

# **RULES AND REGULATIONS GOVERNING WILD ANIMAL IMPORTATION AND POSSESSION**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
DIVISION OF AGRICULTURE

JUNE, 1994 AMENDMENTS

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## SECTION 1.00 ADMINISTRATIVE FINDINGS AND POLICY

1.01 AUTHORITY - These rules and regulations are adopted pursuant to authority provided under Rhode Island General Laws ("R.I.G.L.") 42-35, 42-17 and 4-18-9 for the purpose of safeguarding the protection of persons in the State of Rhode Island from disease hazards and physical harm associated with associated with imported wild animals or for which a party seeks clarity are to be construed in light of Chapter 4-18. These rules and regulations shall become effective twenty (20) days after filing.

1.02 ADMINISTRATIVE FINDINGS - Certain wild animals pose a substantial threat to the safety of the people of Rhode Island. This threat includes both actual physical harm resulting from natural predatory, defensive, or feeding behaviors, as well as disease transmission to human, domestic livestock, and indigenous wildlife populations of Rhode Island. Many wild animals require highly specialized nutritional, environmental, and veterinary care. It is therefore necessary to ensure that only disease-free, wild animals are imported into and possessed within Rhode Island, by those persons who can demonstrate they have adequate knowledge of species specific animal health and husbandry.

1.03 PURPOSE - The purpose of these rules and regulations is to:

- (a) Permit importation and possession within Rhode Island of those wild animals which are free of diseases which pose a threat to humans, livestock and native wildlife.
- (b) Allow importation/possession by only those persons who can demonstrate they have both adequate facilities, and adequate knowledge of animal health and husbandry to ensure both public safety as well as the health and well being of the imported/possessed wild animal.
- (c) Ensure endangered and threatened species are not imported/possessed in Rhode Island without a permit.

## SECTION 2.00 DEFINITIONS

Wherever used in these rules and regulations the following terms shall be construed as follows:

**"Domestic Animals"** shall mean animals, which through extremely long association with humans, have been bred to a degree which 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.

Such animals may include but are not limited to:

Domestic dog (*Canis familiaris*) excluding hybrids with wild canids

Domestic cat (*Felis catus*) excluding hybrids with wild felines

Domestic horse (*Equus caballus*) including hybrids with *Equus asinus*

Domestic ass, burro, and donkey (*Equus asinus*)

Domestic sheep (*Ovis hirus*)

Domestic goat (*Capra hircus*)

Domestic swine (*Sus scrofa domestica*)

Llama (*Lama alama*)

Alpaca (*Lama pacos*)

Camels (*Camelus bactrianus* and *Camelus dromedarius*)

Domesticated races of European rabbit (*Oryctolagus cuniculus*)

Domesticated races of chickens (*Gallus gallus*)

Domesticated races of ducks and geese (*Anatidae*) morphologically distinguishable from wild birds

Domesticated races of guinea fowl (*Numida meleagris*)

Domesticated races of peafowl (*Pavo cristatus*)

**"Endangered Species"** those species of animals designated as threatened or endangered according to the U.S. Fish and Wildlife Service and published in the Federal Register.

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

**"Director"** shall mean the Director of the Rhode Island Department of Environmental Management, or his/her duly authorized agent or agents.

**"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.

**"Native Wildlife"** shall mean animals occurring naturally, either presently or historically, within the boundaries of the State of Rhode Island.

**"Person"** shall mean any person, 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 who import, hold, sell, purchase or possess any wild animal in accordance with sections 4-18-1 and 4-18-2 of the General Laws of Rhode Island.

**"Quarantine"** shall refer to the types of quarantine as defined by the American Public Health Association, namely: (1) complete quarantine; (2) modified quarantine; (3) personal surveillance; and (4) segregation.

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

**"Wild Animals"** shall mean vertebrate animals and insecta other than those defined as domestic animals or native wildlife.

### **SECTION 3.00 REQUIREMENTS FOR IMPORTATION OR POSSESSION OF WILD ANIMALS**

3.01 A PERMIT to import into, receive or possess in this state animals listed in section 8.00 herein, shall be restricted to United States Department of Agriculture (USDA) and American Association of Zoological Parks and Aquariums approved facilities as well as exhibitors and private persons seeking to import or possess a wild animal pursuant to the provisions of section 4-18-3 of the General Laws of Rhode Island, 1956, as amended, and the rules and regulations herein. Obtaining such permit does not preclude conformance with such other Federal, State or local requirements for licensure certification or permit which may be required.

