

NORTH DAKOTA LAWS

UAPPEAL

NONTRADITIONAL LIVESTOCK

Nontraditional livestock (all captive wildlife) are divided into categories.

- EXEMPT: exempt species
- Zoos and research and educational facilities must comply with nontraditional livestock rules, but licensed zoos and USDA Class B Brokers dealing with zoos may get exemptions for testing for rare animals

CATEGORIES:

- Category 1 (NO PERMIT needed - domestic, not dangerous)
- Category 2 (PERMIT required - pose health or environmental risks)
- Category 3 (PERMIT required - inherently dangerous)
- Exempt Animals (no import or certificate needed)
- Prohibited Animals (BANNED except USDA zoos)

PERMIT (Nontraditional Livestock Auction Permit) required for auctions of Category 2 and 3 at least 30 days before event.

- EXEMPT: nontraditional livestock private treaty sale
- NEED: certificates of veterinary inspection, records of all consigned animals 10 days prior, vet on premises, license before bidding (Category 3) or license 10 days after purchase (Category 2)

LISTS:

Category 1:

- turkeys, geese, and ducks morphologically distinguishable from wild
- pigeons
- rabbits
- ratites
- chinchilla
- Guinea fowl
- ranch foxes
- ranch mink
- peafowl

- all pheasants
- quail
- chukar
- hedgehog
- degus
- other species

Category 2:

- all nondomestic ungulates, including deer, pronghorn, zebras
- nondomestic cats not category 3
- waterfowl
- shorebirds
- upland game birds not category 1
- crows
- wolverines
- otters
- bats
- martens
- fishers
- kit or swift foxes
- badgers
- coyotes
- mink
- red and gray foxes
- muskrats
- beavers
- weasels
- opossums
- prairie dogs
- other ground squirrels
- other species
- sheep: black Hawaiian, Corsican, painted desert, multi-horned hair, New Mexico dall, Texas dall, and desert sand

Category 3:

- wild suidae except domestic swine
- Big cats, including mountain lion, jaguar, leopard, lion, tiger, and cheetah
- Bears
- Wolves
- Venomous reptiles and nonvenomous injurious reptiles
- Primates
- Nondomestic sheep and nondomestic goats not category 2
- Other species

Exempt Animals:

- Arachnids
- Amphibians
- Invertebrates
- Nonvenomous noninjurious reptiles
- Tropical freshwater and saltwater fish
- Gerbils
- Guinea pigs
- Hamsters
- Mice
- Rats
- Sugar gliders

Prohibited Species:

- Skunks
- Raccoons

(North Dakota Century Code 36-01-08.1, 36-01-08.4, 36-01-12.2; North Dakota Admin. Code 48.1-02-01-09)

IMPORT

BANS import of red deer and hybrids.

Approval required to possess nondomestic sheep, goats and hybrids south and west of the Missouri River.

PERMIT (Import Permit), certificate of veterinary inspection and specific testing requirements needed for import of nontraditional livestock other than exempt animals.

(North Dakota Admin. Code 48.1-09)

MOUNTAIN LIONS, WOLVES, WOLF HYBRIDS (ANIMAL HEALTH)

Captive mountain lions, wolves, and wolf hybrids must be tattooed inside the ear with an ID number obtained from the Board of Animal Health.

(North Dakota Century Code 36-01-08.2)

VENOMOUS REPTILES (ANIMAL HEALTH)

BANS possession of live venomous reptiles.

- PERMIT issued for educational purposes (includes research, displays at schools, institutes of higher education, wildlife preserves, zoos)

BANS release of venomous reptiles.

(North Dakota Century Code 36-01-31)

PRIMATES, WOLVES, WOLF HYBRIDS (ANIMAL HEALTH)

Regulates captive primates, wolves and wolf hybrids.

(North Dakota Century Code 36-01-08.4)

WOLVES AND COYOTES (LIVESTOCK)

Wolves and coyotes kept as domestic animals may be killed if caught killing, injuring or bothering livestock or poultry

(North Dakota Century Code 36-21-10, 36-21-11)

FERAL SWINE (LIVESTOCK)

BANS import, transport and possession of live feral swine.

