

OREGON LAWS

UAPPEAL

EXOTIC ANIMALS (AGRICULTURE)

BANS keeping and breeding exotic animals.

- GRANDFATHERED:
 - those on 1/1/10 with Exotic Animal Facility Permit
 - disabled person with physician recommendation to use unpermitted exotic animal possessed 1/1/10 that applied for permit by 12/31/14

- EXEMPT:
 - Hybrids with domestic animals
 - USDA facilities using Class III felines in a hybrid breeding program
 - Wildlife rehabilitators
 - USDA dealers or exhibitors or registered research facility
 - animal protection organizations including shelters and humane societies for 30 days
 - law enforcement agencies
 - veterinarian hospitals or clinics
 - educational facilities that house crocodylians with written request by state agency or local government
 - those taking an exotic for less than 48 hours for an emergency if law enforcement, Agriculture or wildlife rehabilitation center contacted
 - capuchin service monkey with written proof from physician of need, from nonprofit organization and complies with ADA

LIST:

- Nonhuman primate
 - Class I - great apes and larger primates infraorder Catarrhini, including gorillas, chimpanzees, orangutans, baboons, and gibbons
 - Class II - all old-world monkeys infraorder Catarrhini, including macaques, all guenons, patas monkeys, and mangabeys
 - Class III - old-world primates suborder Prosimii (prosimians) and all new-world monkeys of infraorder Platyrrhini, including squirrel monkeys and Saimiri species, spider monkeys and Ateles species, capuchins and Cebus species, marmosets and tamarinds, owl monkeys, howler monkeys, and wooley monkeys

- Bear except black bear

- Non-indigenous canine except wolf and domestic dog
 - Class I – non-indigenous, non wolf canine weighing 50 pounds or more
 - Class II - non-indigenous canines weighing less than 50 pounds

- Non-indigenous feline except domestic cat
 - Class I – Panthera - includes lions, tigers, leopards, snow leopards, jaguars; ligers and hybrids; non-indigenous felines not Class 1 or Class 2 that weigh 100 pounds or more when fully mature
 - Class II - cheetahs, clouded leopards, and unlisted non-indigenous felines that weigh 50 pounds - 100 pounds when fully mature
 - Class III - wild cat, jungle cat, desert cat, sand cat, black-footed cat, Pallas’s cat, caracal, serval, marbled cat, golden cat, leopard cat, rusty-spotted cat, fishing cat, flat-headed cat, iriomote cat, pampas cat, ocelot, margay, Geoffroy’s cat, kodkod, mountain cat, jaguarundi, caucasus cat, and small exotic cats that weigh 50 pounds or less when fully mature

- Crocodylians

(ORS 609-205 to 609-355, 609-992; OAR 603-011-0700 to 603-011-0725)

LIVE NONNATIVE WILDLIFE (REST)

Other live [wildlife species](#) are divided into categories which determine whether they can be imported, possessed, sold, purchased, exchanged and transported.

- GRANDFATHERED: prohibited species owned before being added AND unclassified species owned 1/1/2000 – may sell or exchange outside state
- EXEMPT: those traveling through the state less than 72 hours accompanied by any required ODA import permit

CATEGORIES

- Exempt (not considered wild)
- Prohibited (BANNED)
 - PERMIT for AZA, colleges and universities, and others that pass a questionnaire and demonstrate adequate facilities and training
- Controlled (REGULATED - specific requirements)
- Noncontrolled (LEGAL WITHOUT PERMIT)

- Unclassified (same as prohibited)

LIST (2014): See 635-056-020, 635-056-0050, 635-056-0060

CONTROLLED REQUIREMENTS: include:

