



## Ohio Administrative Code Rule 1501:31-37-01 Falconry permit; fees.

Effective: June 30, 2024

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### (A) Falconry permits.

Ohio falconry permits may be issued for up to three years and expire at midnight on the date specified on the permit.

(1) The fee for a new falconry permit is seventy-five dollars plus twenty-five dollars for each year the permit is issued.

(2) The renewal fee is twenty-five dollars for each year the permit is issued.

(3) Hunting license requirements under section 1533.10 of the Revised Code are not altered by an Ohio falconry permit.

(4) It shall be unlawful for a person to engage in falconry without an Ohio falconry permit, except:

(a) A nonresident may engage in falconry in Ohio if they possess a valid Ohio nonresident hunting license, have proof that they legally possess the raptor, and are legally authorized to engage in falconry in their state of residence;

(b) A nonresident participating in a falconry field trial approved by the division of wildlife is exempt from the Ohio falconry permit and the nonresident hunting license requirements upon providing proof that they are legally authorized to engage in falconry in their state of residence.

(5) It shall be unlawful for any Ohio falconry permit holder to fail to comply with any provision in this rule.

### (B) Classes of Ohio falconry permits.



There are three classes of Ohio falconry permits.

(1) Apprentice class. Apprentice class falconry permit holders will:

(a) Be at least sixteen years of age;

(b) Possess not more than one raptor and obtain no more than two raptors for replacement during any twelve-month period;

(c) Not take, transport, or possess any raptor other than an American kestrel (*Falco sparverius*) or a red-tailed hawk (*Buteo jamaicensis*);

(d) Have a qualifying sponsor. Qualifying sponsors are residents of Ohio, or an adjacent state, that currently hold either a general or master class falconry permit, have three or fewer apprentices, and have provided a statement that they will assist the apprentice with:

(i) Learning about the husbandry and training of raptors held for falconry;

(ii) Learning and about relevant wildlife laws and regulations;

(iii) Deciding what species of raptor is appropriate for the apprentice to possess.

(2) General class. General class falconry permit holders will:

(a) Be at least eighteen years of age;

(b) Have at least two years experience in falconry while holding an apprentice class falconry permit and be able to demonstrate that a generally accepted standard of proficiency in falconry has been achieved;

(c) Possess not more than three raptors, of which no more than two may be from the wild;

(d) Obtain no more than two raptors from the wild as replacement birds during any twelve-month



period;

(e) Not take, transport, or possess any bald eagle or any raptor listed as threatened or endangered in state or federal regulations.

(3) Master Class. Master class falconry permit holders will:

(a) Have at least five years experience in the practice of falconry at the general class level or its equivalent;

(b) Possess not more than five raptors from the wild. Provided further, master class falconry permit holders may possess any number of captive-bred raptors as long as the permit holder trains them in the pursuit of wild game and uses them in hunting;

(c) Obtain no more than two raptors from the wild as replacement birds during any twelve-month period;

(d) First obtain written authorization from the division of wildlife and the U.S. fish and wildlife service to take, transport, or possess a raptor listed as threatened in federal regulations;

(e) Not take, transport, or possess any raptor listed as endangered in state or federal regulations unless otherwise authorized in writing by both the division of wildlife and the U.S. fish and wildlife service. Captive-bred raptors listed as threatened or endangered may be possessed and transported in accordance with federal regulations.

(C) Applications.

Every applicant for an Ohio falconry permit will submit a completed application to the division of wildlife. Provided further:

(1) First-time applicants will include the name, address and falconry permit number of their qualifying sponsor;



- (2) A parent or legal guardian will sign the application and be legally responsible for any applicant under eighteen years of age;
- (3) Every applicant, other than a first time applicant, will provide the number of raptors they possess at the time the application is submitted, along with the species, age (if known), sex (if known), date of acquisition, source, and marker number for each raptor.
- (4) A falconry permit will not be issued unless the applicant has:
- (a) Answered correctly at least eighty percent of the questions on a supervised examination provided by the division of wildlife and approved by the U.S. fish and wildlife service. The examination may relate to basic biology, care and handling of raptors, regulations, and other appropriate subject matter. A person who fails to pass the examination is not eligible to submit another application for six months following the examination;
  - (b) Adequate facilities and equipment, including either a weathering area or mews, that have been inspected and approved by a representative of the division of wildlife;
  - (c) Submitted payment for the license;
  - (d) Affirmed that falconry facilities and raptors may be inspected at any reasonable time without advance notice by the division of wildlife. Division of wildlife personnel will not enter facilities or disturb the raptors unless the permit holder is present.
- (5) General or master class permit holders who have allowed their permits to expire or who have relocated from out-of-state may apply for an Ohio falconry permit when evidence of a previous falconry permit is presented and upon payment of the permit fee;
- (6) All application and permit fees will be forfeited to the division of wildlife if the applicant fails to meet all of the permit requirements within one year of date of application.
- (D) Falconry facilities and care requirements.



