ARTICLE I - GENERAL PROVISIONS

#1400 - POSSESSION

A. Any person may provide immediate transportation for sick, injured, or orphaned wildlife to the Division, a licensed wildlife rehabilitator, DVM (licensed Doctor of Veterinary Medicine), animal control agency or local law enforcement agency for the purposes of obtaining animal care or treatment if instructed to do so by the individual or agency to whom the wildlife will be delivered.

B. Nothing in this chapter shall be construed as authorizing the practice of veterinary medicine as defined in section 12-64-103 (10) and regulated by the provisions of article 64 of Title 12 C.R.S.

C. Wildlife possessed under authority of this chapter remain the property of the State and nothing herein shall be construed as granting any ownership interest to a licensed Wildlife Rehabilitator, Provisional Wildlife Rehabilitator or any other person. As owner, the State has the right to require a rehabilitator or any other person having possession of wildlife under authority of this chapter to immediately surrender possession of such wildlife to the Division in the case of violation of these regulations or other applicable law or whenever the Director or his designee determines it is necessary or appropriate for the welfare of such wildlife or for the protection of wildlife resources or the public.

ARTICLE II - POSSESSION AND REHABILITATION OF SICK, INJURED, OR ORPHANED WILDLIFE

#1401 - LICENSE TYPES AND REQUIREMENTS

A. The Colorado Division of Wildlife may issue an annual Wildlife Rehabilitator License or annual Provisional Wildlife Rehabilitator License to any individual for the purpose of rehabilitating wildlife that is or appears to be sick, injured, or imprinted on humans; or that has been orphaned; or that has been otherwise approved by the Division. Only wildlife listed on the license may be rehabilitated, and all rehabilitation authorized by the license is for the primary purpose of returning the wildlife to the wild. The license is a renewable annual license which expires on January 31, annually.

1. Types of Licenses

   a. Wildlife Rehabilitator

      1) Authorizes licensee to receive, rehabilitate, transfer, and release all wildlife listed on the license under the conditions specified on the license.

   b. Provisional Wildlife Rehabilitator

      1) Authorizes licensee to receive, rehabilitate, transfer, and release all wildlife listed on the license under the conditions specified on the license.
2) Must be sponsored by a Wildlife Rehabilitator(s) licensed for the same wildlife.

3) Must consult with sponsor immediately after receiving any wildlife. If sponsor is not available, a licensed Provisional Wildlife Rehabilitator must consult with a licensed Wildlife Rehabilitator, DVM, or the Division within 24 hours.

4) Must immediately return any wildlife to the sponsor upon request.

2. License Requirements: Prior to the issuance of any license, the Division shall determine that the applicant has met the following requirements:

   a. Certification that the applicant is at least 18 years of age.

   b. Submission of a completed written application form provided by the Division.

   c. Submission of a letter from a DVM agreeing to examine and treat injured wildlife. The Division will not be responsible for reimbursing the DVM for services rendered.

   d. Effective February 1, 1997, completion of a basic wildlife rehabilitation curriculum approved by the Division which includes basic animal care concepts, zoonotic disease information, preferred euthanasia practices, wildlife rehabilitation law and ethics, and other general rehabilitation information; except that Provisional Wildlife Rehabilitators must complete the course prior to their second license renewal.

   e. Submission of the applicant's USFWS special purpose rehabilitation permit where required, or a copy of the federal application. Federally regulated species cannot be authorized on any license until the USFWS permit has been received.

   f. Certification by the applicant that the proposed possession and treatment of wildlife is not in violation of any city or county ordinance and submission of any required local permits.

   g. Certification by the applicant that the proposed wildlife rehabilitation activities will be in compliance with Colorado Department of Health statutes 25-4-602 through 604 and Colorado Department of Health regulation 6CCR-1009-1 (regulation 7).

   h. Certification by another licensed Wildlife Rehabilitator or a Division employee who has completed the basic wildlife rehabilitator course that the person possesses the necessary skills and abilities to be a licensed Wildlife Rehabilitator.