- Mute Swans – must neuter males and pinion all mute swans – BANS import
- Hawks and Falcons (Falconidae and Accipitridae) – must follow protected wildlife and falconry laws
- Game Birds (Anatidae, Columbidae, Tetranidae, Phasianidae, Meleagrididae, Scolopacidae, Gruidae, Rallidae) – must follow protected wildlife laws
- European starling, House sparrows, Eurasian Collared Dove – BANS import and release – may be wild-caught, possessed, bought or sold for other purpose without permit
- Bullfrogs – BANS import, purchase, sale, barter, exchange – PERMIT required to release – may be individually caught and held in escape proof aquarium
- Crocodylians – regulated by Exotic Animals law – BANS release
- Grass Carp –
 - PERMIT to stock or release under conditions listed
 - must purchase and import from approved out-of-state supplier only (must be certified triploid, 12"+, PIT tagged and not more than 22 per acre)
 - PERMIT (Fish Transport Permit) to import or transport
- Tilapia (Mozambique, Nile, Wami, blackchin, hybrids) –
 - PERMIT (Propagation License) to sell, barter, exchange except personal consumption
 - BANS release into waters of state
 - PERMIT (Fish Transport Permit) to import or transport
- Tiger Muskellunge (Phillips Reservoir (Baker County) stocking only)
 - Approval to stock in other private or public waters
 - Must obtain and import from approved out-of-state supplier only
 - PIT tag if suitable size
- Barramundi
 - PERMIT (Propagation License) to propagate
 - Must be indoors, locked gates at accesses, veterinarian and Fish Health Management Policy, not discharge effluent water into any waters of the state
 - PERMIT (Fish Transport Permit) to import or transport
 - Fish health certification for purchase or transport
 - BANS outside approved facility or without transport permit
 - BANS release into waters of state
- Suminoe, Pacific, Kumamoto, Eastern and European flat oysters – PERMIT to release into estuaries (must be import or from other estuaries)
- Softshell, Japanese varnish and Japanese littleneck clam – allows harvest, possession and sale commercially under Division 5 or harvest and possession recreationally under 39
- Green Crab – BANS commercial take and returning to state waters if caught – allows recreational harvest under Division 39
- Whiteleg Shrimp –
 - PERMIT (Propagation License) to propagate under conditions listed
 - BANS release into waters of state
 - PERMIT (Fish Transport Permit) to import or transport
- Giant River Prawn –

- PERMIT (Propagation License) to propagate under conditions listed
- BANS release into waters of state
- PERMIT (Fish Transport Permit) to import or transport
- Non-native Crayfish (Cambaridae and Parastacidae)
 - allows commercial harvest, possession and sale under Division 5 and recreational harvest under ORS 496.162 – BANS as bait except water taken
 - BANS release into waters of state AND propagation
 - BANS import except educational institutions and immediate consumption under Fish Transport Permit with prior notification and Fish health certification

SALE/TRANSPORT/HOLDING REQUIREMENTS:

- Sale, purchase and exchange (includes game fish in aquaria) only if allowed
- LEGAL to possess, transport, sale, purchase and exchange kingsnakes and bullsnakes morphologically similar to native species if captive bred – BANS wild-caught native kingsnake and offspring and sale, purchase, exchange of wild gopher snakes and progeny
- Post common and scientific names of nonnative species if sold, traded or bartered
- Meet basic care and holding requirements
- Notify department in 24 hours of escape of prohibited or controlled and capture within 48 hours after notice

(OAR 635-056, Updated 9/11/2014)

NATIVE PROTECTED WILDLIFE

BANS possession of protected Wildlife (endangerered/threatened species; non-game birds except European starling, house sparrow, and Eurasian collared-dove; and all listed species).

PERMIT issued to take and/or hold for these purposes:

- Wildlife Holding Permit (3+ listed nongame wildlife or grandfathered animals) - \$26 per species
 - EXEMPT: Game Bird Propagation License, legally acquired game birds from propagator or import, Cervid Holding Permit or Propagation License, domesticated fur-bearing fox or mink, game fish under Fish Transport Permit
 - Coyotes must have rabies vaccination, identification tag, be neutered and deaths and transfers must be reported
 - Wild-caught held more than 48 hours must remain in captivity
- Wildlife Exhibitor/Animal Entertainment Industry Permit - \$100 + \$2 agent fee
 - Allows AZA and ZAA to submit accumulated fees during accreditation renewal

- Wildlife Sanctuary Permit

- Game Bird Propagation License (propagate game birds) - \$54 + \$2 – annual report
 - mourning doves, band-tailed pigeons, Anatidae except mute swans and Egyptian geese, Subfamily Phasianinae, grouse and ptarmigan except Genuses Centrocercus and Tympanuchus, wild turkey, common quail, Genuses Callipepla, Colinus, and Oreortyx, and Gallinago delicata

