

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 1533**

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**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

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ADOPTED JUNE 14, 2012

**Sponsored by:**

**Assemblyman JOHN J. BURZICHELLI**

**District 3 (Cumberland, Gloucester and Salem)**

**Assemblyman CHARLES MAINOR**

**District 31 (Hudson)**

**Assemblywoman BONNIE WATSON COLEMAN**

**District 15 (Hunterdon and Mercer)**

**Assemblyman GILBERT "WHIP" L. WILSON**

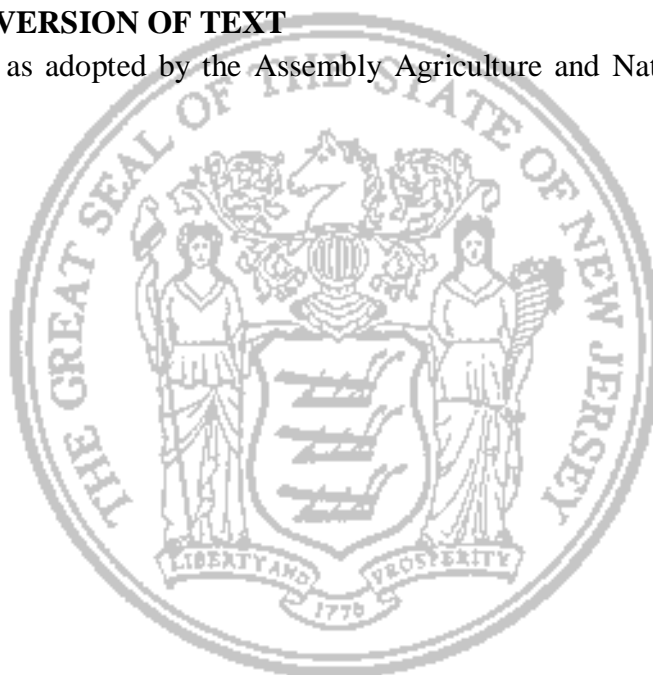
**District 5 (Camden and Gloucester)**

**SYNOPSIS**

“Licensed Wildlife Rehabilitator Act”; establishes licensure requirements for wildlife rehabilitators.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Assembly Agriculture and Natural Resources Committee.



1   **AN ACT** establishing wildlife rehabilitator licensing requirements  
2       and supplementing Title 23 of the Revised Statues.

3

4       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6

7       1. This act shall be known and may be cited as the “Licensed  
8 Wildlife Rehabilitator Act.”

9

10      2. The Legislature finds and declares that:

11      a. In the past decade, the number of wildlife encounters has  
12 increased while the number of volunteer wildlife rehabilitators in  
13 the State has decreased drastically, and seven counties in the State  
14 have no wildlife rehabilitators;

15      b. The wildlife rehabilitator permitting process was established  
16 by the Division of Fish and Wildlife, in the Department of  
17 Environmental Protection, in order to support and keep track of  
18 individuals rehabilitating wildlife;

19      c. Volunteer wildlife rehabilitators demonstrate an interest in  
20 helping injured, orphaned, or sick wildlife and are an asset to  
21 communities all over the State, providing an outlet for the public by  
22 responding to calls for help from veterinarians, police departments  
23 and State Police, fire departments, the United States Coast Guard,  
24 animal control officers, and private individuals, and rehabilitating  
25 thousands of animals each year; and

26      d. It is therefore in the best interest of the State to increase the  
27 number of wildlife rehabilitators and wildlife rehabilitation  
28 facilities located throughout the State by: creating an environment  
29 that encourages volunteers; eliminating any apparent and real  
30 conflicts with the Division of Fish and Wildlife; working with  
31 animal rescue groups, veterinarians, animal shelters, animal control  
32 officers, and others to establish fair and reasonable training and  
33 licensing requirements and educational programs; and supporting  
34 wildlife rehabilitation goals that protect the health and wellbeing of  
35 citizens and wildlife in this State.

36

37      3. As used in this act:

38      “Applicant” means a person who has applied to the department  
39 to become a wildlife rehabilitator or apprentice.

40      “Apprentice” means a person issued an apprentice license to  
41 perform wildlife rehabilitation under the supervision of a wildlife  
42 rehabilitator licensed pursuant to this act.

43      “Board” means the Wildlife Rehabilitation Board established  
44 pursuant to section 8 of this act.

45      “Department” means the Department of Environmental  
46 Protection.

1       “Wildlife rehabilitation” means the process of caring for an  
2 injured, orphaned, or sick wild animal, including providing food,  
3 shelter, and medical care to the animal, and returning the animal to  
4 the wild after treatment if appropriate.

5       “Wildlife rehabilitator” means a person who is trained to perform  
6 wildlife rehabilitation on specific animals and licensed pursuant to  
7 this act.

