State of Rhode Island and Providence Plantations
Department of Environmental Management

NOTICE OF THE PUBLICATION OF A PROPOSED DIRECT FINAL RULE

Pursuant to the provisions of Chapters 20-1, 42-17.1, 42-17.2 and 42-17.6 of the General Laws of Rhode Island as amended, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws of 1956, as amended, and specifically Section 42-35-2.11 of the amended Administrative Procedures Act, the Director of the Department of Environmental Management (DEM) hereby proposes to file a Direct Final Rule pursuant to Section 42-35-2.11 of the General Laws of 1956, as amended. The Director believes that this proposed action is noncontroversial and anticipates that no objections will be received to these proposed regulations given the fact that without these requested regulatory action a Falconer could be charged under the *Rules and Regulations Governing Importation and Possession of Wild Animals* for the possession of Falcons. In addition, without the additional clarification language of the *Rhode Island Falconry Regulations for the 2016 – 2017 Season*, it would be illegal for Falconers to hunt with falcons. Finally, the Direct Final Rule further seeks to clarify the references to undeveloped State Parks in the *Park and Management Area Rules and Regulations* by clarifying those activities permitted in certain undeveloped State Parks.

Pursuant to the requirements of Section 42-35-2.6 and 42-35-2.7 of the Rhode Island General Laws, DEM has made the following determinations: DEM has considered alternative approaches to the proposed dismissal and has determined that there is no alternative approach among the alternatives considered that would be as effective and less burdensome.

A copy of the subject regulations will be available for examination from September 30, 2016 through October 30, 2016 by mail or at the offices of the Division of Fish and Wildlife located at 277 Great Neck Road, West Kingston, RI 02892, weekdays from 8:30 - 4:00 PM or by calling the Division at (401) 789-0281. Electronic copies of the proposed regulations to be repealed will also be available on the DEM website.

DEM encourages the submission of written objections to the proposed *Rhode Island Falconry Regulations for the 2016 – 2017 Season* (ERLID # TBD), *Rhode Island Regulations Governing Importation and Possession of Wild Animals* (ERLID # TBD) and *Rhode Island Park and Management Area Rules and Regulations* (ERLID # TBD) via a Direct Final Rule pursuant to Section 42-35-2.11 of the General Laws of 1956, as amended. If no objection is received on or before October 30, 2016 DEM will fill file the repeal without opportunity for public comment. All written objections should be sent to the Department at the Division of Fish and Wildlife located at 277 Great Neck Road, West Kingston, RI 02892 or via e-mail to ashley.schipritt@dem.ri.gov and must be received no later than 11:59 PM on **October 30, 2016**.

Janet L. Coit
Director, Department of Environmental Management

Posted

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS,
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF FISH AND WILDLIFE
&
DIVISION OF AGRICULTURE

RULES AND REGULATIONS GOVERNING IMPORTATION AND POSSESSION OF WILD ANIMALS

Effective: **********
ERLID # _____

AUTHORITY: These regulations are promulgated pursuant to the authority of R.I. Gen. Laws Chapter 4-18, and §§ 20-1-18, 20-1-22, 20-37-3, and 42-17.1-2(19) as amended, and in accordance with the procedures set forth in the R.I. Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.

TABLE OF CONTENTS:

RULE 1 PURPOSE

RULE 2 AUTHORITY

RULE 3 APPLICATION

RULE 4 SEVERABILITY

RULE 5 ADMINISTRATIVE FINDINGS

RULE 6 DEFINITIONS

RULE 7 GENERAL PROHIBITIONS

RULE 8 GENERAL EXEMPTIONS

RULE 9 REQUIREMENTS FOR PERMITS

RULE 10 APPLICATION FOR PERMIT

RULE 11 ISSUANCE AND CONDITIONS

RULE 12 ENFORCEMENT

RULE 13 VIOLATIONS

RULE 14 PENALTY

RULE 15 APPEAL AND HEARING PROCEDURE

RULE 16 SUPERSEDED RULES AND REGULATIONS

RULE 17 EFFECTIVE DATE

APPENDIX A

RULE 1. PURPOSE

1. To establish a procedure for the issuance of permits for the importation and possession within Rhode Island of those exotic or native wild animals that are free of diseases and that do not pose a threat to humans, livestock and other domesticated animals, and native wildlife.

2. To allow importation/possession by only those persons who can demonstrate to the satisfaction of the Department of Environmental Management (hereinafter the "Department") that they have adequate facilities, adequate knowledge of, animal health and husbandry, and the ability and resources to care for the subject animals in order to ensure public safety as well as the health and well-being of the imported/possessed exotic or native wild animal.

3. To ensure that endangered and threatened species are not imported/possessed in Rhode Island without a permit.

RULE 2. AUTHORITY

These Rules and Regulations are promulgated pursuant to the authority of R.I. Gen. Laws Chapter 4-18, and §§20-1-18, 20-1-22, 20-37-3 and 42-17.1-2(19) as amended, in accordance with the procedures set forth in the R.I. Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.

RULE 3. APPLICABILITY

The terms and provisions of these Rules and Regulations shall be liberally construed to permit the Department to effectuate the purpose of state law, goals, and policies.

RULE 4 SEVERABILITY

If any provision of these Rules and Regulations, or application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, the validity of the remainder of the Rules and Regulations shall not be affected thereby.

RULE 5. ADMINISTRATIVE FINDINGS

Certain exotic and native wild animals pose a substantial threat to the state of Rhode Island. This threat can include physical harm to residents of the state, potential disease transmission to people or other animals, both domestic and wild, and harm to the state's native flora, fauna, and agricultural interests. Therefore, it is necessary to regulate the importation and possession of exotic or native wild animals in the state and to limit possession to those species that are not considered to be a threat to public health and safety, animal health, or to be a threat to the natural environment of the state. Additionally, it is necessary to restrict possession of exotic or native wild animals to those parties that have demonstrated that they can competently and safely care for them.

For regulations that govern the importation of domestic species of animals please see ***Rules and Regulations Governing the Importation of Domestic Animals.***

RULE 6. DEFINITIONS

Wherever used in these Rules and Regulations the following terms should be construed as follows:

1. **Animal and Animals** shall mean every living creature including but not limited to any species of mammal, bird, fish, reptile, amphibian, insect, aquatic organisms, or other animal except a human being.