3.02 No other person shall be allowed to import into, receive or possess any animals listed in section 8.00 herein, other than United States Department of Agriculture (USDA) approved and American Association of Zoological Parks and Aquariums (AAZPA) approved zoos and research institutes, or as well as exhibitors and private persons seeking to import or possess a wild animal.

3.03 The Director in his/her discretion may issue a permit to import, receive or possess wild animals in accordance with section 3.01 to section 8.00 herein. The application shall include but not be limited to the following for each species requested:

- (a) The number, sex, age, true scientific name and exact identification of the individual animals.
- (b) The carries and probable point of first arrival as well as the location where each animal will be kept in Rhode Island.
- (c) The purpose for which they are to be imported/possessed.
- (d) The full name and complete address of the consignee.

- (e) The full name and complete address of the consignor.
- (f) The location where the animal(s) shall be held in quarantine pending the completion of such tests, veterinary examinations, and observation period as may be specified by the department in issuance of the import permit, as well as the location where the animal(s) shall be permanently held. Adequate quarantine and/or permanent enclosure facilities must be available for inspection and approved by the Department prior to issuance of the import permit.
- (g) The name and address of the veterinary currently licensed in Rhode Island who shall conduct the tests and examinations specified by the Department.
- (h) A letter from a veterinarian currently licensed to practice within the State of Rhode Island stating that (s)he shall conduct the tests and periodic medical examinations specified by the department.
- (i) Except for AAZPA certified facilities, a 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, as well as any needs specific to the particular species subject to the Department's approval.
- (j) Permit fee as specified by Rhode Island General Laws Section 4-18-8.

## **SECTION 4.00 ISSUANCE OF IMPORT/POSSESSION PERMITS**

4.01 Issuance of import/possession permits may be made by the Department upon:

- (a) Receipt of written application providing the information enumerated under Section 3.03 not less than seven (7) days preceding the probable date of shipment.
- (b) Completion of an inspection by the department to ensure the quarantine and/or final enclosure facility designated in the application is adequate.
- (c) Payment of the necessary permit fees as required under 4-18-8.
- (d) Determination by the Department that human as well as native wildlife and domestic animal health and safety are not endangered.
- (e) Approval of the probable point of first arrival into this state.
- (f) Receipt by the State Veterinarian of a Certificate of Veterinary Inspection signed and issued within 30 days of anticipated importation by a veterinarian licensed in the State of Origin and countersigned by the official in the State of Origin responsible for the control of animal disease, specifically identifying the individual animals imported. The certificate shall state that such animals are free from signs of infectious, contagious and communicable disease, and certify such animals are free of specific diseases enumerated by the Department and available upon request.

4.02 The Permit shall indicate the conditions under which the animal(s) are to be maintained, such conditions are to be determined by current prevailing (AAZPA) standards and in accordance with Section 3.03 (a-j) of these regulations.

## **SECTION 5.00 CONDITIONS OF IMPORTATION/POSSESSION PERMIT**

5.01 Should the ownership, location, enclosure or purpose of importation/possession change, new application for a permit shall be made in pursuant to Section 3.03 of these regulations.

5.02 Animals imported/possessed under permit shall not be used for breeding purpose without prior notification of and approval by [as per Section 3.03 (c)] the Department. Such approval shall be indicated on the permit issued.

- (a) The owner of the offspring of any permitted animals shall apply for a permit for such offspring within two (2) weeks of their birth.

5.03 The possessor of any import/possession permit shall notify the Department within twenty four (24) hours of the death and immediately upon escape of any permitted animal.

5.04 The Department reserves the right to immediate examination and testing of imported/possessed wild animals when there is probable cause as determined by the Department to suspect that the animals are harboring diseases or parasites suspected of endangering public health or the health of domestic animals or that of native wild animals. Measures deemed necessary to protect domestic animals, public health and native wild animals, may include, but are not limited to: quarantine, seizure, destruction, and postmortem examination.

## **SECTION 6.00 QUARANTINE**

6.01 All imported animals requiring a permit must be maintained under quarantine in accordance with the provisions of Section 4-18-11 of the General Laws of Rhode Island.

6.02 The conditions of quarantine to be imposed shall be determined by the Director or his/her duly authorized representative on the basis of the conditions and circumstances of each individual case.

## **SECTION 7.00 VIOLATIONS**

Any violation pursuant to the provisions of Chapter 4-18 of the General Laws of Rhode Island and the rules and regulations herein may be cause for imposing penalties in accordance with the provisions of the above mentioned statute, as well as revocation of existing import/possession permit(s).

