

Regulation of Certain Reptiles.

§ I Mishandling of reptiles declared public nuisance and criminal offense.

The intentional or negligent exposure of other human beings or the environment to unsafe contact with reptiles that are venomous, with large constricting snakes, or with crocodylians being potentially injurious and detrimental to public health, safety and welfare, and the environment, the indulgence in and inducement to such exposure is hereby declared to be a public nuisance and a criminal offense, to be abated and punished as provided in this Article.

§ II Regulation of ownership or use of venomous reptiles.

It shall be unlawful for any person to own, possess, use, transport or traffic in any venomous reptile that is not housed in a sturdy and secure enclosure. Permanent enclosures shall be designed to be escape proof, bite proof and have an operable lock. Each enclosure shall be clearly and visibly labeled 'Venomous Reptile Inside' with the scientific name, common name, number of specimens, appropriate anti-venom and owners identifying information noted on the enclosure. Transport containers shall be designed to be escape proof, bite proof and shall be clearly and visibly labeled 'Venomous Reptile Inside' with scientific name and common name noted on the container. A written bite protocol that includes emergency contact information, local animal control office, the name and location of suitable anti-venom, first aid procedures and treatment guidelines, as well as, an escape recovery plan must be within sight of permanent housing and a copy must accompany the transport of any venomous reptile. In the event of an escape of a venomous reptile, the owner or possessor of the venomous reptile shall immediately notify local law enforcement.

§ III Regulation of ownership of large constricting snakes.

As used in this Article, large constricting snakes shall mean: Reticulated Python, *Python reticulatus*; Burmese Python, *Python molurus*; African Rock Python, *Python sebae*; Amethystine Python, *Morelia amethystina* and Green Anaconda, *Eunectes murinus* or any of their subspecies or hybrids. It shall be unlawful for any person to own, possess, use, transport or traffic in any of the large constricting snakes that are not housed in a sturdy and secure enclosure. Permanent enclosures shall be designed to be escape proof and shall have an operable lock. Each enclosure shall be labeled clearly and visibly with the scientific name, common name, and owners identifying

information. Transport containers shall be designed to be escape proof. A written safety protocol and escape recovery plan must be within sight of permanent housing and a copy must accompany the transport of any of the large constricting snakes. In the event of an escape of a large constricting snake, the owner or possessor of the large constricting snake shall immediately notify local law enforcement.

§ IV Regulation of ownership of Crocodilians

For purposes of this Article, all Crocodilians, excluding American alligator, shall be regulated. It shall be unlawful for any person to own, possess, use, transport or traffic in any Crocodilian that is not housed in a sturdy and secure enclosure. Permanent enclosures shall be designed to be escape proof and have a fence of sufficient strength to prevent contact between an observer and the crocodilian, and shall have an operable lock. Transport containers shall be designed to be escape proof. A written safety protocol and escape recovery plan shall be within sight of permanent housing and a copy must accompany the transport of any Crocodilian. In the event of an escape of a Crocodilian, the owner or possessor shall immediately notify local law enforcement.

§ V Prohibited handling of reptiles or suggesting or inducing others to handle.

It shall be unlawful for any person to intentionally mishandle any reptile of a species named in this Article in a way or manner that intentionally or negligently exposes another individual to unsafe contact with such reptile. It shall also be unlawful for any person to intentionally suggest, entice, invite, challenge, intimidate, exhort or otherwise induce or aid any person to handle or expose himself to any reptile of a species named in this Article in a way or manner that intentionally or negligently exposes another individual to unsafe contact with such reptile. Safe and responsible handling of reptiles for purposes of animal husbandry, training, transport, exhibition and education is permitted.

§ VI Investigation of suspected violations; seizure and examination of reptiles; disposition of reptiles.

In any case in which any law-enforcement officer or animal control officer has probable cause under the law to believe that any of the provisions of this Article have been violated, it shall be the duty of such officer and he is hereby authorized, empowered, and directed to immediately investigate such violation or impending violation and to forthwith seize the reptile or reptiles

involved, and all such officers are hereby authorized and directed to deliver such reptiles to the State Department of Natural Resources or to its designated representative for examination for the purpose of ascertaining whether said reptiles are a venomous reptile, large constricting snake or crocodilian subject to this Article. If the North Carolina State Museum of Natural Sciences or its designated representative finds that said reptile is a venomous reptile, large constricting snake or crocodilian subject to this Article, the Department of Natural Resources or its designated representative shall be empowered to determine final disposition of said reptiles in a manner consistent with the safety of the public; but if the Museum or its designated representative find that the reptile is not a venomous reptile, large constricting snake or crocodilian subject to this Article and either no criminal warrants or indictments are initiated in connection with the reptile within 10 days of initial seizure, or a court of law determines that such reptile is not being owned, possessed, used, transported or trafficked in violation of this Article, then it shall be the duty of such officers to return said reptiles to the person from whom they were seized within five days.

§ VII Arrest of persons violating provisions of Article.

If the examination made by the State Department of Natural Resources as provided herein shows that such reptile is a venomous reptile, large constricting snake or crocodilian it shall be the duty of the officers making the seizure with probable cause to believe that such reptile is being owned, possessed, used, transported or trafficked in violation of this Article in addition to authorizing the State Department of Natural Resources or its designated representative to determine final disposition of such reptiles, also to arrest all persons violating any of the provisions of this Article.

§ VIII Exemptions from provisions of Article.

This Article shall not apply to the possession, exhibition, or handling of reptiles by employees or agents of museums, laboratories, educational or scientific institutions, public or private, in the course of their educational or scientific work.

§ IX Civil remedies and criminal penalties for violation.

(a) Any person violating any of the provisions of this Article shall be guilty of a Class 2 misdemeanor.

(b) If a person other than the owner of the venomous reptile, large constricting snake or crocodilian or such owners agent(s), suffers a life

threatening injury or is killed as the result of a violation of this Article the owner shall be guilty of a Class 1 misdemeanor.

(c) Any person intentionally releasing into the wild a non-native venomous reptile, a large constricting snake, or a crocodilian shall be guilty of a Class 1 misdemeanor.

(d) A violation of this Article shall constitute wanton conduct within the meaning of G.S. ID-5(7).