

6238.1550 TRANSPORTING, RELOCATING, AND HOLDING RAPTORS.

Subpart 1. **State and federal regulations.** This part and applicable federal regulations apply when transporting, relocating, housing, and temporarily holding raptors in the state.

Subp. 2. **Carrying permit when trapping, transporting, working with, or flying raptor.** A person trapping, transporting, working with, or flying raptors must have the person's permits, or legible copies of the permits, in the person's immediate possession when not at the location of the person's permitted raptor facilities.

Subp. 3. **Permanent change of address.** A person with a falconry or propagation permit must report a permanent change in the location of permitted facilities to the commissioner within five days following the move. Until new facilities are inspected, the permittee must house raptors as described under subpart 7. Persons moving out of state must comply with required notifications under federal regulations.

Subp. 4. **Multiple facilities; part-year residents.** If a permittee houses permitted raptors in a location other than the permittee's primary facilities for more than 120 consecutive days, the facilities at the other location must comply with federal regulations and be listed on the permit. A permittee who resides part of the year in another jurisdiction may be required to obtain a permit in the state, tribe, or territory where the permittee lives part time.

Subp. 5. **Location of facilities.** Falconry facilities may be on property not owned by the permittee if the permittee's primary residence is also located at that property. The falconry facilities may be on property owned by the permittee that is not the permittee's primary residence if the facilities are 30 miles or less from the permittee's primary residence or if the facilities are over 30 miles from the permittee's primary residence and used for 120 days or less annually. Regardless of location, the raptors must be maintained in a humane and healthy manner, and the facilities must comply with federal regulations.

Subp. 6. **Temporary care.** A permitted raptor, including a nestling, may be temporarily held by a person other than the permittee according to federal regulations. The permittee must inform the commissioner, in writing, within ten days of the transfer, specifying where the raptor is being held, the reason for the transfer, who is to care for the raptor, what that person is allowed to do with the raptor, and approximately how many days the raptor is expected to be in the care of the person. If the person caring for the raptor is a permitted falconer or propagator, the raptor must be reported as a loan or transfer with appropriate paperwork submitted within ten days as provided under part 6238.1650, subpart 1.

Subp. 7. **Temporary facilities.** A raptor may be transported or held in temporary facilities for a period not to exceed 30 days, unless written authorization to extend the period is obtained from the commissioner. The temporary facilities must provide a suitable

perch and protection from predators, domestic animals, extreme temperatures, wind, and excessive disturbance. If the temporary facilities are to be used more than 120 calendar days, the falconry permittee must follow federal regulations for falconry facilities, have the facilities inspected, and request an updated permit with the change of address or the addition of the secondary housing location.

Statutory Authority: *MS s 97A.401; 97A.418; 97B.105*

History: *38 SR 299*

Published Electronically: *September 5, 2013*