7.01 Any wild animal imported/possessed into or within the State of Rhode Island violating the provisions of Chapter 4-18 or regulations promulgated thereunder shall be considered contraband. Any such animal that poses a threat to public safety may be confiscated by DEM or any other law enforcement agency. If any animal that is confiscated cannot be safely confined, or if said animal is severely ill, debilitated, or injured, the animal may be euthanized, and its carcass held as evidence. DEM shall hold such animal or carcass held as evidence. DEM shall hold such animal or carcass thereof until criminal or administrative proceedings have been completed. The person importing/possessing any such confiscated animal shall pay the costs of board, feed, veterinary care, and transport for any such confiscated animal until such time as the criminal or administrative proceedings have been completed.

7.02 If said animal is adjudged to be possessed/imported in violation of any provisions of Chapter 4-18, the Department shall make reasonable attempt to find suitable placement of such animal which meets requirements of Chapter 4-18 and any regulation adopted thereunder. If suitable placement is not found, the animal may then be euthanized.

7.03 Persons in Rhode Island possessing any animal listed in Section 8.0 at the date of filing of these regulations with the Secretary of State shall have six (6) months to obtain an Importation/Possession Permit, after which time said person shall be in violation of these regulations.

## **SECTION 8.00 ANIMALS REQUIRING IMPORTATION/POSSESSION PERMIT**

8.01 All species listed as threatened or endangered by the United States Department of the Interior.

### 8.02 Class Mammalia (Mammals)

Order Chiroptera: bats - All non native species

Order Primates: All primates

Order Rodentia

Family Capromyidae: nutrias

Order Carnivora:

Family Canidae (including non-domestic Hybrids thereof)

Family Ursidae

Family Viverridae - civets, mongooses

Family Hyaenidae - aardwolf, hyenas

Family Felidae - cats (including non-domestic Hybrids thereof)

Order Proboscidea elephants

Order Perissodactyla - odd toes ungulates

Family Equidae - wild horses, zebra, asses

Family Tapiridae - tapirs

Family Rhinocerotidae - rhinos

Order Artiodactyla - even toes ungulates

Family Suidae

Family Hippopotamidae - hippos

Family Tagulidae - chevrotains (mouse deer)

Family Cervidae - deer, elk

Family Giraffidae - okapi, giraffe

Family Antilocapridae - pronghorn

Family Bovidae

Subfamily bovinae

Genus Tragelaphus (bongo, sitatunga, kudu, bushbuck, nyalas)

Genus Taurotragus (eland)

Genus Boselaphus (nilgai, bluebuck)

Genus Tetracerus (4 horned antelope, chousingha)

Genus Bubalus (asian water buffalos, anoa)

Genus Syncerus (African buffalo)

Genus Bos (banteng, gaur, seladang, kouprey, yak)

Genus Bison (American & European)

Subfamily Cephalophinae - duikers

Genus Cephalophus (duikers)

Genus Syevicapra (gray or common duikers)

Subfamily Hippotraginae

Genus Kobus (waterbuck, lechwes, kob & onotragus, adenota, puka)

Genus Redunda (reedbuck)

Genus Pelea (phebok)

Genus Hippotragus (roan & sable antelopes)

Genus Oryx (oryx, gemsbok)

Genus Addaxes

Genus Damaliscus (sassabies)

Genus Alcelaphus (hartebeasts)

Genus Gorgon Connochaetes (wildebeasts, gnus)

Order Artiodactyla

Family Bovidae

Subfamily Antilopinae

- Genus Oreotragus (klipspringer)
- Genus Ourebia (oribi)
- Genus Raphicerus (steenbok, grysbok)
- Genus Neotragus (dwarf antelopes)
- Genus Madoqua (dikdiks)
- Genus Dorcatragus (beira)
- Genus Antilope (black buck)
- Genus Aepyceros (impala)
- Genus Ammodorcas (dibatang)
- Genus Litocranius (gerenuk)
- Genus Gazella (gazelles)
- Genus Antidorcas (springbuck)
- Genus Procapra (central asian gazelles)

Subfamily Caprinae

- Genus Panthalops (chiru, Tibetan antelope)
- Genus Saiga
- Genus Namorhedus (gorak)
- Genus Capricornis (serows)
- Genus Oreamnos (mountain goat)
- Genus Rupicapra (chamois)
- Genus Budorcas (takin)
- Genus Ovibos (musk ox)
- Genus Hemitragus (tahrs)
- Genus Capra (goats - 8 species)
- Genus Pseudois (bharals, blue sheep)
- Genus Ammotragus (aoudad, barbary sheep)
- Genus Ovis 2 subgenera, 8 species

