

6212.1400 GENERAL RESTRICTIONS FOR POSSESSION PERMITS.

Subpart 1. **Permit requirements.** Permits for the taking, transportation, disposal, or possession of protected wild animals, whether dead or alive, or their parts, nests, or eggs will be issued as provided by this part. Applications for permits from individuals or institutions must be made in writing and must be submitted as specified. The commissioner will determine whether the applicant meets the criteria for issuance of the permit.

Subp. 2. Issuance of permits.

A. Permits may be issued upon written application made by individuals or institutions currently conducting propagation, research, scientific programs, or educational programs in the fields of biology or natural history.

B. Permits may be issued upon written application made by media outlets to enable them to conduct educational programs and to promote outdoor recreation and programs in the fields of biology or natural history.

C. Individuals, media outlets, or institutions must have appropriate and adequate facilities for the care, exhibition, or storage of the specimens sought to be taken, acquired, or possessed.

D. A permit may not be issued unless the commissioner has first determined that the permitted act will not be detrimental to the species or cause harm to natural resources. Conditions for permits may be specified to protect species and enhance knowledge of the species including:

- (1) limits on the number of people authorized by the permit;
- (2) when authorized activities may be conducted, including seasonal, daily, or other time restrictions;
- (3) where authorized activities may be conducted;
- (4) how authorized activities are conducted, including methods that may be used to collect or dispose of data, animals, or other resources;
- (5) limits on the quantity or types of animals or other resources that may be removed or collected; or
- (6) a requirement to deposit with the University of Minnesota at least one voucher specimen for each species collected in a time frame specified in the permit.

E. The following criteria shall be considered when making a decision on issuing conditions for a permit:

- (1) whether the activity will advance knowledge, understanding, interpretation, or management of the species;

- (2) whether the activity will advance retention and recruitment of people involved in outdoor skills;
- (3) whether alternative locations for carrying out the activity are available;
- (4) whether the activity interferes with other public use, research, educational, or management activities;
- (5) whether there are other reasonable alternatives for conducting the activity; or
- (6) whether the applicant is qualified to conduct the activities authorized by the permit.

Subp. 3. **Permits for taking.** Permits for the taking of protected wild animals or their parts may be issued only to named individuals. Permits for taking are valid only for the named permittees and are not transferable. Permits solely for possession, transportation, propagation, or disposal may be issued in the name of an institution or individual.

Subp. 4. **Sale or transfer of specimens.** Specimens held under permit may not be sold or otherwise transferred from the custody of the permittee without the prior written approval of the commissioner, unless otherwise provided in the permit.

Subp. 5. **Offspring.** Offspring of any specimen possessed under a permit will be subject to this part and to all the terms and conditions set forth in the permit.

Subp. 6. **Reports.** Before January 31 of each year, each permittee who has taken a protected wild animal, or parts during the preceding calendar year must file a report with the commissioner describing the specimens taken and their current disposition. Specimens consumed by use or otherwise destroyed must be so noted. Permittees must submit additional reports as may be required by the permit. A permit will not be renewed unless all required reports have been submitted.

Subp. 7. **Possession of permit.** Individual permittees must have their permit available for inspection by the commissioner while doing an act authorized by the permit. Permits issued in the names of institutions must be available for inspection during regular business hours.

Subp. 8. **Expiration, cancellation, and revocation of collector permits.** All permits issued as provided by this part expire on December 31 of the year of issuance, unless otherwise specified in the permit, and may be renewed.

All permits issued as provided by this part are subject to immediate cancellation by the commissioner upon determination that such cancellation is necessary for the conservation of the natural resources of this state, for the welfare of particular specimens, or is in the public interest.

Violation of any of the provisions of this part or the terms of any permit issued under those parts may result in immediate revocation of the permit, and may subject the permittee to other penalties established by law.

Subp. 9. **Permits for pets.** Permits are not issued for the taking or possession of protected wild animals as pets, except for raptors as provided by chapter 6238.

Statutory Authority: *MS s 84D.05; 84D.09; 84D.10; 84D.11; 84D.13; 86B.121; 97A.031; 97A.045; 97A.401; 97A.418; 97A.505; 97A.510; 97A.551; 97C.001; 97C.005; 97C.085; 97C.205; 97C.315; 97C.325; 97C.345; 97C.401*

History: *18 SR 83; 36 SR 435*

Published Electronically: *November 21, 2011*