All raptors held under a falconry permit will be kept in humane and healthful conditions. It shall be unlawful to fail to maintain care, housing, facilities, and equipment at or above the following minimum standards:

(1) Facilities will protect raptors in them from the environment, predators, and domestic animals whether they are indoors (a mews) or outdoors (a weathering area). Provided further:

(a) The facility will have a suitable perch for each raptor, at least one opening for sunlight, and provide a healthy environment for raptors inside;

(b) Raptors that are compatible with each other may housed together untethered;

(c) Each raptor will have an area large enough to allow it to fly if it is untethered or, if tethered, to fully extend its wings or bate (attempt to fly while tethered) without damaging its feathers or contacting other raptors;

(d) Each raptor will have access to a pan of clean water unless weather conditions, the perch type used, or some other factor makes access to a water pan unsafe for the raptor;

(2) An indoor facility or mews will be large enough to allow easy access for the care and feeding of raptors kept there. Provided further:

(a) If raptors housed in this indoor facility are not tethered, all walls that are not solid will be protected on the inside. Suitable materials may include vertical bars spaced narrower than the width of the body of the smallest raptor you house in the enclosure. However, heavy-duty netting or other such materials may be used to cover the walls or roof of the enclosure;

(b) Acceptable indoor facilities include shelf perch enclosures where raptors are tethered side by side. Other innovative housing systems are acceptable if they provide the enclosed raptors with protection and allow them to maintain healthy feathers;

(c) A nestling raptor may be kept in any suitable container or enclosure until it is capable of flight.



- (3) Raptors may be housed in a residence without modifying windows or other openings if there are adequate perches provided for each raptor, and the raptors are tethered when they are not being moved into or out of the location in which they are kept;
- (4) A weathering area or outdoor facility will be totally enclosed, and may be made of heavy-gauge wire, heavy-duty plastic mesh, slats, pipe, wood, or other suitable material. Provided further:
- (a) The facility will be covered and have at least one covered perch to protect a raptor held in it from predators and weather;
  - (b) The enclosed area will be large enough to ensure that the birds cannot strike the enclosure when flying from the perch;
  - (c) New types of housing facilities and/or husbandry practices may be used if they satisfy the requirements above and are approved by the division of wildlife.
- (5) Raptors may be kept outside in the open if they are under watch by the permit holder or another designated person;
- (6) Raptor facilities will not be on property owned by someone other than the permit holder, unless the permit holder submits a signed and dated statement showing the property owner agrees that the falconry facilities and raptors may be inspected at any reasonable time by the division of wildlife in the presence of the property owner. Division of wildlife personnel will not enter facilities or disturb the raptors unless the permit holder is present;
- (7) Another falconry permit holder may care for a raptor or raptors for up to 120 consecutive calendar days, provided:
- (a) The caregiver has a signed and dated statement from the permit holder authorizing the temporary possession and includes the time period of possession or care and what the other person is allowed to do with the raptor or raptors. plus a copy of a form 3-186A that shows that you are the possessor of each of the raptors;



- (b) The caregiver has a copy of the form 3-186A that shows the permit holder as the possessor of each of the raptors;
  
- (c) The caregiver holds the appropriate level falconry permit, they may fly the raptors as authorized by the permit holder, including hunting;
  
- (d) The raptors remain under the permit holder, then those raptors are not counted against the possession limit of the caregiver;
  
- (e) The care of raptors can be extended beyond 120 days in extenuating circumstances with approval of the chief of the division of wildlife or their designee.
  
- (8) Another person who is not a falconry permit holder may care for a raptor or raptors for up to 45 consecutive calendar days, provided:
  - (a) The raptors remain in the permit holder's facilities;
  
  - (b) The caregiver does not fly the raptors for any reason;
  
  - (c) The care of raptors can be extended beyond 45 days in extenuating circumstances with approval of the chief of the division of wildlife or their designee.
  
- (9) Falconry permit holders will have and maintain jesses or the materials and equipment to make them, leash and swivel, bath container, and appropriate scales or balances for weighing raptor(s) they possess.
  
- (E) Markers.

It shall be unlawful to:

- (1) Acquire a raptor for falconry purposes without first obtaining a marker;
  
- (2) Fail to attach a marker immediately upon the acquisition of a raptor;



- (3) Band or possess a raptor taken from the wild with a seamless metal band;
- (4) Attach a marker to any raptor not lawfully captured, transferred, or possessed by the permit holder;
- (5) Use or possess a counterfeit marker;
- (6) Transfer an unused marker to another;
- (7) Alter or deface a marker, except that a permit holder may remove the rear tab on the marker and may smooth any imperfect surface provided the integrity of the marker and the numbering are not affected;
- (8) Remove a marker that has been attached to a raptor, except immediately prior to the final disposition of the carcass of a raptor that has died or the intentional release into the wild;
- (9) Fail to report any new raptor acquired or transferred within five days by submitting all of the following to the United States fish and wildlife service and the division of wildlife:
  - (a) A completed form 3-186A, a similar form provided by the division of wildlife, or by reporting the information through another method authorized by the division of wildlife;
  - (b) The marker number;
  - (c) Proof the raptor has been legally acquired.
- (10) Fail to remove bands and markers from any raptor that died or was intentionally released and submit all of the following to the division of wildlife within five days:
  - (a) A completed form 3-186A, a similar form provided by the division of wildlife, or by reporting the information through another method authorized by the division of wildlife;





(b) The marker;

(c) The likely cause of death or the area of the release.