2. **Department** shall mean the Department of Environmental Management

3. **Director** shall mean the Director of the Department of Environmental Management, or his/her duly authorized agent or agents.
4. **Domestic animal** shall mean any animal, which through extremely long association with humans, have been bred to a degree that has resulted in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes them unique and distinguishable from wild individuals of their species. For the purposes of these rules and regulations the term domestic animal shall apply to the following animals:
    i. **Alpaca** (*Lama pacos*)
    ii. **Common Coturnix** (*Coturnix coturnix* or *C. japonica*).
    iii. **Common Pigeon** (rock dove) derived from the blue rock pigeon (*Columba livia*).
    iv. **Domestic Camel** (*Camelus dromedarius and Camelus bactrianus*)
    v. **Domestic Cat** (*Felis catus)* excluding hybrids with wild felines
    vi. **Domestic Cattle** (*Bos taurus and Bos indicus)*
    vii. **Domestic Chicken** (*Gallus "domesticus"*) derived from the red junglefowl (*Gallus gallus*).
    viii. **Domestic Dog** (*Canis familiaris)* excluding hybrids with wild canids
    ix. **Domestic Ducks** derived from the Mallard (*Anas platyrhynchos*), including, but not restricted to, Aylesbury duck, Blue Swedish duck, Buff duck, Cayuga duck, Crested White duck, English call duck, Indian runner duck, Pekin duck, and Roen duck, derived from the Muscovy duck (*Cairina moschata*).
    x. **Domestic Equines** (*Equus caballus, Equus asinus)* including hybrids with other domestic equines, but not hybrids with wild equines.
    xi. **Domestic Geese** derived from the greylag goose (*Anser anser*), including, but not restricted to, Emden goose, Gray African goose, Pilgrim goose, Sebastopol goose, and Toulouse goose, derived from the swan goose (*Anser cygnoides*), including, but not restricted to, the African goose and the Chinese goose, derived from the Egyptian goose (*Alopochen aegyptiaca*).
    xii. **Domestic Goat** *(Capra hircus)*
    xiii. **Domestic Guineafowl** derived from the helmet guineafowl (*Numida meleagris*).
    xiv. **Domestic Hamster** derived from *Mesocricetus auratus* and *Phodopus sp.*
    xv. **Domestic Rabbit**, including breeds, varieties, and strains derived from the European rabbit (*Oryctolagus cuniculus*) but not including the European rabbit *ferae naturae* and not including the so-called "San Juan" rabbit.
    xvi. **Domestic Sheep** (*Ovis aries)*
    xvii. **Domestic Swine** (*Sus scrofa domestica)* excluding those animals that meet the definition of wild/feral swine, as defined herein.
    xviii. **Domestic Turkey** derived from the wild turkey (*Meleagris gallopavo*) and including breeds and varieties recognized by the American Poultry Association and the U.S. Department of Agriculture, but not including the wild turkey (*Ferae naturae*) and captive or captive-bred individuals thereof and not including the pen-raised or game-farm non-standard variety "Wild Turkey".
    xix. **Domestic Water Buffalo** (*Bubalis bubalis*)
    xx. **Domestic Yak** (*Bos grunniens*)
    xxi. **Guinea Pig** (*Cavia porcellus*)
    xxii. **Laboratory Mouse**, including breeds, varieties, and strains derived from the house mouse (*Mus musculus*)

xxiii. **Laboratory Rat**, including breeds, varieties, and strains derived from the Norway rat (*Rattus norvegicus*)
xxiv. **Llama** (*Lama glama*)
xxv. **Mongolian Gerbil** (*Meriones unguiculatus*)
xxvi. **Peafowl** (blue peafowl) (*Pavo cristatus*).

5. **Enclosure** shall mean any structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, run, cage, or compartment.

6. **Endangered Species** shall mean "Endangered Species" shall mean any animal so declared by the United States secretaries of the interior or commerce under the provisions of the Federal Endangered Species Conservation Act or any animal so declared by the Director of the Rhode Island Department of Environmental Management pursuant to Chapter 34 of Title 42 of the Rhode Island General Laws of 1956, as amended.

7. **Exempt Exotic Animal** shall mean any animal that is neither listed nor defined as a domestic animal or native wild animal, but for which there is no requirement to obtain an exotic animal possession permit. The list of exotic animals that are exempt from the requirement of obtaining an exotic animal possession permit is found in Appendix A of this document

8. **Exotic Animal or Exotic Wild Animal** shall mean any vertebrate or invertebrate other than those defined as domestic animals, native wildlife, or exempt exotic animals

9. **Exotic Animal Possession Permit** shall mean a permit issued by the Department, in order to authorize the permittee to import and/or possess any exotic wild animal(s) specifically listed on the permit.

10. **Federally Accredited Veterinarian** shall mean any veterinarian who holds a current license in good standing in any state and who is recognized by the United States Department of Agriculture as having completed the necessary requirements for federal accreditation.

11. **Health Certificate** or **Certificate of Veterinary Inspection** shall mean an official form of the state of origin that states the animal(s)/bird(s) have been inspected and found free of contagious, infectious or communicable diseases , and contains the date of the veterinary inspection as well as the dates and results of all required tests, and describes the animal(s)/bird(s) by species, breed, age, sex, and any individual identification such as ear tags, tattoos, leg bands, microchip, or other means of individual identification, and contains the data for all required tests and vaccinations prior to entry into Rhode Island (including the name and address of the laboratory that performed the test), and has the complete name and address of the consignor and consignee, and contains the signature of the inspecting veterinarian as well as that of the official having jurisdiction over the disease of animals in the state of origin.

12. **Hybrid** means any animal which is a result of the cross breeding of a domestic and wild animal.

13. **Native Animal Possession Permit** shall be issued by the Department, in order to authorize the permittee to import and/or possess any native wild animal(s) which is specifically listed on the permit

14. **Native Wildlife, Native Animal, or Native Wild Animal** shall mean all species of animals, including all subspecies thereof, occurring naturally, either presently or historically, within the boundaries of the state of Rhode Island, regardless of where the animal originated.

15. **Person** shall mean any individual, firm, association, organization, partnership, business trust, corporation or company including but not limited to educational and research institutions, zoological gardens, schools, colleges, universities, pet stores, animal care facilities, and laboratories.

16. **Pet Shop** shall mean a temporary or permanent establishment where animals are bought, sold, exchanged, or offered for sale or exchange to the general public at retail. This shall not include an establishment or person whose total sales are the offspring of canine or feline females maintained on their premises and sold from those premises.

17. **Possess or Possession** shall mean to exercise dominion or control over a wild animal at any point starting from the point at which the decision is made to import, purchase, breed, keep, or otherwise manage an animal and lasting up until its ultimate disposition.

18. **Quarantine** shall refer to the types of enclosures necessary to ensure that the confined animal will not have any contact, either directly or through fomites, with any domestic animal, wild animal, or person, other than the person(s) charged with the immediate care of the animal.

19. **RIDEM** shall mean the Department of Environmental Management.

20. **Target Species** means those species that are the most common wildlife carriers of rabies including raccoons, skunks, bats, woodchucks, and foxes or other mammal species as may be determined by the Rhode Island Rabies Control Board.

