

**KAR 115-18-1.**  
**Wildlife rehabilitation permit; application,**  
**reporting and general provisions.**  
**POSSIBLE AMENDMENT**

As a result of internal department comment as well as external constituent comment on the proposed amendments to K.A.R. 115-18-1, concerning wildlife rehabilitation permits, the department suggests that the following amendments be made to the version of the regulation submitted for public comment.

**K.A.R. 115-18-1. Wildlife rehabilitation permit; application, reporting and general provisions.**

1. Amend proposed subsection (b)(D)(iii) on page two as follows:

(iii) a test score of at least 80 percent on a department-administered wildlife rehabilitation examination at a department office location. Each applicant who fails the examination shall wait a minimum of 30 days before retaking the examination. The test may be taken only twice during each calendar year. The test shall not be returned to applicants at any time.

2. Amend proposed subsection (g)(1) on page 5 as follows:

(1) All rehabilitation of wildlife shall be performed in consultation, as necessary, with a licensed veterinarian named on the rehabilitator's permit or with veterinarians on staff at the Kansas State University veterinary hospital.

3. Amend proposed subsection (j) on page 7 as follows:

(j) The secretary or designee shall be notified within 48 hours if the permittee receives for transport or care an endangered species, threatened species, or species in need of conservation, as identified in K.A.R. 115-15-1 and K.A.R. 115-15-2. Permission for treatment and care by the requesting permittee may be granted by the secretary or designee, or an alternate course of action may be specified by the secretary or designee.

4. Amend proposed subsection (l)(1) on page 8 as follows:

(1) Any person may temporarily possess and transport sick, orphaned, displaced or injured wildlife within the state to a person authorized to perform wildlife rehabilitation services or initial treatment. Possession of an individual animal for transportation to initial treatment shall not exceed one day.

4. Amend proposed subsection (1)(3) on page 9 as follows:

(3) Any person authorized by permit to perform wildlife rehabilitation services or exempt by law from the requirement to possess a wildlife rehabilitation permit may possess individual animals for treatment purposes on a temporary basis. Possession of an individual animal for treatment purposes shall not exceed ~~90~~ 120 days, unless an extension has been approved by the secretary or designee.

5. Amend proposed subsection (1)(4)(D) on page 10 as follows:

(D) any wildlife species listed in K.A.R. 115-18-10, except as authorized in writing by the secretary.

6. Amend proposed subsection (o) on page 11 as follows:

(o) ~~This regulation shall be effective on and after January 1, 1990.~~ Any person authorized by permit to perform wildlife rehabilitation services or exempt by law from the requirement to possess a wildlife rehabilitation permit may temporarily possess and transport wildlife to another location within the state for the purposes of providing treatment, releasing wildlife in its natural habitat, or transporting wildlife to an approved temporary or permanent holding facility. Possession of wildlife for transportation to another location shall not exceed ~~one week~~ 48 hours.

7. Amend proposed subsection (p)(2) on page 12 as follows:

(2) Wildlife that cannot be rehabilitated and released to the wild shall be euthanized unless a written request, specifying an alternate course of action, is approved by the secretary or designee. Each course of action requiring the wildlife to remain in captivity shall be approved only if the wildlife is transferred from the permittee providing the rehabilitation services to an accredited zoological facility, or a scientific; or educational permit holder in accordance with subsection (i). Each transfer shall be allowed only for educational programs or fostering or socialization purposes, and no transfer shall take place unless the secretary or designee has approved the request in writing.

8. Amend proposed subsection (p)(3) on page 12-13 as follows:

(3) All euthanized wildlife and wildlife that have died ~~of natural causes~~ shall be buried, incinerated, or transferred to a person or facility possessing a valid department ~~salvage~~ scientific, educational, or exhibition permit. All federally permitted wildlife shall be disposed of in accordance with the terms of any federal permit. Any deceased wildlife may be disposed of on private property with the prior written permission of the person in legal possession of the private property. Deceased wildlife shall not be disposed of within the limits of any municipality without the prior written permission of the municipality.

9. Amend proposed subsection (q)(4) on page 13 as follows:

(4) The permittee has not been convicted of violating local, state, or federal laws relating to the care, treatment, possession, take, or disposal of wildlife or domestic animals within the previous five years.

10. Amend proposed subsection (s) on page 13 as follows:

(s) This regulation shall be effective on and after January 1, 2005 2006.