours. An individual may request that the test be written or tape-recorded. The Department shall mail the results to the individual within 30 calendar days of the examination. The Department shall consider only those parts of the examination that are applicable to the taxa of wildlife for which the license is sought in establishing the qualifications of the applicant.

D. An applicant shall apply for a wildlife rehabilitation license using a form available from the Department. The applicant shall provide the following information:

1. Name, address, telephone number, birthdate, physical description, and (if applicable) Department ID number;

2. Documentation of one or more of the following:
 - a. A valid, current license issued by a state veterinary medical examination authority that authorizes the applicant to practice as a veterinarian;
 - b. A minimum of six months of experience performing wildlife rehabilitative work for an average of at least eight hours per week for the taxa or species of animal in subsection (D)(5) that is listed on the application; or
 - c. A current and valid license, permit, or other form of authorization issued by another state or the federal government that allows the applicant to perform wildlife rehabilitation;
3. Documentation that the applicant has answered correctly at least 80% of the questions on the examination in subsection (C), and that the applicant took the examination within five years of applying for the license;
4. One or more of the following supporting documents:
 - a. A typed, computer or word processor printed, or legibly handwritten statement signed by the applicant that affirms that the applicant is a licensed, practicing veterinarian;
 - b. A typed, computer or word processor printed, or legibly handwritten statement signed by the Department's Adobe Mountain Wildlife Center Coordinator that the Center will assist the applicant in providing rehabilitative treatment for the wildlife to be held under the license; or
 - c. A typed, computer or word processor printed, or legibly handwritten statement signed by a licensed, practicing veterinarian that the veterinarian is reasonably available to give veterinary services requested by the applicant as necessary to facilitate rehabilitation of wildlife. The license holder shall be responsible for any veterinary expenses.
5. The wildlife taxa or species that will be used under the license. The Department shall only issue a wildlife rehabilitation license for the following taxa or species of wildlife:
 - a. Amphibians: all amphibians;
 - b. Reptiles: all reptiles;
 - c. Birds:
 - i. Non-passerines, birds in any order other than those named in (ii) through (vi);
 - ii. Raptors, birds in the orders Falconiformes or Strigiformes;
 - iii. Quails, birds in the order Galliformes;
 - iv. Doves, birds in the order Columbiformes;
 - v. Hummingbirds, birds in the order Trochiliformes; and
 - vi. Passerines, birds in the order Passeriformes;
 - d. Mammals:
 - i. Nongame mammals;
 - ii. Bats: all bats;
 - iii. Big game mammals other than cervids: bighorn sheep, bison, black bear, javelina, mountain lion, and pronghorn antelope; and
 - iv. Carnivores: bobcat, coati, coyote, foxes, raccoons, ringtail, skunks, and weasels; and