8  
9       4. a. The Department of Environmental Protection shall  
10 administer a licensing program and licensing requirements for  
11 wildlife rehabilitators.

12       b. A wildlife rehabilitation license issued pursuant to this act  
13 shall list the species that the wildlife rehabilitator is authorized to  
14 handle. The department shall establish the list and the Wildlife  
15 Rehabilitation Board may review any species listed in conjunction  
16 with a license issued pursuant to this subsection.

17       c. Each wildlife rehabilitation license or apprentice license  
18 issued pursuant to this act shall be issued to an individual, shall be  
19 valid only for the individual to whom it is issued, and shall not be  
20 transferable. There shall be no application or renewal fees charged  
21 for any wildlife rehabilitation license or apprentice license issued  
22 pursuant to this act.

23       d. Prior to applying for a wildlife rehabilitation license  
24 pursuant to this act, an applicant shall first obtain and receive a  
25 federal rehabilitation permit from the United States Fish and  
26 Wildlife Service in the United States Department of the Interior or  
27 from the National Marine Fisheries Service in the National Oceanic  
28 and Atmospheric Administration, if necessary or applicable.

29       e. A wildlife rehabilitator shall keep a record of any wild  
30 animal that is a rabies vector species accepted for rehabilitation, in  
31 addition to any records, tallies or logs or other information required  
32 pursuant to a federal rehabilitation permit. The record shall include  
33 information concerning: (1) the date the wild animal was received;  
34 (2) the name, address, and phone number of the person the wild  
35 animal was received from, if applicable; (3) the species; (4) the  
36 reason for admittance, including the type of injury or illness, if  
37 applicable; and (5) the status and final disposition report, including  
38 the location of release or relocation, or transfer. The wildlife  
39 rehabilitator shall maintain an initial exam record and a medical  
40 sheet for each wild animal. The department may require additional  
41 information related to rabies vector species, such as a rabies vector  
42 species log or tally.

43  
44       5. a. An applicant shall be eligible to be issued a wildlife  
45 rehabilitation license or an apprentice license by the department  
46 provided that the applicant:

47       (1) is 18 years of age or older; and

1 (2) has not been found in violation of any law, rule, or  
2 regulation concerning animal cruelty, or this act or any rule or  
3 regulation adopted pursuant thereto.

4 To be eligible to be issued a wildlife rehabilitation license, the  
5 applicant shall also fulfill the minimum hours of wildlife  
6 rehabilitation experience required pursuant to section 6 of this act.

7 b. An application for a wildlife rehabilitation license or  
8 apprentice license, or a license renewal thereof, shall be made by an  
9 applicant on a standardized form as provided by the department.

10 c. (1) No applicant may be denied a wildlife rehabilitation  
11 license if the applicant meets the requirements of subsection a. of  
12 this section and as otherwise prescribed pursuant to this act, except  
13 if the applicant has had a wildlife rehabilitation license suspended  
14 or revoked.

15 (2) No applicant may be denied an apprentice license if the  
16 applicant: (a) meets the requirements of subsection a. of this  
17 section, and (b) has a wildlife rehabilitator licensed pursuant to this  
18 act attest to the supervision and training of the applicant as an  
19 apprentice, as required pursuant to subsection b. of section 6 of this  
20 act, except if the applicant has had a license to rehabilitate wildlife  
21 suspended or revoked.

22 d. (1) A wildlife rehabilitation license issued pursuant to this  
23 act shall be valid for three years and shall be automatically renewed  
24 every three years upon:

25 (a) fulfillment by the wildlife rehabilitator of continuing  
26 education requirements as provided pursuant to section 10 of this  
27 act;

28 (b) submission of an application for license renewal pursuant to  
29 subsection b. of this section;

30 (c) submission of records for any wild animal that is a rabies  
31 vector species accepted for rehabilitation, pursuant to subsection e.  
32 of section 4 of this act; and

33 (d) verification by the board that the wildlife rehabilitator has  
34 not been found in violation of any law, rule, or regulation  
35 concerning animal cruelty, or this act or any rule or regulation  
36 adopted pursuant thereto.

37 (2) An apprentice license issued pursuant to this act shall be  
38 valid for three years and shall be automatically renewed every three  
39 years upon:

40 (a) submission to the department of a letter from a wildlife  
41 rehabilitator licensed pursuant to this act attesting to supervision  
42 and training of the apprentice as required pursuant to subsection b.  
43 of section 6 of this act;

44 (b) submission of an application for license renewal pursuant to  
45 subsection b. of this section; and

46 (c) verification by the board that the apprentice has not been  
47 found in violation of any law, rule, or regulation concerning animal

1 cruelty, or this act or any rule or regulation adopted pursuant  
2 thereto.

