SECTION .1300 – REPTILES AND AMPHIBIANS

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

(a) For the purposes of this Rule, "commercial taking" means the taking, possession, collection, transportation, purchase, or sale of five or more individual turtles or any turtle part, per person in a calendar year.

(b) It shall be unlawful to engage in the commercial taking of any native turtle species in the families Emydidae or Trionychidae.

(c) The prohibition on commercial taking 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 captivity permit for the 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 incidental to any lawful activity, and who immediately returns them to the wild; or
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) No native turtle shall be sold, except:

1. as authorized by 10A NCAC 41A .0302; and
2. snapping turtles (Chelydra serpentina) with a curved carapace length of 11 inches or greater.

(e) Violators shall be 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).

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;