- e. The Department shall not issue a wildlife rehabilitation license for the following wildlife species unless the applicant specifically states the species on the license application:
 - i. Arizona ridge-nosed rattlesnakes;
 - ii. Banded rock rattlesnakes;
 - iii. Desert massasaugas;
 - iv. Flat-tailed horned lizards;
 - v. Gila monsters;
 - vi. Eagles; and
 - vii. Notwithstanding the taxa listed in subsections (D)(5)(a) through (d), species listed in Federal Endangered and Threatened Wildlife and Plants, 50 CFR 17.11, revised as of August 4, 2004, and species listed in Wildlife of Special Concern;
6. If the applicant is applying for a wildlife rehabilitation license to perform authorized activities with migratory birds, evidence showing that the applicant meets the following criteria:
 - a. The applicant is at least 18 years old; or
 - b. The applicant has a parent or legal guardian cosign the application and the signature is notarized;
7. A typed, computer or word processor printed, or legibly handwritten narrative that describes the following:
 - a. The method of disposing of the wildlife that the applicant prefers: export, transfer to a licensed zoo, or another method as directed in writing by the Department; and
 - b. If the applicant applies to perform authorized activities with taxa or species of wildlife that are listed in subsection (D)(4)(e), a statement of the applicant's training and experience in handling, capturing, rehabilitating, and caring for the taxa or species;
8. The name, address, and telephone number of the location where the wildlife will be held, if applicable. Otherwise, the applicant shall provide the physical description of the location, including township, range, and section;
9. A detailed description or diagram of the facilities where the applicant will hold the wildlife, and a description of how the facilities comply with R12-4-428 and any other captivity standards prescribed by this Section;
10. If the applicant is authorizing an agent, the information stated in subsections (D)(1), (3), (5), (6), (7), (8), (9), and (11), as applicable to the agent. The agent shall sign and date the affidavit stated in subsection (D)(11), but shall omit (d). By signing the affidavit, the agent attests that the information provided is true and correct to the agent's knowledge and that the agent has not had live wildlife privileges revoked in this state or any other state or the United States.
11. The applicant's signature and the date of signing. By signing the application, the applicant attests to the following:
 - a. The information the applicant has provided is true and correct to the applicant's knowledge;
 - b. The applicant is applying for the license for the sole purpose of restoring wildlife to the wild through rehabilitative activities;

- c. The applicant understands that all wildlife held under the license remains the property of the state and shall be returned to the Department upon request;
 - d. The applicant is solely responsible for all expenses incurred and all actions taken under the license, including all actions and omission of all agents and assistants when they are performing activities authorized under the license;
 - e. The applicant shall conduct rehabilitation at the location listed on the license; and
 - f. The applicant's live wildlife privileges are not revoked in this state, any other state, or the United States.
- E. The Department shall issue a wildlife rehabilitation license in compliance with R12-4-106. The Department may deny a license or limit a license based upon the training and experience of the applicant. If the Department denies the application for a wildlife rehabilitation license, the Department shall proceed as prescribed by R12-4-409(D).
- F. A wildlife rehabilitation license expires on December 31 of the third year following the date of issuance of the license. A wildlife rehabilitation license holder shall renew the license before it expires as stated in R12-4-409(M). If the license holder applies to renew the license as prescribed by subsection (D), the license holder may reference supportive material previously submitted to the Department if the license holder is not changing the species, location, or design of the facility where the wildlife will be held. The license holder shall retake the examination in subsection (B) if written reports submitted under subsection (S) indicate that the applicant did not perform any rehabilitative activities under the license.
- G. A wildlife rehabilitation license holder shall capture, remove, transport, and release wildlife under this Section in a manner that is least likely to cause injury to the affected wildlife.
- H. A wildlife rehabilitation license holder shall keep a current log that records the information specified under subsection (S).
- I. A wildlife license holder shall participate in one of the following during the license period:
- 1. Eight or more hours of continuing education sessions on wildlife rehabilitation, offered by the Department at no fee. The Department shall provide each license holder with a minimum of 30 calendar days' notice of the sessions; or
 - 2. Eight or more hours of continuing education sessions on wildlife rehabilitation offered by an accredited university or college; the National Wildlife Rehabilitation Council, R.R. 1, Box 125 E Brighton, IL 62012; or the International Wildlife Rehabilitation Council, P.O. Box 3007, Walnut Creek, CA 94598.
- J. A wildlife rehabilitation license holder shall obtain written authorization from the Department before allowing an individual to act as an agent. The agent shall have the authorization in possession and available for Department inspection while performing activities authorized by the license. The Department may suspend or revoke the license holder's license for violation of this Section by an agent.
- K. A wildlife rehabilitation license holder may make a written request at any time during the license period to amend the license to add or delete an agent, to add or delete

premises where wildlife is held, or to obtain authority to rehabilitate additional taxa of wildlife. To amend the license, the applicant shall submit the following:

1. To add or delete an agent, the information stated in subsections (D)(1), (3), (5) through (9), and (11), as applicable to the agent;
 2. To add or delete premises, the information stated in subsection (D)(1), (5), (8), (9), and (11); and
 3. To obtain authority to rehabilitate additional taxa or wildlife, the information stated in subsection (D)(1) through (9) and (11).
- L. A wildlife rehabilitation license holder may accept donations from the public to compensate for expenses related to activities authorized under the license, or to provide materials or facilities necessary to perform those activities.
- M. A wildlife rehabilitation license holder authorized to rehabilitate wildlife taxa or species listed in subsection (D)(5)(d)(iii) and (iv) or (D)(5)(e) shall contact the Department within 24 hours of receiving the individual animal to obtain instructions in handling that animal. While awaiting instructions, the license holder shall ensure that emergency veterinary care is provided as necessary.
- N. Except when the Department has authorized possession for a longer period, a wildlife rehabilitation license holder shall not possess a bird longer than 180 days or other wildlife longer than 90 days; and all wildlife not releasable after these time-frames may be retained, transferred, disposed of, or euthanized as authorized by the Department. All wildlife held under the license remains the property of the state and shall be returned to the Department upon request. A license holder shall submit a written request to the Department to hold wildlife for longer than specified in this subsection. The Department may require the license holder to provide a typed, computer or word processor printed, or legibly handwritten statement signed by a licensed veterinarian listing the medical reasons for the extension if there is a dispute between the Department and the license holder regarding the medical necessity for the requested extension. The Department shall grant or deny a request for extension within 10 days of receipt of the request or the veterinarian's statement. The license holder may continue to hold the specified wildlife while the Department considers the request. The Department shall deny a request for extension in writing and shall include in the written denial specific, time-dated directions on disposition of the animal.
- O. A wildlife rehabilitation license holder may hold wildlife under the license after the wildlife reaches a state of restored health only for the amount of time reasonably necessary to make humane disposition of the wildlife, but not for longer than has been authorized under subsection (N). Rehabilitated wildlife shall be released at an ecologically appropriate time of year, into a habitat suitable to sustain it and:
1. In the same geographic area from which the animal was originally obtained, except that birds may be released at any location statewide within the normal range of that species in ecologically suitable habitat; or
 2. In an area designated by the Department; and
 3. Without immediate threat to the animal of injurious contact with humans.
- P. To permanently hold rehabilitated wildlife that is unsuitable for release, a licensee wildlife rehabilitation license holder shall apply for and obtain a wildlife holding license under as prescribed by R12-4-417.

- Q. Unless otherwise stipulated in the license, a wildlife license holder shall dispose of all wildlife that is euthanized or that otherwise dies while held under license within 30 days of death by burial or incineration, except that the license holder shall transfer all carcasses of endangered or threatened species, wildlife of special concern as defined in R12-4-401, or eagles to the Department.
- R. A wildlife rehabilitation license holder shall ensure that a copy of the license, including any stipulations placed on that license, accompanies any shipment or transport of wildlife under this Section, and is available for Department inspection at each of the premises authorized by the license.
- S. Before January 31 of each year, a wildlife rehabilitation license holder shall file a written report on activities performed under the license for the previous calendar year. The license holder shall report on a form available from the Department. The written report shall contain the following information:
1. The name, address, date of birth, and telephone number of the licensee and all agents;
 2. The permit or license number of any federal permits or licenses that relate to any rehabilitative function performed by the license holder; and
 3. An itemized list of each animal held under the license during the calendar year for which activity is being reported. For each animal held by the license holder or agent, the itemization shall include the: name of the species; condition that required rehabilitation; source, location, and date of acquisition; if reasonably determinable, age class at acquisition; status at disposition or end-of-year relative to the condition requiring rehabilitation; and method, place, and date of disposition. A copy of the rehabilitator's federal permit report of activities related to federally-protected wildlife satisfies this reporting requirement for federally protected wildlife.
- T. A wildlife rehabilitation license holder is subject to R12-4-409, R12-4-428, and R12-4-430.