(11) Fail to immediately attach a replacement marker to the raptor upon receipt and submit to the United States fish and wildlife service and the division of wildlife a completed form 3-186A, a similar form provided by the division of wildlife, or by reporting the information through another method authorized by the division of wildlife within five days.

(F) General provisions.

The following provisions apply to Ohio falconry permit holders:

(1) Raptors may be used for falconry purposes only, except that falconry permit holders may promote the sport of falconry including the use of raptors held under their permit for not-for-profit educational presentations. Apprentice falconry permit holders may present these programs only under the supervision of a general or master class falconry permit holder. Provided further, permit holders will not participate in for-profit activities utilizing falconry birds, except:

(a) When authorized by the chief of the division of wildlife;

(b) Master class falconry permit holders may provide nuisance wild animal removal and control services for hire under the authority of a commercial nuisance wild animal control operator license provided the control services are authorized and follow the conditions of their federal special-purpose abatement permit. General class falconry permit holders may conduct abatement activities only as a subpermittee of the holder of the abatement permit;

(c) Permit holders may recoup their expenses to provide educational presentations.

(2) A permit holder may transport a raptor under their permit to another state for falconry purposes without a permit from the division of wildlife.

(3) Feathers that are molted or those feathers from raptors held in captivity that die, may be retained



and exchanged by permit holders for imping purposes only.

(4) Live propagated game birds may be used at any time for training purposes in areas designated by the division of wildlife as a dog training area or designated by the falconer on the falconry permit application.

(5) Any species of prey accidentally taken during the closed season will be released if alive. Dead prey cannot be removed from the field, but the raptor can feed upon it. Provided further, European starlings, English sparrows, and pigeons, other than homing pigeons, may be taken, possessed, and used for the capturing, training, and feeding of raptors provided they are not traded, sold, or bartered.

(6) All raptors possessed by a permit holder who dies or becomes physically incapable of performing the requirements of this rule will be transferred to the division of wildlife for disposal, except when the permit holder provides a preferred disposition in writing. Approved dispositions include:

(a) Transfer to a member of the immediate family if the permit holder is a master or general class falconry permit holder. Family members will be given priority to receive the permit holder's raptors;

(b) Transfer to another falconry permit holder or licensed falconer;

(c) Release if the raptor was wild-captured;

(d) Transfer to a raptor breeding program;

(e) Transfer to a licensed educational institution.

(7) Any hybrid raptor flown for the purposes of falconry must have attached thereto two separate, functioning radio transmitters for the purpose of locating the raptor.

(8) It shall be unlawful to intentionally release a hybrid raptor, or any other raptor species not indigenous to Ohio, without written authorization from the chief of the division of wildlife.

(9) When raptors are transported, used for hunting, or possessed away from the permit holder's



facilities, they will have a suitable perch and be protected from extreme temperatures, wind, and excessive disturbance. A "giant hood" or similar container is acceptable for transporting or housing a raptor when it is away from the permit holder's facilities where it is housed.

(10) A permit holder will inform the division of wildlife in writing within five business days if they change the location of their falconry facilities.

(11) A permit holder may request in writing to the chief that the permit be held inactive for the remainder of the permit period. While on inactive status, facilities and equipment are not required and no raptors may be possessed. Provided further, the permit will not be reactivated until adequate facilities and equipment, including either a weathering area or mews, have been inspected and approved by a representative of the division of wildlife.

(G) Falconry report.

It shall be unlawful for an Ohio falconry permit holder to fail to submit a falconry report to the division of wildlife:

(1) By July thirty-first each year in a manner prescribed by the chief of the division of wildlife;

(2) That includes all of the following information:

(a) A listing of all raptors in possession on June thirtieth of the year in which the report is filed, by species, marker number, sex, age, date of acquisition, and where or from whom acquired;

(b) A listing by species of all raptors possessed or acquired since the previous annual report, but no longer possessed, including marker number, sex, age, date of acquisition, where or from whom acquired, and whether the raptor escaped, died, or was released, and when the event occurred;

(c) A record of each wild animal taken by species;

(d) Any other information requested by the division of wildlife.



(H) Inspections.

Falconry raptors, facilities, equipment, and records may be inspected at any reasonable time in the presence of the permit holder.

(I) Revocation.

(1) Failure to comply with any provision of this rule may result in revocation of the falconry permit.

(2) Failure to correct any deficiencies within forty-eight hours of written notification or two written notifications within a twelve-month period will result in revocation of the falconry permit for the period of one year.

(3) All the fees for revoked permits will be forfeited to the division of wildlife.

(J) It shall be unlawful for any person to transfer, buy, sell, or barter, or offer for transfer, sale or barter, or transport for transfer, sale or barter any raptor unless otherwise authorized by the chief of the division of wildlife.

(K) The division of wildlife is not liable for damages caused by raptors possessed or used in falconry.

(L) All definitions set forth in rule 1501:31-1-02 of the Administrative Code apply to this rule.