- Falconry License

- Wildlife Rehabilitation Permit

- Scientific Taking Permits (take wildlife for science)

- Game Bird Release Permit for Hunting Dog and Raptor Training and Competitive Hunting Dog Trial Permit

- Hunting Preserve License (hunt privately owned/propagated pheasants, quail, and partridge)

- Captive Cervid Holding and Propagation Permits
 - EXEMPT: scientific take permit, wildlife rehabilitation permit, public agencies
 - Revoked if no animals within 180 days
 - Type 1 - Rocky Mountain elk, Roosevelt elk, Sika deer, Muntjac deer, white-tailed deer or black-tailed deer
 - Type 2 – fallow deer, reindeer
 - BANS unlisted cervids plus hybrids of native except Rocky Mountain and Roosevelt elk hybrids if allowed on permit and as authorized for science
 - BANS import except fallow deer or reindeer temporarily exported for education or display if no contact with other cervids and department notified of re-entry and given schedule

- Federal permit (for migratory birds)

- Fox or mink for Fur Farm under Department of Agriculture

- Wildlife Propagation License (propagate game birds and mammals for sale)

- Fish Transport Permit (import, transport, export live fish and hold in waters of state)
 - EXEMPT:
 - Aquaria species (fish legally acquired pet store trade for home aquaria)
 - EXCLUDES: game fish, sturgeon, federal/state endangered/threatened, prohibited, controlled species
 - Shellfish for personal use or fish taken in commercial fisheries.
 - EXCLUDES: import for sale to wholesalers, fish dealers, retail fish dealers, restaurants, or ultimate consumer
 - Activities under STEP permit
 - Federally licensed projects
 - Activities allowed under Scientific Taking Permit
 - Vector control program for mosquitofish – only county or district needs permit and may give to citizens for transport and release

- Fish Propagation License (propagate live fish for sale)
 - ALSO NEED: Fish Transport Permit to transport to or from facility
 - EXEMPT:
 - nongame aquaria species in aquaria
 - regulated salmon hatcheries
 - STEP Permit
 - Cooperative Salmon Hatchery Agreement

- Sturgeon Propagation Permit (propagate and sell live sturgeon or eggs)
 - ALSO NEED: Fish Transport Permit to transport to or from facility

REQUIREMENTS: Exhibitor/Sanctuary:

- Must be residents
- Allows keeping retired animals that were exhibited
- Limits transfers to other permittees or AZA and need permission to obtain new black bear, cougar, bobcat
- Need documentation showing animals are exhibited for exhibition or education or active contract work along with statement of purpose for each animal and emergency action plan
- Written documentation of their qualifications
- 18+ years old with 2 years of experience with resume and 3 letters of recommendation except AZA

- Allows holding unreleaseable injured and/or orphaned animals from the wild - may be used for education under Wildlife Exhibitor/Animal Entertainment Industry Permit
- Serious human injuries or deaths caused by animal and escapes must be immediately reported
- Sanctuaries must follow GFAS standards and NOT breed or commercial trade animals or allow unguided public tours or remove animals for non-medical reasons or allows direct public contact
- Requires \$1 million liability insurance for black bears, cougars and wolves exhibited to public
- Wildlife used in films must follow AHA
- Requires facilities not AZA or ZAA to become accredited by 1/21/2022.

LIST (Last Updated 2017):

Protected Species

- Fish:
 - Alvord Lake chub
 - Oregon lakes tui chub
 - Sheldon tui chub
 - Oregon chub
 - Goose Lake tui chub
 - Northern pit roach
 - Millicoma longnose dace
 - Lahonton redbelt shiner
 - Goose Lake sucker
 - Klamath smallscale sucker, Jenny Creek population
 - Tahoe sucker
 - Malheur sculpin
 - Margined sculpin
 - Pit sculpin
 - Pacific lamprey
 - Western river lamprey
 - Western brook lamprey
 - Miller Lake lamprey
 - Klamath River lamprey
 - Pit-Klamath brook lamprey
 - Goose Lake lamprey
- Amphibians:
 - Cope's giant salamander
 - Clouded salamander
 - Black salamander
 - California slender salamander
 - Oregon slender salamander