Trichosurus Vilpecula (brush tailed possum)

### 8.03 Class Aves (Birds)

Java Sparrow - (padda oryzivora)

Sturhidae - Pink or Rose colored Starling (sturnus roseus)

Order Sphenisciformes - penguins

Order Casuariiformes

Family Casuaridae - cassowaries

Order Podicipitiformes - grebes - non native species

Order Procellariiformes

Family Procellariidae

Family Hydrobatidae - storm petrels

Order Pelecaniformes

Family Fregatidae - frigatebirds

Order Ciconiiformes

Family Balaenicipitidae - shoebill

Order Falconiformes - All non native members of the following families:

Family Cathartidae - New World Vultures

Family Accipitridae - hawks, eagles & old world vultures

Family Falconidae - falcons

Family Pandionidae - osprey

Family Sagittariidae - secretary birds

Order Galliformes - All members of:

Family Megapodiidae except brush turkey

Family Opisthocomidae - hoatzin

Order Apodiformes

Family Trochilidae - hummingbirds

Order Trogoniformes - trogons  
Order Psittaciformes - Quaker Parakeet -( Myiopsitta monachus)

#### 8.04 CLASS REPTILIA (REPTILES)

##### Order Squamata

- Family Helodermatidae - beaded lizards, gila monsters
- Family Chamaeleontidae - old world chamaelonidae
- Family Leptotyphlopidae
- Family Boidae
  - Subfamily Pythoninae
  - Python reticulatus - reticulated python
- Family Colubridae
  - Subfamily Colubrinae – Thelotornis kirtlandi - African twig snake
  - Dispholidus typus - boomslang
  - Subfamily Boiginae - boigine vipers
  - Subfamily Lycodontinae - mole vipers
- Family Elapidae - cobras, coral snakes, mambas, etc.
- Family Hydrophiidae - sea snakes
- Family Viperidae - vipers
- Family Crotalidae - pit vipers

#### 8.05 CLASS OSTEICHTHYES (FISHES)

Gambusia Affinis (Mosquito Fish)  
Etenopharyngodon Tdella (Grass Carp)  
Umbra Pygmaea (Eastern Mudminnow)  
Order Cypriniformes

- Family Electrophoridae - electric eels

### **SECTION 9.00 APPLICABILITY**

These Regulations shall apply to any person wishing to import or possess a wild animal into or within the State of Rhode Island.

### **SECTION 10.00 SEVERABILITY**

If any section or provision of these regulations is held invalid by a court of competent jurisdiction, the remaining sections or provisions of the regulations shall not be affected thereby.

These regulations supercede any prior regulations.

### **SECTION 11.00 CONSISTENCY**

No provision of these regulations shall be construed to prevent enforcement of any other state, federal, or local laws and regulations duly adopted for the purpose of protecting the public health and welfare.

### **SECTION 12.00 APPEAL AND HEARING PROCEDURE**

#### 12.01 Opportunity for Hearing

(a) Denials: Any person whose application for a permit, permit renewal, other approval, or a variance has been denied by the permitting agency, acting through the Division 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.G.L. 42-17.1-2(u).



(c) Time of Filing: All requests for a hearing shall be made in writing within ten (10) days of receipt of the notice of denial or violation or other action and shall be addressed to the Administrative Adjudication Division.

(d) Hearings and Administrative Procedure: Pursuant to the authority granted to the Department in Chapter 42-17.1 (1977 Reenactment) and Chapter 42-35 (1977 Reenactment), the hearings and administrative procedures shall conform to the "Administrative Rules of Practice and Procedure for the Department of Environmental Management, Administrative Adjudication Division for Environmental Matters."

#### **SECTION 13.00 EFFECTIVE DATES**

These rules shall take effect on the date specified in the attached certification of promulgation by the Director of Environmental Management and the Environmental Standards Board.

#### **SUPERSEDED RULES**

Rules and Regulations Pertaining to Importation of Wild Animals (RY-18-1WA) Filed 10/01/80. The foregoing Rules and Regulations, after due notice and an opportunity for hearing, are hereby adopted and filed with the Secretary of State this 20 day of June, 1994 to become effective twenty (20) days after filing, in accordance with the provisions of the General Laws of 1956, as amended, specifically Chapters 42-17.1 and 42-35 and 4-12.

Michael Annarummo

Director

Department of Environmental Management

Notice given on: \_\_\_\_\_

Effective: \_\_\_\_\_