21. **USDA** shall mean the United States Department of Agriculture

22. **USFWS** shall mean the United States Fish and Wildlife Service.

23. **Veterinarian** shall mean an individual currently licensed to practice veterinary medicine in the state of Rhode Island.

24. **Wild Animal** shall mean any animal other than a domestic animal and includes those animals that may be defined as exotic or native wild animals.

25. **Wild Swine or Feral Swine** shall mean any animal of the genus and species *Sus scrofa* that is not intended for commercial agricultural purposes such as breeding or meat production, for pet ownership, or for biomedical research. A wild/feral swine can also refer to a domestic pig that has escaped from captivity or has been released into the wild (accidentally or otherwise), or one that is descended from such animals

RULE 7. GENERAL PROHIBITIONS

1. **Possession of Wild Carnivores.** All exotic wild animals and hybrids of the order *Carnivora* for which there is no USDA conditionally licensed or unconditionally licensed rabies vaccine are expressly prohibited from importation or ownership without the issuance of a valid permit by the

Department. Ownership is restricted to bona fide researchers, USDA licensed exhibitors authorized to possess animals of this order, and Association of Zoos and Aquariums (AZA) certified facilities.

2. **Possession of Non-Human Primates.** All exotic wild animals of the order *Primates* are expressly prohibited from importation or ownership without the issuance of a valid permit by the Department. Ownership is restricted to bona fide researchers, USDA licensed exhibitors authorized to possess animals of this order and AZA certified facilities.

3. **Possession of Native Wildlife.** All native wild animals are expressly prohibited from importation or ownership without the issuance of a valid permit by the Department. Ownership is restricted to the Department, the USFWS, AZA certified zoos and aquariums, research institutions and researchers involved in approved bona fide research or project as determined by the Director, and USDA licensed exhibitors authorized to possess animals of this order. See Appendix A for a listing of native species.

4. **Possession of Red Eared Slider Turtles.** No person other than a licensed pet shop or their transportation carriers shall import any Red Eared Slider turtles *(Trachemys scripta elegans)*. All persons other than licensed pet shops or their transportation agents are prohibited from possessing Red Eared Slider turtles *(Trachemys scripta elegans)* unless they are kept indoors as pets in a manner that will prevent their escape or liberation into the wild. Keeping of these animals in any type of outdoor enclosure is prohibited. Pet shops that sell Red Eared Slider turtles must:

   i. Notify all purchasers of these turtles that they must keep them indoors and in a manner that will prevent escape or liberation into the wild; and

   ii. Keep for a period of a minimum of three (3) years from the date of sale, a register of all persons who purchase these turtles to include the purchaser's name, address, telephone number, date of purchase, signature, and a statement that purchaser acknowledges that the animal must be kept indoors and in a manner that will prevent escape or liberation into the wild.

5. **Possession of Mute Swans or their Eggs.** The importation or possession of Mute Swans (*Cyngus olor)* or their eggs is expressly prohibited.

6. **Possession of Mudpuppies.** The importation or possession of Mudpuppies (*Necturus spp.)* is expressly prohibited.

7. **Possession of American Bullfrog.** The importation or possession of bullfrogs (*Lithobates catesbeianus*) is expressly prohibited, except for flesh that is cooked or frozen and intended for human consumption.

8. **Possession of Exotic Amphibian Species.** No person other than a licensed pet shop or their transportation carriers shall import any species of exotic amphibians. All persons other than licensed pet shops or their transportation agents are prohibited from possessing any species of exotic amphibians unless they are kept indoors as pets in a manner that will prevent their escape or liberation into the wild. Keeping of these animals in any type of outdoor enclosure is prohibited. Pet shops that sell exotic amphibians must;

   i. Notify all purchasers of these animals that they must keep them indoors and in a manner that will prevent escape or liberation into the wild; and

   ii. Keep for a period of a minimum of three (3) years from the date of sale, a register of all persons who purchase these amphibians to include the purchaser's name, address, telephone

number, date of purchase, species purchased, signature, and a statement that purchaser acknowledges that the animal must be kept indoors and in a manner that will prevent escape or liberation into the wild.

9. **Possession of Wild or Feral Swine.** The importation or possession of any swine for any purpose other than the commercial raising of swine for breeding associated with agricultural purposes, for use as meat producing animals raised in an agricultural setting, for pet ownership, or for biomedical research is prohibited. The intentional liberation of such an animal is punishable under the provisions of R.I. Gen. Laws § 4-1-26 *Abandonment of Animals*.

RULE 8. GENERAL EXEMPTIONS

1. **General Exemption for Pet Shops.** Exemption from individual exotic animal possession permits for Pet Shops. Pet shops that are properly licensed and in good standing pursuant to RIGL § 4-19-5 may be granted by the Department a resale permit in lieu of an individual exotic animal possession permit. The resale permit will allow possession of a reasonable number of a particular species to be kept on the licensed premises for the purpose of resale. Each species will require issuance of a resale permit for that species. The application for a resale permit will be provided by the Department and the fee will be five dollars ($5) per permit issued. Animals held by a pet shop under a resale permit may only be sold to persons who can demonstrate lawful possession of the particular species, including an exotic animal possession permit if required.
2. **General Exemptions for AZA-Accredited and USDA Licensed Facilities.** Nothing in these regulations shall prohibit zoos, aquariums, research facilities, managed propagation facilities, or other animal care facilities that meet the exemption criteria for such facilities listed in R.I. Gen. Laws §§ 4-18-3 and 4-18-6 from importing or possessing native and exotic wild animals without a permit. Such facilities shall comply with all Department import/possession specifications identified within the subject statues and these Rules and Regulations, including, but not limited to, reporting, examination, and testing requirements.
3. **General Exemptions for Nuisance Wildlife Control Specialists.** Nothing in these regulations shall prohibit a person possessing a valid license as a Nuisance Wildlife Control Specialist issued by the Department from possession of native wildlife without a permit while in the execution of their professional duties and in compliance with ***Rules and Regulations Governing Nuisance Wildlife Control Specialists.***
4. **General Exemption for Licensed Wildlife Rehabilitators.** Nothing in these regulations shall prohibit a person possessing a valid license as a Wildlife Rehabilitator issued by the Department from possession of native wildlife without a permit while in the execution of their duties and in compliance with ***Rules and Regulations Governing Wildlife Rehabilitation.***
5. **General Exemption for Authorized Agents of the Department in their Official Duties.** Nothing in these regulations shall prohibit an agent of the Department's Division of Agriculture, Division of Fish and Wildlife, or Division of Law Enforcement from possession of exotic wildlife or native wildlife without a permit while in the execution of his or her official duties.
6. **General Exemption for Agents of the Rhode Island Society for the Prevention of Cruelty to Animals.** Nothing in these regulations shall prohibit an agent of the Rhode

Island Society for the Prevention of Cruelty to Animals from possession of exotic wildlife or native wildlife without a permit while in the execution of their law enforcement powers pursuant to R.I. Gen. Laws Chapter 4-1.

