

## SECTION .1300 – REPTILES AND AMPHIBIANS

### 15A NCAC 10H .1301 COMMERCIAL TAKE OF CERTAIN TURTLES AND TERRAPINS PROHIBITED

- (a) It is unlawful to engage in the commercial taking of any native turtle or terrapin species in the families Emydidae or Trionychidae, except the public may obtain possession permits from the Wildlife Resources Commission for possession, transportation, purchase or sale of these turtles and terrapins as described pursuant to Rule .1302 of this Section.
- (b) For purposes of this Rule, "commercial taking" is defined as the taking, possession, collection, transportation, purchase or sale of five or more individual turtles or terrapins, or any part thereof, per person in any given year.
- (c) The prohibition on collection in this Rule shall not apply to the following:
- (1) A licensed veterinarian when holding for purposes of medical treatment;
  - (2) A holder of a valid rehabilitation permit for purposes of rehabilitation;
  - (3) A publicly-financed zoo, scientific research facility or institution of higher education, or any state or federal agency;
  - (4) Any person who accidentally collects five or more turtles or terrapins incidental to any lawful activity, and who immediately returns them to the wild;
  - (5) Property owners who legally apply for and receive depredation permits from the Wildlife Resources Commission, or one of its Wildlife Damage Control Agents.
- (d) Any person who was in lawful possession of five or more native turtles or terrapins in aggregate at the time of the effective date of this Rule shall apply for a possession permit to retain them. The permit to retain these animals shall be applied for before January 1, 2008. No native turtles or terrapins shall be purchased or sold without a permit. Permittees are subject to all requirements and conditions described in Rule .1302 of this Section.
- (e) Violators are subject to a replacement cost per individual turtle that shall equal the replacement cost for "species with no open season" as set forth in 15A NCAC 10B.0117(c) until such time as replacement costs for each genus of turtle in these families is established by the Wildlife Resources Commission.

*History Note:* Authority G.S. 113-333(a)(6);  
Eff. May 1, 2007;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.