3 e. (1) A person issued a wildlife rehabilitator permit by the  
4 department on or before the effective date of this act shall be  
5 deemed to be licensed as a wildlife rehabilitator for up to two years  
6 after the effective date of this act. Thereafter, the person shall  
7 apply to the department for a wildlife rehabilitation license renewal  
8 pursuant to this act.

9 (2) A person performing wildlife rehabilitation as an apprentice  
10 on or before the effective date of this act shall be deemed to be an  
11 apprentice for up to two years after the effective date of this act.  
12 Thereafter, the person shall apply to the department for an  
13 apprentice license renewal pursuant to this act.

14  
15 6. a. No person may become a licensed wildlife rehabilitator  
16 without first becoming a licensed apprentice, except as otherwise  
17 provided in this section or in subsection e. of section 5 of this act.

18 b. In order for an applicant to apply for an apprentice license, a  
19 licensed wildlife rehabilitator shall nominate the applicant to assist  
20 the wildlife rehabilitator, and the wildlife rehabilitator shall submit  
21 a letter to the department affirming and attesting to the wildlife  
22 rehabilitator's supervision and training of the apprentice.

23 The wildlife rehabilitator may be assisted by an apprentice, shall  
24 provide training to the apprentice, and shall be responsible for the  
25 proper performance of the duties of the apprentice.

26 The applicant shall meet all apprentice license application  
27 requirements set forth in section 5 of this act and as otherwise  
28 prescribed pursuant to this act, and shall obtain an apprentice  
29 license prior to assisting the wildlife rehabilitator in any capacity  
30 other than that of a volunteer, as set forth in subsection f. of this  
31 section.

32 c. To qualify for a wildlife rehabilitation license, an applicant  
33 must have an apprentice license and serve under the supervision and  
34 training of a wildlife rehabilitator for at least one year, and  
35 complete at least 100 hours of wildlife rehabilitation with the  
36 wildlife rehabilitator, to be documented and attested to by the  
37 wildlife rehabilitator. In addition, the applicant shall meet all  
38 application requirements set forth in section 5 of this act and as  
39 otherwise prescribed pursuant to this act.

40 d. A person with significant experience related to animal  
41 biology, health, safety, or welfare, including a full-time, part-time,  
42 retired, or out-of-State veterinarian, veterinary technician, wildlife  
43 rehabilitator, zoologist, or other animal specialist, may apply for a  
44 wildlife rehabilitation license in this State by:

45 (1) demonstrating, to the satisfaction of the Wildlife  
46 Rehabilitation Board, that the person has relevant and necessary

1 experience related to wildlife rehabilitation, and by providing any  
2 documentation related thereto; and

3 (2) completing at least 10 hours of wildlife rehabilitation or  
4 more, as determined by the board, with a wildlife rehabilitator  
5 licensed pursuant to this act, to be documented and attested to by  
6 the wildlife rehabilitator.

7 e. In pursuing the amount of hours of wildlife rehabilitation  
8 required pursuant to this section, an applicant may complete a basic  
9 training course for wildlife rehabilitation. A basic training course  
10 may be substituted for no more than 40 hours of the minimum hours  
11 required pursuant to subsection c. or d. of this section, as  
12 applicable, and which shall be determined by the board on a case-  
13 by-case basis.

14 f. A person who has not been issued a wildlife rehabilitation  
15 license or apprentice license may volunteer to assist a wildlife  
16 rehabilitator if the person is under the direct supervision of the  
17 wildlife rehabilitator. If a volunteer subsequently applies for an  
18 apprentice license, the volunteer may be credited up to 10 hours  
19 towards the minimum amount of hours of wildlife rehabilitation  
20 required pursuant to this section, subject to the discretion of the  
21 board and with the recommendation from the supervising wildlife  
22 rehabilitator.

23  
24 7. a. The department, in consultation with the Wildlife  
25 Rehabilitation Board established pursuant to section 8 of this act,  
26 shall establish a permit for the possession of permanently injured  
27 wildlife or endangered or threatened permanently injured wildlife  
28 species. There shall be no application or renewal fee for the permit.  
29 No wildlife rehabilitator may possess permanently injured wildlife  
30 or endangered or threatened permanently injured wildlife species  
31 without the permit established pursuant to this section, and no  
32 wildlife rehabilitator may be issued a permit pursuant to this section  
33 unless the wildlife rehabilitator has a valid wildlife rehabilitation  
34 license.

35 b. A wildlife rehabilitator applying to the department for a  
36 permit established pursuant to subsection a. of this section shall  
37 first obtain any necessary federal permit therefor from the United  
38 States Fish and Wildlife Service in the United States Department of  
39 the Interior or the National Marine Fisheries Service in the National  
40 Oceanic and Atmospheric Administration, if appropriate or  
41 applicable. A wildlife rehabilitator shall provide the department  
42 with a copy of the federal permit and the department shall review it  
43 prior to issuing the State permit for the possession of permanently  
44 injured wildlife and endangered or threatened permanently injured  
45 wildlife species.