7. **General Exemption for Possession of Insects.** Nothing in these regulations shall prohibit any person from possession of exotic animals or native animals of the class *Insecta* unless the animals of that class appear on the list of prohibited insects as is published by the USDA at the following URL http://www.invasivespeciesinfo.gov/animals/main.shtml under the heading of "Invasive Species." Possession of any animal on this list requires an exotic animal possession permit.
8. **General Exemptions for Some Species of Exotic Wild Animals.** Nothing in these regulations shall prohibit any person from possession of exempt exotic animals as defined herein. The list of exempt exotic animals will appear on a list published by the Department as Appendix A of these Rules and Regulations.
9. **General Exemption for Game Bird Propagation.** Nothing in these regulations shall prohibit any person from possession of native wild animals as defined herein for the purpose of propagation of game birds pursuant to R.I. Gen. Laws Chapter 20-17.
10. **General Exemption for Licensed Falconers.** Nothing in these regulations shall prohibit a person possessing a valid license as a Falconer issued by the Department from possession of native wildlife without a permit while in the execution of the privileges associated with their Falconry license provided they are in compliance with the current ***RI Falconry Regulations***.

RULE 9. REQUIREMENTS FOR PERMITS

1. A permit to import into, receive, or possess in this state animals defined as exotic wild animals or native wild animals under Rule 6 of these Regulations, shall be restricted to the USDA, the Department, AZA approved zoos and research institutes or other USDA approved facilities, as well as exhibitors and private persons, seeking to import or possess a wild animal for private ownership, unless expressly prohibited under General Prohibitions (Rule 7), pursuant to the provisions of R.I. Gen. Laws §§ 4-18-3 and 4-18-6, as amended herein. Obtaining such permits does not preclude conformance with such other applicable Federal, State, or Local requirements.
2. Unless exempted pursuant to R.I. Gen. Laws §§4-18-3 and 4-18-6, no person shall be allowed to import, or possess any animals defined as exotic wild animals or native wild animals without first obtaining a permit from the Department. In addition, no permits shall be granted by the Department to a private person authorizing the import, and/or possession of any exotic wild animals of the order Carnivora, or hybrids thereof, for which there is no USDA conditionally licensed or unconditionally licensed rabies vaccine.
3. The Department, at its discretion, may issue an exotic animal possession permit to import, receive, or possess exotic animals, and native animals. An exotic animal possession permit is not required for importation or possession of domestic animals or for importation or possession of exempt exotic animals.
4. Persons wishing to obtain a permit to import or possess exotic wild animals can do so through the Department, Division of Agriculture.
5. Persons wishing to obtain a permit to import or possess native wildlife as defined in Rule 6.14 can do so through the Department, Division of Fish and Wildlife.

RULE 10. APPLICATION FOR PERMIT

1. Applications for wild animal possession permits will be made on forms provided by the Department.
2. All applications for a wild animal possession permit must include the following for each species:
    a) The number, sex, age, and true scientific name and means of permanent individual identification of each individual animal proposed to be imported and/or possessed.
    b) The carrier and point of first arrival as well as the location where each animal will be kept within the state.
    c) The purpose for which the wild animal will be imported and possessed.
    d) The full name and complete street address of the consignee and consignor (P.O. boxes are not acceptable.)
    e) A "health certificate" (certificate of veterinary inspection) issued by a federally accredited veterinarian licensed in the state of origin of the exotic animal. The health certificate is to include the results and dates of any testing that was determined necessary by the Director prior to entry into the state of Rhode Island. The health certificate must be as defined in Rule 6.11 herein.
    f) The location where the animal(s) will be held in quarantine upon entry into the state of Rhode Island. This location and all enclosures must be inspected and approved prior to issuance of a wild animal possession permit.
    g) The location where the animal(s) will be permanently held after release from quarantine. This location and all enclosures must be inspected and approved prior to issuance of a wild animal possession permit.
    h) The name and address of the veterinarian currently licensed in Rhode Island who will conduct the tests and examinations specified by the Department. A letter from a veterinarian currently licensed in Rhode Island stating that he/she will conduct any testing or examinations as will be required periodically by the Department.
    i) Except for AZA certified facilities, any person desiring to import or possess a wild animal shall also provide a detailed written description to the Department of the manner in which the animal(s)' nutritional, housing, and exercise needs will be met. Approval of this document must be made prior to issuance of a wild animal possession permit.
    j) Any other information that the Department may deem to be relevant to the specific request.
3. Applicants seeking a permit for an exotic wild animal must also provide the following:
    a) Permit fee as specified by R.I. Gen. Laws §§ 4-18-8 or 20-1-21.
    b) Letter from the Department, Division of Fish and Wildlife, endorsed by the Chief of that division or his/her designee stating that the species is not considered a native species as defined under Rule 6.14 of these regulations.
4. Applications for the issuance of permits to import or possess exotic or native wild animals must be submitted for processing to: RI Department of Environmental Management, Permitting Center, 235 Promenade Street, Providence, RI, 02908.

RULE 11. ISSUANCE AND CONDITIONS

1. Issuance of exotic or native wild animal import or possession permits may be made by the Department upon the following:

    a) Receipt of written application providing all of the information enumerated in these Regulations not less than seven (7) days preceding the probable day of shipment of the animal(s);

    b) Satisfactory inspection by the Department of the proposed quarantine site and final enclosures;

    c) Payment of the necessary permit fee of Five ($5.00) Dollars per animal as required under R.I. Gen. Laws § 4-18-8. (Fee applicable only to exotic wild animals as defined.);

    d) Determination by the Department that importation or possession of the exotic or native wild species will not endanger the public health or the health of native wildlife or domestic animals to an extent greater than possession of domestic animals or exempt exotic animals would;

    e) Approval of the proposed point of first entry into the State of Rhode Island; and

    f) Receipt and approval by the Rhode Island State Veterinarian of a Health Certificate signed and issued within thirty (30) days of the anticipated arrival of the wild animal(s). Such Health Certificate must be issued by a Federally Accredited Veterinarian licensed in the state of origin of the exotic or native wild animal(s), be countersigned by the State Veterinarian of the state of origin, and be accompanied by any test records determined to be necessary by the Department. The Health Certificate must state that the animal(s) is free from signs of infectious, contagious, and zoonotic diseases in addition to the specific required tests.

2. The permit may, at the discretion of the Department, list specific conditions that must be met prior to and/or must be maintained after issuance of an exotic or native wild animal possession permit.