- Del Norte salamander
- Larch Mountain salamander
- Siskiyou Mountains salamander
- Blotched tiger salamander
- Dunn's salamander
- Southern torrent salamander
- Columbia torrent salamander
- Cascade torrent salamander
- Crater lake Newt
- Rocky Mountain tailed frog
- Coastal tailed frog
- Northern red-legged frog
- Foothill yellow-legged frog
- Cascades frog
- Northern leopard frog
- Columbia spotted frog
- Oregon spotted frog
- Western toad
- Woodhouse toad
- Great Basin spadefoot

- Reptiles:

- Western painted turtle
- Western pond turtle
- Great Basin collared lizard
- Long-nosed leopard lizard
- Pygmy short-horned lizard
- Desert horned lizard
- Sharp-tailed snake
- Common kingsnake
- California mountain kingsnake
- Western ground snake
- Racer
- Rubber boa
- Night snake
- Striped Whip snake
- Ring-necked snake
- Pacific coast aquatic garter snake
- Western whiptail

- Mammals:

- Bats (Chiroptera)
- American pika (cony)
- Pygmy rabbit
- White-tailed jack rabbit

- Chipmunk – yellow pine, least, Allen’s, Siskiyou, Townsend’s
- Golden-mantled ground squirrel
- Red squirrel
- White-tailed antelope squirrel
- Northern flying squirrel
- White-footed vole
- Red Tree Vole
- Ringtail
- Fisher
- marine mammals

Nongame Legal to Hold:

- Amphibians:
 - Northwestern Salamander
 - Long-toed Salamander
 - Pacific (Coastal) Giant Salamander
 - Ensatina
 - Western Red-Backed Salamander
 - Rough-Skinned Newt
 - Pacific Treefrog or Pacific Chorus Frog

- Reptiles:
 - Northern Alligator Lizard
 - Southern Alligator Lizard
 - Western Skink
 - Northern Sagebrush Lizard
 - Western Fence Lizard
 - Common Side-Blotched Lizard
 - Western Rattlesnake excluding Willamette Valley populations
 - Pacific Gopher Snake
 - Western Terrestrial Garter Snake
 - Northwestern Garter Snake
 - Common Garter Snake

- Mammals:
 - Long-Tailed Weasel
 - Bushy-Tailed Woodrat
 - Dusky-footed woodrat
 - Deer Mouse
 - Great basin pocket mouse
 - Coast Mole
 - Northern pocket gopher
 - California Ground Squirrel

- Belding's Ground Squirrel
- Brush Rabbit
- Douglas's Squirrel

(ORS 497.228 to 497.327, 498.222; OAR 635-007-725 et. al., 635-043-0023 to 635-043-0045, 635-044, 635-046, 635-047, 635-049, 635-053-0045, 635-054-0025, 635-055)

BLACK BEAR, COUGAR, BOBCAT, RACCOON, SKUNK, CHIPMUNK, SQUIRREL

BANS black bear, cougar, bobcat, raccoon, and skunk.

- GRANDFATHERED: owners of above plus chipmunk or squirrel with Wildlife Holding Permit, sterilize if two of different sex, meet the state caging standards, and have proof they were legally acquired by 1/21/18
- PERMIT issued for exhibitors (Wildlife Exhibitor/Animal Entertainment Industry) and sanctuaries (Wildlife Sanctuary Permit).

REQUIREMENTS: All except, chipmunk and squirrel:

- must be held in AZA facilities or state caging except transport to vet or pre-approved temporary holding for approved activities
- limit of 1 each for cougar, black bear and bobcat
- Must be acquired from out-of-state USDA
- Lip tattoo or RFID with grandfathered ones by 1/18/18
- Must not be removed from wild except placement by Department to AZA or with Scientific Taking Permit or Rehabilitation or nuisance wildlife capture permit
- BANS breeding, barter or trade or sold except AZA SSP or AZA with approval
- Black bears, cougars, bobcats and wolves can only be transferred between Wildlife Exhibitor/Animal Entertainment Industry, Sanctuary or AZA or ZAA
- BANS offering raccoons and skunks as pets
- Raccoons and skunks can be held under Wildlife Holding Permit with a limit of 2 raccoons
- Raccoons or skunks must be sterilized if holding both sexes
- New gray wolves are limited to AZA and current owners must be USDA

(OAR 635-044-0460 - Effective 2/3/17)

FOX, SKUNK, RACCOON

BANS offering for sale, trade, barter and exchange of foxes, skunks and raccoons as pets.