   i. Possession of an on-site holding facility which meets the criteria established under regulation #1404. A Provisional Wildlife Rehabilitator may meet this requirement with facilities available from the sponsor.

   j. Certification by the applicant that he/she has read and understands the "Zoonoses Information and Prevention" packet provided by the Division containing general zoonoses information and procedures to minimize potential exposure to such diseases.

   k. Certification by the applicant that he/she has been provided with information by the Division of Wildlife about Chronic Wasting Disease (CWD).
3. If at any time a Provisional Wildlife Rehabilitator loses sponsorship, all wildlife shall be transferred to the sponsor or other Wildlife Rehabilitator licensed for that wildlife as soon as possible but not to exceed 48 hours. If the licensee has not obtained a new sponsor within 30 days, the license shall expire. Anytime sponsorship is revoked, the sponsor shall notify the Division within 48 hours.

4. Upon receipt of an application, the Division will review the application and inspect the facilities. Approval or disapproval will be based on compliance with the licensing and facilities criteria in this chapter. Written notification of the approval or disapproval (including reason for disapproval) will be made within 60 days of Division receipt of the application.

5. Licensed Wildlife Rehabilitators may use unlicensed volunteers under their supervision, at their facilities, provided that they maintain current records including name, address, phone number, and dates worked for all volunteers.

#1402 - RECORD REQUIREMENTS

A. All licensed wildlife rehabilitators shall keep current and complete written records of wildlife handled, containing the following information:

1. Species, sex, length and type of treatment, source of wildlife, cause for admission, date received, attending veterinarian if applicable, disposition, and disposition date.

B. These records must be submitted by the licensee to the Division no later than January 31 annually. In addition, licensees must maintain copies of the current and prior calendar years’ records.

#1403 - REQUIREMENTS FOR LICENSE RENEWAL

A. The renewal of a license is contingent upon the licensee's compliance with relevant state statutes, health department regulations and the provisions of this chapter.

#1404 - FACILITIES AND INSPECTIONS

A. All wildlife must be kept within wildlife holding enclosures except when being transported, transferred, treated, or released. These holding facilities must be designed, constructed and maintained to provide:

1. Safety and protection for wildlife and people.
   
a. Facilities and outdoor cages must be locked.
   
b. Facilities must ensure containment for wildlife under rehabilitation and exclusion of other wild and domestic animals.

2. Separation between wildlife held under other licenses and wildlife in rehabilitation at all times, unless otherwise approved by the Division.

3. Sufficient space to allow normal development and physical behavior, as well as postural and social adjustments with freedom of movement.

4. Proper lighting levels.

5. Proper ventilation.
6. Ability to conduct cleaning, sanitation, disinfecting and handling procedures considering safety, escape prevention and while minimizing stress to wildlife.

7. A means to gradually acclimate wildlife to external environmental conditions.

8. Appropriate ambient temperatures.

9. Barriers to minimize stress on these wildlife.

10. Barriers to prevent imprinting on humans or domestic animals.

B. In addition to the design, construction and maintenance of holding facilities as specified in 1404 A, the licensee must provide:

1. Specific enclosures for all developmental stages of wildlife on the license.

2. Enclosures for recuperation from injuries.

3. Quarantine capabilities.

4. Parasite and pest control.

5. Shelter within enclosure as needed.

6. Clean water and appropriate food.

7. Nesting and/or bedding materials.

C. The facilities will be kept clean and sanitary.

D. Wildlife rehabilitator license applicants shall develop a written minimum facilities standards agreement with the Division, which describes the facilities and explains how they meet or exceed the requirements of regulations #1404 A and B. This agreement shall be in the form of an annotated checklist which explains how generally and specifically stated objectives (e.g., "proper ventilation" or "parasite control") are met. Any facilities added between inspections shall meet the same standards. When approved, the plan shall become a part of the issued license and a failure to maintain the facilities as described in the license agreement shall be deemed a violation of this regulation.