3. The exotic or native wild animal possession permit is not transferable to another person or location without the expressed prior written permission to do so from the Department.

4. Any person in possession of an exotic or native wild animal possession permit must maintain possession of the animal(s) identified on that permit at the location specified on that permit, and in the enclosure(s) that were inspected prior to issuance of that permit. Removal of the animal to any location within the state without the expressed written approval by the Department is prohibited. Anyone wishing to remove the animal from the permitted location or enclosure must notify the Department in writing no less than fourteen (14) days prior to the expected movement. The Department will conduct an inspection of the premises and enclosure that the permitted animal is intended to be moved to, and if approved, will notify the permittee that the animal may be moved. No animal may be moved without approval by the Department.

    Prior approval by and notification of the Department is not necessary for the temporary movement of the animal for emergency veterinary care or in the event of an event that jeopardizes the health and safety of the public, or the permitted animal. In the event that an animal is moved under these circumstances, the Department must be notified as soon as possible, no later than the following business day.

5. Any modification of the enclosure(s) must be inspected and approved before the permitted animal(s) are allowed to be housed within.
6. Any exotic or native wild animal as permitted shall not be used for breeding purposes without prior approval by the Department. If approval is granted, limits may be imposed as to the number of exotic or wild animals allowed per location and or enclosure.
7. The possessor of any permitted exotic or native wild animal must notify the Department within twenty-four (24) hours of the death of that animal, and immediately upon the escape of that animal. The Department may be contacted outside of normal business hours at (401) 222-3070, DEM Division of Law Enforcement.
8. The exotic or native wild animal and the enclosure are subject to periodic inspection by representatives of the Department without prior notice.
9. The Department may order immediate examination and testing of any permitted exotic or native wild animal(s) upon suspicion that the animal(s) may be harboring a disease that threatens public health or the health of domestic animals or native wildlife. Measures necessary to do so may include but not be limited to quarantine, seizure, euthanasia, and post-mortem examination. Any examination or testing so ordered will be at the expense of the permittee.
10. Any person bitten, scratched or otherwise injured by a permitted exotic or native wild animal must be immediately reported to the Animal Control Officer in the municipality where the animal is housed and to the Rhode Island State Veterinarian.
11. The release into the wild of any animal for which an exotic or native wild animal importation and or possession permit has been issued is prohibited whether or not such release was intentional or accidental. Release may be subject to criminal prosecution pursuant to R.I. Gen. Laws § 4-1-26 in addition to the imposition of any administrative penalties herein.
12. Any animal imported with an exotic or native wild animal possession permit may, at the discretion of the Department, in accordance with R.I. Gen. Laws § 4-18-11, be required to undergo a period of quarantine. The terms of the quarantine will be established on a case-by-case basis by the Rhode Island State Veterinarian.
13. The disposition of any permitted animal that the permittee no longer wishes to maintain is the sole responsibility of the permittee. All dispositions must be made in accordance with applicable federal, state, and local laws or ordinances. If the permittee chooses to euthanize the animal as the means of disposition, such euthanasia must be performed in accordance with the most current version of the ***AVMA Guideline for the Euthanasia of Animals*** as is published by the American Veterinary Medical Association. The Department must be notified in writing within seven (7) days of a disposition. The method of disposition must be included in the notice. The permittee must also return the permit along with the notice of disposition.

RULE 12. ENFORCEMENT

Any agent of the Department acting in his or her official capacity has the authority to enforce the provisions of these Rules and Regulations.

RULE 13. VIOLATIONS

Any violation pursuant to the provisions of R.I. Gen. Laws Title 20, Title 4, and/or these Rules and Regulations may be cause for imposing penalties in accordance with the provisions of the above mentioned statute and/or these Rules and Regulations, as well as

revocation of existing exotic or native wild animal possession permits.

1. Any exotic or native wild animal imported into or possessed within the state of Rhode Island without obtaining a permit to do so prior to import or possession will be considered to be contraband. Any such animal may be confiscated by the Department or any other law enforcement agency. Any confiscated animal may be euthanized and its entire carcass or parts thereof may be held as evidence. Any confiscated animal not euthanized may be kept by the Department with the owner of the animal being responsible for cost of care including but not limited to cost of feeding, boarding, veterinary care, transportation, and routine husbandry.
2. If an exotic or native wild animal is judged to have been illegally possessed or imported, the Department may make a reasonable effort to find suitable placement for the animal or at the discretion of the Department, the animal may be euthanized.
3. Upon a determination that the permittee is or has been in violation of the requirements of the subject permit or that the applicant has submitted with inaccurate information, the Department may deny, revoke, or suspend existing permit(s) issued pursuant to these Regulations. Upon denial, revocation, or suspension of a permit for which the animal is already in the possession of the applicant, the animal may be seized by the Department. Any animal that is seized by the Department may be euthanized. The owner of any animal that is seized by the Department, but is not euthanized, is responsible for all cost of care including but not limited to cost of feeding, boarding, veterinary care, transportation, and routine husbandry while the animal is in the custody of the Department.

RULE 14. PENALTY

A. Judicially Imposed Penalties

i. Any person who is found in violation of these Rules and Regulations with the subject animal being an exotic wild animal may be penalized under the authority of R.I. Gen. Laws **§ 4-18-14 Penalty for violations. –** Any person who violates any provisions of this chapter shall be fined not less than one hundred dollars ($100), and the loss of any specimen referred to in this chapter.

ii. Any person who is found in violation of these Rules and Regulations with the subject animal being a native wild animal may be penalized under the authority of R.I. Gen. Laws **§ 20-1-16 Penalty for violations. –** (a) Unless otherwise specifically provided, the violation of any law or rule or regulation relating to wild animals, wild birds, lobsters and fish, marine, freshwater and anadromous fisheries and shellfisheries shall be a misdemeanor, punishable by a fine of not more than five hundred dollars ($500) or imprisonment for up to ninety (90) days, or both.

B. Administrative Enforcement Actions

i. Additionally, any person found in violation of these Rules and Regulations is subject to administrative penalties as follows:
    a. Any person who shall fail to comply with any of the within Regulation shall be fined not exceeding three hundred dollars ($300) per offense;
    b. Each and every occurrence and/or day during which the violation or failure to comply is repeated shall constitute a separate and distinct violation;

c. Any person who shall fail to comply with any regulation so made shall be responsible for all costs and fees associated with any quarantine, examination and testing required by the State Veterinarians Office, and subject to forfeiture of the subject animal(s).
d. The permit to import and or possess an exotic or native wild animal by any person who shall fail to comply with any of the within Regulations or any of the conditions set forth in said permit may be suspended or revoked in addition to the imposition of any other penalty that may be imposed judicially or pursuant to an administrative enforcement proceeding.