- EXEMPT: sale, trade, barter and exchange to public park, zoo, museum or educational institution for educational, medical, scientific or exhibition purposes if permitted

(ORS 498.029)

NATIVE PROTECTED FISH

OTHER PERMITS issued:

- Sturgeon Hatchery Operation Permit (captive born white sturgeon fish hatchery)
- Private Salmon Hatchery Permit
 - ALSO NEED: Wholesale Fish Dealer License (harvest salmon), Fish Propagation License (propagate and sell fish if not released at site), Fish Transport Permit (transport), Release Permit (release)

(ORS 497.228 to 497.327, 498.222; OAR 635-007-0600 to 635-007-0680, 635.040)

ENDANGERED/THREATENED SPECIES

BANS take, import, export, transport, purchase or sell endangered and threatened species.

- PERMIT issued to take endangered/threatened species for scientific purposes
- PERMIT issued for incidental taking of state species not on federal list

(ORS 496.171 to 496.192, 498.026)

DOMESTICALLY RAISED OR IMPORTED WILDLIFE

PERMIT required to release domestically raised or imported wildlife.

(ORS 498.052)

COVERED ANIMAL SPECIES PARTS

BANS purchase, sale or possession for sale of covered animal species parts and products.

- EXEMPT:
 - Federal or state law enforcement
 - As allowed by federal law
 - federal management plan species
 - shark fins from spiny dogfish under department rules or under state permit and fish processor under federal law
 - fixed component of 100 year old+ antique if not wholly made of product and less than 200g
 - Fixed component of musical instrument if legally acquired and less than 200g
 - Noncommercial transfer to beneficiary of estate, trust, inheritance
 - Federally recognized Indian tribe
 - Sale by or to scientific or educational institution under written gift agreement before 7/1/17
 - Purchase, sale or donation by or to scientific or educational institution after 7/1/17 if permitted with records

- Scientific or educational institution means career school, community college, education service district, Oregon Health and Science University, public high school, public university listed, institution except under 348.594 or 348.597(2), zoo or aquarium accredited with comparable standards to AZA from 5/18/17

LIST:

- Elephant
- Rhinoceros
- Whale
- Tiger
- Lion
- Leopard
- Cheetah
- Jaguar

- Pangolin
- Sea Turtle
- Shark except spiny dogfish
- Ray

(ORS 498.022; OAR 635-200)

FERAL SWINE

- Feral swine = roaming on public or private lands and not under domestic management confinement with no notification to land owner or manager or occupant by owner of escape within 5 miles in last 5 days and do not appear domesticated or tame

BANS sales for hunts of feral swine.

BANS land owners or employees from allowing feral swine to roam on their lands and requires notifying department within 10 days of discovery and submit management plan in 60 days.

(ORS 498.180 to 498.182; OAC 603-010-0055, 635-058)

WALKING CATFISH AND PIRANHA

BANS possession of live walking catfish (Clariidae) and piranha (Serrasalminae).

- PERMIT for public park, zoo, museum or educational institution for educational, medical, scientific or exhibition purposes
- EXEMPT: piranha from *Pygocentrus*, *Serrasalmus* or *Pristobrycon*

(ORS 498.242)

WILDLIFE REHABILITATION

PERMIT (Wildlife Rehabilitation Permit) required to hold birds, mammals, reptiles and amphibians for rehabilitation.