(North Dakota Century Code 36-26)

FARMED ELK (LIVESTOCK)

Farmed elk (elk except red deer raised for byproducts, breeding, exhibition, harvest or other purposes) are considered livestock and their raising is an agricultural pursuit. Must follow nontraditional livestock rules before 1999, be identified and confined to prevent escapes, and report escapes in 1 business day.

- NEED: sketch or map of premises and facilities, holding and handling facility, quarantine facility, 8' perimeter fence (7' if before 7/1/16), permanent ID, annual inventory report, itemized bill of sale, notify board in 1 business day of escapes, recapture in 10 days, and renotify in 1 business day of capture

PERMIT (Farmed Elk Auction Permit) required to conduct auction to sell or trade farmed elk, which are required at least 30 days before.

PERMIT (Import Permit), certificate of veterinary inspection, genetic purity test, CWD risk assessment and additional testing required for import of farmed elk.

(North Dakota Century Code 36-25; North Dakota Admin. Code 48.1-02-01-08, 48.1-07-01, 48.1-07-02)

FUR-BEARING ANIMALS

Those raising or owning a fur-bearing animal have the same property rights as domestic owners. Must follow laws regarding introduction and release.

(North Dakota Century Code 20.1-07-02)

FROGS

PERMIT (Resident Frog License or Resident Husband and Wife Frog License) required to take native frogs for consumption or scientific purposes.

- EXEMPT:

- Residents and families at residence on their land for agricultural purposes
- Residents under 15
- Take/possess up to 24 frogs with fishing license
- Bait vendor for angling

PERMIT (Resident or Nonresident Commercial Frog License) required to take frogs for commercial use including buying, taking on consignment or shipping.

(North Dakota Century Code 20.1-03-04.1, 20.1-06-17; North Dakota Admin. Code 30-03-04)

NATIVE TURTLES

PERMIT required for commercial take, trapping and hooking of native turtles for commercial use.

(North Dakota Century Code 20.1-06-16)

BIRD AND ANIMAL PROPAGATION AND DOMESTICATION

PERMIT from director required for propagating and domesticating protected live birds and animals.

- May be sold or transferred

(North Dakota Century Code 20.1-09)

HARMLESS WILD BIRDS

- 19. "Game birds" includes all varieties of geese, brant, swans, ducks, plovers, snipes, woodcocks, grouse, sagehens, pheasants, Hungarian partridges, quails, partridges, cranes, rails, coots, wild turkeys, mourning doves, and crows.
- "Harmful wild birds" includes blackbirds, magpies, English sparrows, and starlings.
- 23. "Harmless wild birds" includes all wild birds not defined herein as "harmful wild birds" or "game birds".

BANS kill, catch, take, shipment, purchase, sale and possession of harmless wild birds.

- PERMIT issued for certain purposes
- EXEMPT: imported songbirds for domestic pets

(North Dakota Century Code 20.1-04-03)

NATIVE PERMITS

- Private Fish Hatchery License
- Retail Or Wholesale Bait Vendor Licenses (sell bait retail or wholesale)
- Shooting Preserve Operating Permit
- Dog Training Permit
- Falconry License (take game with raptors)
- Private Game Bird Shooting Preserve
- Scientific Collection License

(North Dakota Century Code 20.1-06-12, 20.1-06-14, 20.1-12, 20.1-14; North Dakota Admin. Code 30-02-02, 30-02-03, 30-03-01.1, 30-03-02, 30-04-02-14.2)

PROHIBITED AQUATIC INVASIVE SPECIES

BANS possession, import, purchase, sale, propagation, transport and introduction of prohibited aquatic invasive species.

- PERMIT for certain purposes
- EXEMPT:
 - Transport to department or other approved location for identification
 - Transport for disposal for harvest or control activity
 - Dead ones
 - Immediate return after removal from watercraft or catch while angling
 - As allowed by rule

(North Dakota Century Code 20.1-17; North Dakota Admin. Code 30-03-06)

RABIES IN WILD MAMMALS AND HYBRIDS

The state regulates preventing rabies in wild mammals and hybrids, both captive and wild.

(North Dakota Century Code 23-36)

GAME IMPORT

Health certificate within 30 days prior required to import game birds or animals.

- Game birds over 5 months need negative agglutination test for pullorum disease, and those under must come from flock with testing

(North Dakota Admin. Code 30-04-04)