RULE 15. APPEAL AND HEARING PROCEDURE

Opportunity for Hearing:

A. Denials: Any person whose application for an application for a permit or permit renewal is denied, may appeal to the Administrative Adjudication Division for review of the decision on which the denial is based.

B. Violations: Any person, who has been issued a notice of violation of any of the provisions of these rules, may request a hearing from the Administrative Adjudication Division, subject to the provisions of R.I. Gen. Laws **§** 42-17.1-2(21).

C. Hearings and Administrative Procedure: Pursuant to the authority granted to the Department in R.I. Gen. Laws **§** 42-17.7-9

1. Any person who seeks an adjudicatory hearing in order to contest an enforcement action which alleges violation(s) of these rules and regulations must file said request in writing with the clerk of Administrative Adjudication Division, 235 Promenade Street, Providence, Rhode Island, 02908 within twenty (20) days of receipt of the contested agency enforcement action.

2. Any person who seeks an adjudicatory hearing relative to the denial of a permit or sub-permit arising under these rules and regulations must file said request in writing with the clerk of Administrative Adjudication Division 235 Promenade Street, Providence, Rhode Island, 02908 within thirty (30) calendar days of receipt of the contested agency action.

.

RULE 16. SUPERSEDED RULES AND REGULATIONS

On the effective date of these Rules and Regulations, all previous Rules and Regulations and any policies regarding the administration and enforcement of R. I. Gen. Laws Chapter 4-18 shall be superseded. However, any judicial or administrative enforcement action instituted by, or application submitted to, the Department prior to the effective date of these Rules and Regulations shall be governed by the Rules and Regulations in effect at the time the enforcement action was taken, or the application filed.

RULE 17. EFFECTIVE DATE

The foregoing "Rules and Regulations Governing the Importation and Possession of Wild Animals," after due notice, are hereby filed with the Secretary of State this _____day of XXXX, 2016 to become effective twenty (20) days thereafter in accordance with the provisions of Rhode Island General Law of 1956 as amended, Chapters 4-18, 42-35, 42-17.1, 42-17.6.

_____
Janet L. Coit
Director
RI Department of Environmental Management

Notice given on:

Hearing date:

Filed on:

Effective Date:

ELRID # ~~8229~~

APPENDIX A: List of Exempt Exotic Animals and Native Wild Animals

This list identifies those species of wild animals which are exempt from the permit provisions of R.I. Gen. Law Chapter 4-18, and may be kept without a possession permit from the Department provided that all provisions of applicable statutes and these Rules and Regulations are satisfied. Species not listed, or which are explicitly identified as requiring a possession permit from the Department, are not considered exempt and shall require a valid possession permit per the specifications of these Rules and Regulations. The inclusion of a species on this listing does not obviate the necessity for the obligation to comply with any applicable requirements under federal, state, or local laws, including those pertaining to endangered species and state export restrictions. This appendix may be modified as need.

1. List of Invertebrates.

(a) Insects

All species of insects are exempt from the requirement for an exotic animal possession permit unless it is considered a nuisance species, invasive species, or is otherwise prohibited from importation by federal or state laws that restrict said importation. The list of prohibited insects is published by the USDA at the following URL http://www.invasivespeciesinfo.gov/animals/main.shtml under the heading of "Invasive Species." Possession of any animal on this list requires the possession of a valid exotic animal possession permit.

(b) Other Invertebrates

All other invertebrates except those specifically listed below are exempt from the requirement for an exotic animal possession permit unless it is considered a nuisance species, invasive species, or is otherwise prohibited from importation by federal or state laws that restrict said importation.

Possession of the following invertebrates is prohibited:

1. Zebra Mussels (*Dreissena polymorpha*, *D. bugensis*)
2. Spiny Waterflea (*Bythotrephes cederstroemi*)
3. Fishhook Waterflea (*Cercopagis pengoi*)
4. All non-indigenous crayfish
5. Asiatic Clam (*Corbicula sp.*) Live specimens of this genus are prohibited. Specimens that are frozen, cooked, or otherwise prepared for human consumption are exempt from the permitting requirement.

2. List of Fish.

All aquarium trade fish, other than those listed below as prohibited, may be kept without an exotic animal possession permit except endangered species. The Division of Fish and Wildlife may have additional regulations if the species of fish is considered to be native or nuisance.

Possession of the following species of fish is prohibited:

1. Grass Carp or White Amur (*Ctenopharyngdon idella)*
2. Rudd (*Scardinius erythrophthalmus*)
3. Walking Catfish (*Clarias* spp and all members of the family *Clariidae*)
4. Snakeheads (*Channidae* and *Parachannidae*)
5. Black Carp (*Mylopharyngodaon piceus*)
6. Round Goby (*Neogobius melanostomus*)
7. Tubenose Goby (*Proterhinus marmoratus*)
8. Ruffe (*Gymnocephalus cernuus*)

3. List of Amphibians.

(a) The RI DEM's Division of Fish and Wildlife considers all exotic amphibians to be a potential nuisance, vector for disease, or a threat to native fauna. All retail amphibian vendors must be in compliance with Rule 7.8 above. Any person in possession of an exotic amphibian must house the animal indoors at all times and in a manner that will prevent escape or liberation into the wild.

(b) The possession of native amphibians is restricted to those institutions identified within Rule 7.3, and as exempted per Rule 8 of these Rules and Regulations. Terrestrial amphibians considered native to Rhode Island and which possession as pets is prohibited include the following:

1. American Bullfrog (*Lithobates catesbeiana*)
2. Eastern American Toad (*Anaxyrus americanus*)
3. Eastern Red-backed Salamander (*Plethodon cinereus*)
4. Eastern Spadefoot (*Scaphiopus holbrookii*)
5. Four-toed Salamander (*Hemidactylium scutatum*)
6. Fowler's Toad (*Anaxyrus fowleri*)
7. Gray Treefrog (*Hyla versicolor*)
8. Marbled Salamander (*Ambystoma opacum*)
9. Northern Dusky Salamander (*Desmognathus fuscus*)
10. Northern Green Frog (*Lithobates clamitans melanota*)
11. Northern Leopard Frog (*Lithobates pipiens*)
12. Northern Spring Salamander (*Gyrinophilus porphyriticus porphyriticus*)
13. Northern Two-lined Salamander (*Eurycea bislineata*)

14. Pickerel Frog (*Lithobates palustris*)
15. Red-spotted Newt (*Notophthalmus viridescens viridescens*)
16. Spotted Salamander (*Ambystoma maculatum*)
17. Spring Peeper (*Pseudacris crucifer*)
18. Wood Frog (*Lithobates sylvatica*)

4. List of Reptiles.

(a) Turtles: all exotic species of turtles may be kept without an exotic animal possession permit, except endangered species. Refer to 4 (b) of this appendix for a list of native turtle species. Possession of the following species requires an exotic animal possession permit:

1. Argentina or Chaco Tortoise (*Geochelone chilensis*).
2. Gopher tortoises (*Gopherus polyphemus*) and all other species in the genus *Gopherus*.
3. Pancake Tortoise (*Malacochersus tornieri*).