RESTRICTED SPECIES: BANS rehabilitation of:

- prohibited or controlled nonnative wildlife and controlled wildlife prohibited for release – must euthanize within 24 hours – EXCLUDES game
- Imported native wildlife except migratory birds
- Marine mammals except if allowed by department and NMFS – government officials may euthanize one in severe distress
- Coyote – must notify local Department district wildlife biologist in 24 hours and hold 48 hours while they find placement
- Cougar – must immediately notify local Department district wildlife biologist and immediately place with Department veterinary staff at the ODFW Wildlife Health Lab for evaluation and transfer to AZA or disposition – BANS rehabilitating and releasing orphaned kittens – Non-AZA zoos need approval to hold kittens

RESTRICTED SPECIES: Requiring department notification:

- Healthy young-of-the-year Animals - Does not allow capturing or removing if not known to be orphaned – questionable or unknown status should be returned if not held more than 48 hours
- Black bear – immediately notify local Department district wildlife biologist and transfer to ODFW Wildlife Health Lab for evaluation - placed at AZA, approved-black bear cub rehabilitation facility, or other disposition -allows non-AZA zoo meeting standards if approved
- Mule and white-tailed deer, elk, pronghorn antelope, bighorn sheep, mountain goat, moose – orphaned born during year may be rehabilitated and released birth to Sep 30 (approval after Sep 30) if in pre-approved facilities or may only hold 48 hours until one is found - injured or diseased received after Sep 30 of birth year must be euthanized
- Raccoons – require pre-approval and pre-approved facilities and must be released in original location or euthanized unless otherwise authorized – number determined by department – must hold separately if captured from multiple locations
- Wolves – immediately notify local Department district wildlife biologist – pups may be housed 48 hours until placement in pre-approved facility or disposition determined
- Bobcat and lynx - immediately notify local Department district wildlife biologist – kittens may be housed 48 hours until placement in pre-approved facility or disposition determined

- Other Native Mammals (gray and kit fox, ringtail, American marten, fisher, wolverine, river otter, bats) - notify local Department district wildlife biologist in 24 hours – may hold 48 hours until placement in pre-approved facility or disposition determined
- Endangered/threatened/candidate/sensitive species - notify local Department district wildlife biologist in 24 hours of receipt, death, or determined not releaseable
- Wildlife crimes – immediately notify state police of wildlife with gunshot wounds or other suspicious injuries
- Poisoned and Infectious Diseases – notify department vet in 24 hours of receipt

(OAR 635-62)

ANIMAL RESCUE FACILITIES

PERMIT required for animal rescues, which includes all nonhuman mammals, birds, reptiles, amphibians and fish.

(ORS 609.415 to 609.420; OAR 603-15)

IMPORT (AGRICULTURE)

BANS import of:

- wildlife and cervids prohibited by ODF&W
- nonhuman primates except for zoos, zoological gardens, research laboratories or centers, fairs, circuses, other shows or exhibitions, or individuals with equipment and facilities

- turtles with carapace less than 4" except governmental agency, privately financed research group, zoo and wildlife exhibits

PERMIT (Import Permit) and Certificate of Veterinary Inspection required to import all livestock (horses, mules, jennies, jackasses, cattle, sheep, dogs, hogs, goats, domesticated fowl, psittacines, ratites, domesticated fur-bearing animals, bison, cats, poultry, and any other vertebrate in captivity except fish).

- EXEMPT: transport to slaughter, livestock auction market, transport through state, residents animals leaving and returning within 30 days, interstate travel of dogs, cats, reptiles, nonpoultry birds in family vehicle, CVI on file with National Assembly of State Animal Health Officials seal

REQUIREMENTS:

- Mammals other than ungulates - come from licensed or recognized facility with all captive reared animals
- Wild-caught mammals - permission from State Vet and one of these: kept as private pet for 1 year as proven by vet records and/or affidavit OR be USDA or AZA
- Non-livestock ruminants other than South American camelids – negative Brucellosis and TB within 30 days prior if 6 months+
- Ungulates – parasiticide within 30 days prior
- Cervids – follow ODF&W genetic testing for elk, negative Brucellosis and TB as required (Brucellosis-free herd and USDA Accredited Herd exempt), parasiticide 30 days prior, meningeal worm, CWD
- wild-captured cervids – negative Brucellosis and TB and parasiticide within 30 days prior
- Turtles – allows samples for testing

(OAR 603-011-0255 et. al.)