E. Within the facilities shall be available for inspection by representatives of the Division or other persons having authority to enforce the Wildlife Commission regulations, at reasonable times seven (7) days a week.

#1405 - CARE, TREATMENT AND DISPOSITION OF WILDLIFE

A. A DVM must approve all medications, medical treatments, diagnostic and prognostic procedures. Anesthesia and surgery will be conducted only by a DVM or under direct DVM supervision.

B. If the rehabilitator or DVM determines that any wildlife is not likely to survive, it must be euthanized immediately by the DVM or rehabilitator.

C. As soon as it can be determined that sick or injured wildlife is not likely to recover within 180 days, it must be euthanized, unless prior Division approval is given for extended care.

D. It shall be unlawful to provide wildlife care that seriously impairs the potential success of release,
such as but not limited to wing amputation, without approval of the Division.

E. A DVM may render emergency care and treatment to sick or injured wildlife without a wildlife rehabilitation license. Whenever a DVM renders such care or treatment he or she shall transfer responsibility for such wildlife either to a licensed wildlife rehabilitator or notify the Division within 24 hours of initial contact with the wildlife. Any care and treatment rendered shall not create a financial obligation to the Division or licensed wildlife rehabilitator without prior approval.

F. Any DVM, licensed wildlife rehabilitator, full time employee of the Division, Peace Officer as defined in 18-1-901(3)(1) (1986), Animal Control Officer or anyone else authorized by the Division may euthanize injured wildlife when such person determines that no other reasonable action would be practical, humane or effective for the rehabilitation of the wildlife.

G. Factors that shall be considered in determining what action should be taken relative to injured wildlife include:
   1. Type, extent and severity of injury(ies).
   2. Physical condition of the injured wildlife.
   3. Any other relevant factors which show that no other reasonable action would be practical or effective for the rehabilitation of the animal involved.

H. Any person euthanizing wildlife using chemical agents which have the potential to cause secondary poisoning must provide for appropriate burial, incineration, or other lawful disposition of such wildlife.

I. Except as provided below, it shall be unlawful to use leashes and tethers in the rehabilitation of wildlife. Creances for flying raptors in rehabilitation may be used only for sound biological reasons under the supervision of a veterinarian approved by the Division. Creances shall not be used as a substitute for flight cages for pre-release training and exercise.

#1406 - RELEASE OF WILDLIFE

A. All rehabilitated wildlife shall be released in appropriate habitat as close as possible to its place of origin, within 10 miles of that location; or as otherwise required to comply with any special conditions of the license; or at a site approved in advance by the Division except that any member of the family Cervidae taken for rehabilitation to a rehab facility in a Game Management Unit where at least one confirmed case of CWD has been documented must be released in appropriate habitat in the Game Management Unit where the rehabilitation facility is located.

B. All rehabilitated wildlife shall be released as soon as it has reached physical maturity and/or has attained full recovery from injury or illness, or as soon thereafter as the time of year is ecologically appropriate. In no case shall any wildlife be held longer than one year without prior Division approval based on sound biological reasons.

#1407 - RESTRICTED SPECIES

A. Any rehabilitator licensed for State or Federally listed threatened or endangered species must notify the Division within 48 hours after receiving; after release; and prior to euthanasia of these species.

B. Applicants for authorization to rehabilitate spotted skunks, hognosed skunks or any bats must show evidence of current pre-exposure rabies vaccination with demonstrated titers. If authorized, the
licensee must not allow unvaccinated individuals to contact skunks or bats in rehabilitation.

C. The rehabilitation of striped skunks is prohibited.

D. Any member of the family *Cervidae* taken for rehabilitation from a Game Management Unit where at least one confirmed case of CWD has been documented must be rehabilitated in a rehabilitation facility located in a Game Management Unit where at least one confirmed case of CWD has been documented. If such a facility is not available, the animal shall be euthanized.

Editor’s Notes

History

Chapter 14 recodified as 2 CCR 406-14 on 04/01/2009; for history and versions prior to 04/01/2009, see 2 CCR 406-8.