(b) The possession of native turtles is restricted to those institutions identified within Rule 7.3, and as exempted per Rule 8 of these Rules and Regulations. Turtles considered native to Rhode Island and which possession as pets is prohibited include the following:

1. Eastern Box Turtle (*Terrapene carolina carolina*)
2. Eastern Musk Turtle (*Sternotherus odoratus*)
3. Eastern Painted Turtle (*Chrysemys picta picta*)
4. Eastern Snapping Turtle (*Chelydra serpentina serpentina*)
5. Northern Diamond-backed Terrapin (*Malaclemys terrapin terrapin*)
6. Spotted Turtle (*Clemmys guttata*)
7. Wood Turtle (*Glyptemys insculpta*)

(c) Snakes: All venomous snakes require an exotic animal possession permit. Refer to 4 (d) of this appendix for a list of native snake species. The following exotic species of snakes may be kept without an exotic animal possession permit except endangered species and the specific exceptions listed below:

1. All species of boas and pythons (family *Boidae*), may be kept without an exotic animal possession permit except those species that are endangered, and except the Emerald Tree Boa (*Corallus caninus*), Green Tree Python (*Chondropython* spp.), African Rock Python (*Python sebae*), Reticulated Python (*Python reticulatus*) and all species of Anaconda (*Eunectes* spp.).
2. Shield-tailed Snakes, Sunbeam Snakes, and others in the families *Uropeltidae* and *Xenopeltidae* may be kept without an exotic animal possession permit.

3. Worm Snakes, Thread Snakes, and others in the families *Typhlopidae, Leptotyphlopidae*, and *Anomalepidae* may be kept without an exotic animal possession permit.

4. Snakes of the family *Colubridae*, as follows may be kept without an exotic animal possession permit:

   i. Asian Rat Snakes (*Elaph*e spp. and *Ptyas* spp. and *Zaocys* spp. and *Bogetophis* spp.),

   ii. Bird Snake or Puffing Snake (*Pseustes* spp.),

   iii. Brown and Redbelly Snakes (*Storeria* spp.),

   iv. Diadem Snakes (*Spalerosophis* spp.),

   v. Glossy Snakes (*Arizona* spp.),

   vi. Gopher and Pine Snakes (*Pituophis* spp.),

   vii. Green Snakes (*Opheodrys* spp.),

   viii. Ground Snakes (*Sonora* spp.),

   ix. House Snakes (*Boaedon [Lamprophis]* spp.),

   x. Kingsnakes and Milk Snakes (*Lampropeltis* spp.), other than native species listed below,

   xi. Mole Snake (*Pseudaspis* spp.),

   xii. North American Rat Snakes (*Pantherophis* spp.) except the Allegheny Rat Snake (*P. alleghaniensis* (other than albinistic and leucistic individuals) which requires a permit,

   xiii. Texas Indigo Snake (*Drymarchon corais erebennus*),

   xiv. Tropical Rat Snakes (*Spilotes* spp.),

   xv. Water Snakes (*Nerodia [Natrix]* spp.), and

   xvi. Western Hognose Snake (*Heterodon nasicus*).

(d) The possession of native snakes is restricted to those institutions identified within Rule 7.3, and as exempted per Rule 8 of these Rules and Regulations. Snakes considered native to Rhode Island and which possession as pets is prohibited include the following:

   i. Common Ribbonsnake (*Thamnophis sauritus sauritus*)

   ii. Common Watersnake (*Nerodia sipedon sipedon*)

   iii. Eastern Gartersnake (*Thamnophis sirtalis sirtalis*)

   iv. Eastern Hog-nosed Snake (*Heterodon platirhinos*)

   v. Eastern Milksnake (*Lampropeltis triangulum triangulum*)

   vi. Eastern Ratsnake (*Pantherophis alleghaniensis*)

   vii. Eastern Wormsnake (*Carphophis amoenus amoenus*)

   viii. Northern Black Racer (*Coluber constrictor constrictor*)

ix. Northern Brownsnake (*Storeria dekayi dekayi*)

x. Northern Red-bellied Snake (*Storeria occipitomaculata occipitomaculata*)

xi. Northern Ring-necked Snake (*Diadophis punctatus edwardsii*)

xii. Smooth Greensnake (*Opheodrys vernalis*)

xiii. Timber Rattlesnake (*Crotalus horridus*)

(c) Lizards: Possession of the Gila Monster, Beaded Lizard (*Heloderatidae*), and all Monitors (*Varanidae*) requires an exotic animal possession permit. The following lizards may be kept without a permit except for endangered species. The Division of Fish and Wildlife may have additional regulations if the species of lizard is considered native or nuisance.

1. All Skinks (*Scincidae*) may be kept without an exotic animal possession permit except for the following: Florida Sand Skinks (*Neoseps* spp.), Solomon Island Ground Skink (*Tribolonotus* spp.).

2. The following Girdle-tailed Lizards (*Cordylidae*) may be kept without a permit: False Club-tailed Lizards (*Pseudocordylus* spp.), Girdle-tailed Lizards (*Cordylus* spp.), Plated Lizards (*Gerrhosaurus* spp.), Rock Lizards (*Platysaurus* spp.), Zonosaurus spp.

3. All Teiids (*Teiidae*) may be kept without an exotic animal possession permit except for the following: Brown Water Teiids (*Neusticurus* spp.), *Dicrodon* spp., Earless Teiids (*Bachia* spp.), Rough Teiids (*Echinosaura* spp.), Snake Teiids (*Ophiognomon* spp.), Spectacled Teiids (*Gymnophthalmus* spp.), Worm Teiids (*Scolacosaurus* spp.).

4. The following Lacertid Lizards (*Lacertidae*) may be kept without an exotic animal possession permit: *Acanthodactylus* spp., *Gallotia* spp., *Lacerta* spp., *Podarcis* spp., *Psammodromus* spp.

5. The following Lateral-fold Lizards (*Anguidae*) may be kept without an exotic animal possession permit permit: Alligator Lizards (*Gerrhonotus* spp.), Glass Lizards (*Ophisaurus* spp.), Slowworm (*Anguis* spp.).

6. All Gekkos (*Gekkonidae*) may be kept without an exotic animal possession permit except the Big Bend Gekko (*Coleonyx reticulatus*).

7. The following Iguanid Lizards (*Iguanidae*) may be kept without an exotic animal possession permit: Basilisks (*Basiliscus* spp.), Collared and Leopard Lizards (*Crotaphytus* spp.), Common or Green Iguanas (*Iguana i. iguana*), False or Spring-tailed Iguanas (*Ctenosaurus* spp.), *Liolaemus* spp., New World Chameleons (*Anolis* spp. and *Ctenotus* spp.), Spiny Lizards (*Sceloporus* spp.), Tree and Bush Lizards (*Urosaurus* spp.), *Uranoscodon* spp., Zebra-tailed Lizards (Callisaurus spp.).

9. The following Agamid Lizards (*Agamidae*) may be kept without an exotic animal possession permit: *Amphibolorus* spp., *Calotes* spp., *Hydrosaurus* spp., *Pogona* spp., Water Dragon (*Physignathus* spp.)

10. Night Lizards *(Xantusidae*): All Night Lizards (*Xantusia* spp.) may be kept without an exotic animal possession permit, except for the Utah Night Lizard (*Xantusia virgilis utahensis*).

11. Old World Chameleons (*Chameleonidae)* may be kept without an exotic animal possession permit.

5. List of Birds.

(a) Possession of the following groups of birds is prohibited without a permit issued by the USFWS and if the bird is considered native, a permit issued by RI DEM Division of Fish & Wildlife:

1. Endangered species of birds.
2. Migratory birds listed in the Code of Federal Regulations, 50 CFR 10.13. (Migratory Bird Treaty Act).

NOTE: RI DEM Division of Fish & Wildlife Regulations prohibits the possession of mute swans or their eggs.

(b) The following birds or groups of birds may be kept without an exotic animal possession permit:

1. Blue or Button Quail (*Coturnix chinensis*)
2. *Columbidae* (Pigeons and Doves)
3. *Estrildidae* (Waxbills and allies)
4. *Fringillidae* (Finches and allies)
5. *Ploceidae* (Weaver Finches except the Red-billed, Black-fronted, and Sudan Diochs, which require a permit)
6. *Psittacidae* (Parrots and their allies) except for *Myiopsitta monachus* Monk Parakeet, which requires a permit
7. *Ramphastidae* (Toucans, Aracaris, and Toucanets)
8. *Sturnidae* (Starlings and Mynahs), except the Rose-colored Starling (Pink Starling or Rosy Pastor, *Sturnus roseus*), which requires a permit

6. List of Mammals.

(a) The following mammals may be kept without an exotic animal possession permit:

1. Four-toed (African pygmy) Hedgehog (*Erinaceus albiventris*) (=*Atelerix pruneri*)
2. Chinchilla (*Chinchilla* spp.) derived from captive stock
3. Deer Mouse and White-footed Mouse (*Peromyscus maniculatus* and *P. leucopus*)
4. Degu (*Octodon degus*)
5. Egyptian Spiny Mouse (*Acomys cahirinus*)
6. House Mouse (*Mus musculus*)
7. Jerboas (*Dipus* spp.)
8. Norway Rat (*Rattus norvegicus*)
9. Paca (*Cuniculus* spp.)
10. Captive bred hamsters that are common pet trade species
11. Sugar Glider (*Petaurus breviceps)*
12. Ferret (*Mustela putorius)*

NOTE: Possession of a ferret does not require obtaining an exotic animal possession permit. Possession of a ferret does require a ferret possession permit issued through the Division of Fish & Wildlife.

(b) The importation and possession of native and exotic cervids by any person is prohibited without a valid permit from the Department per the *Rules and Regulations Governing the Importation, Feeding, and Baiting of Cervids in Rhode Island.* However, AZA-accredited facilities are exempt from permitting requirements pursuant to R.I. Gen. Laws 4-18-3 and 4-18-6 provided compliance with all specified requirements within the statutes (also see Rule 8.2).

(c) The possession of native mammals is restricted to those institutions identified within Rule 7.3, and as exempted per Rule 8 of these Rules and Regulations. Terrestrial mammals considered native to Rhode Island and which possession as pets is prohibited include the following:

1. American Beaver (*Castor canadensis*)
2. American Mink (*Neovison vison*)
3. Big Brown Bat (*Eptesicus fuscus*)
4. Black Bear (*Ursus americana*)
5. Bobcat (*Lynx rufus*)
6. Common Muskrat (*Ondatra zibethicus*)
7. Eastern Chipmunk (*Tamias striatus*)
8. Eastern Cottontail (*Sylvilagus floridanus*)

9. Eastern Coyote (*Canis latrans*)
10. Eastern Gray Squirrel (*Sciurus carolinensis*)
11. Eastern Mole (*Scalopus aquaticus*)
12. Eastern Red Bat (*Lasiurus borealis*)
13. Fisher (*Martes pennanti*)
14. Gray Fox (*Urocyon cinereoargenteus*)
15. Hairy-tailed Mole (*Parascalops breweri*)
16. Hoary Bat (*Lasiurus cinereus*)
17. Little Brown Bat (*Myotis lucifugus*)
18. Long-tailed Weasel (*Mustela frenata*)
19. Masked Shrew (*Sorex cinereus*)
20. Meadow Jumping Mouse (*Zapus hudsonius*)
21. Meadow Vole (*Microtus pennsylvanicus*)
22. Moose (*Alces alces*)
23. New England Cottontail (*Sylvilagus transitionalis*)
24. Northern Long-eared Bat (*Myotis septentrionalis*)
25. Northern short-tailed Shrew (*Blarina brevicauda*)
26. Porcupine (*Erethizon dorsatum*)
27. Raccoon (*Procyon lotor*)
28. Red Fox (*Vulpes vulpes*)
29. Red Squirrel (*Tamiasciurus hudsonicus*)
30. River Otter (*Lontra canadensis*)
31. Short-tailed Weasel (*Mustela erminea*)
32. Silver-haired Bat (*Lasionycteris noctivagans*)
33. Small-footed Bat (*Myotis leibii*)
34. Smoky Shrew (*Sorex fumeus*)
35. Snowshoe Hare (*Lepus americanus*)
36. Southern Bog Lemming (*Synaptomys cooperi*)
37. Southern Flying Squirrel (*Glaucomys volans*)
38. Southern Red-backed Vole (*Clethrionomys gapperi*)
39. Star-nosed Mole (*Condylura cristata*)
40. Striped Skunk (*Mephitis mephitis*)
41. Tri-colored Bat (*Perimyotis subflavus*)

42. Virginia Opossum (*Didelphis virginiana)*
43. Water Shrew (*Sorex palustris*)
44. White-footed Mouse (*Peromyscus leucopus*)
45. White-tailed Deer (*Odocoileus virginianus*)
46. Woodchuck (*Marmota monax*)
47. Woodland Jumping Mouse (*Napaeozapus insignis*)
48. Woodland Vole (*Microtus pinetorum*)