46 c. The board shall require a wildlife rehabilitator, as part of the  
47 application for the permit established pursuant to subsection a. of

1 this section, to submit to the board a detailed written proposal,  
2 including the results of an inspection required pursuant to  
3 subsection d. of this section. As part of the proposal, the board may  
4 request that the wildlife rehabilitator submit information detailing  
5 the wildlife rehabilitator's relevant education, experience, research,  
6 publications, funding, equipment and any other information, to  
7 demonstrate to the satisfaction of the board that the wildlife  
8 rehabilitator has the knowledge and expertise in handling and caring  
9 for the specific species, and that it is reasonably probable that the  
10 wildlife rehabilitator will accept guidance from the board to  
11 improve upon that expertise.

12 d. A wildlife rehabilitator applying for the permit established  
13 pursuant to subsection a. of this section shall allow an inspector,  
14 authorized by the board pursuant to section 11 of this act, to inspect  
15 the rehabilitation facility to determine if it is suitable for the  
16 intended species. The inspector may inspect the facility once each  
17 year thereafter.

18 A wildlife rehabilitator shall demonstrate to the satisfaction of  
19 the inspector that the security of the housing, caging and other  
20 containment areas of the facility, as applicable, sufficiently protects  
21 the animal and the public.

22 (1) Facilities shall be constructed to prevent (a) possible escape  
23 of the animal, and (b) public access to the animal, except for those  
24 animals that are used for educational purposes.

25 (2) Veterinarian service shall be ready and available to an  
26 animal within a reasonable time frame and distance. A wildlife  
27 rehabilitator shall have an agreement with a nearby veterinarian for  
28 consultation or services.

29 e. After the board receives the proposal submitted pursuant to  
30 subsection c. of this section, the board shall determine the eligibility  
31 of the wildlife rehabilitator and notify the department of its  
32 determination. The department shall issue a permit to a wildlife  
33 rehabilitator upon a satisfactory determination by the board, or shall  
34 deny the permit if the board's determination is unsatisfactory.

35 f. In order to retain a permit issued pursuant to this section, a  
36 wildlife rehabilitator shall submit to the board a report on the  
37 disposition of each animal processed pursuant to the permit, no later  
38 than 180 days after the date of issuance of the permit for the first  
39 year, and biennially on the date of issuance of the initial permit  
40 thereafter.

41 g. Upon determination by the board that the wildlife  
42 rehabilitator has failed to comply with the conditions set forth in  
43 subsection b., c., or d. of this section, the board shall suspend or  
44 revoke the permit and immediately seize the animal and place it  
45 under the care of another wildlife rehabilitator, pending permanent  
46 forfeiture of the animal and any other animals from the possession

1 of the wildlife rehabilitator by the board and at the wildlife  
2 rehabilitator's expense.

3 h. The wildlife rehabilitator shall, in writing at the time of  
4 application, release the board, the department, any sponsoring  
5 organization, or any professional monitoring the wildlife  
6 rehabilitator's work from liability for any damages arising from the  
7 suspension or revocation of a permit issued by the department  
8 pursuant to this section. Upon the suspension, revocation, or  
9 expiration of the permit, the wildlife rehabilitator shall be solely  
10 responsible for all costs of maintaining and relocating, at the  
11 discretion of the board, all the animals possessed under the permit.

12 i. If the wildlife rehabilitation license or license renewal of a  
13 wildlife rehabilitator is denied, suspended, or revoked, then the  
14 permit issued pursuant to this section shall be correspondingly and  
15 automatically denied, suspended, or revoked.

16

17 8. a. There is hereby established the Wildlife Rehabilitation  
18 Board in, but not of, the Department of Environmental Protection.  
19 The board shall be distinct and separate from the Division of Fish  
20 and Wildlife in the department. The board shall have full authority  
21 and responsibility for: (1) providing professional oversight for the  
22 wildlife rehabilitation license and apprentice license established and  
23 authorized pursuant to this act; (2) establishing and implementing  
24 inspection requirements; (3) developing continuing education  
25 programs for wildlife rehabilitators; and (4) determining if a license  
26 shall be suspended or revoked, or if a person may apply to become  
27 licensed without serving as an apprentice as provided pursuant to  
28 subsection d. of section 6 of this act. The board additionally shall  
29 review the department's list of species established in conjunction  
30 with a wildlife rehabilitation license pursuant to subsection b. of  
31 section 4 of this act.

32 b. The board shall consist of 10 members, nine of whom shall  
33 be voting members, to be selected and qualified as follows:

34 (1) the Commissioner of Environmental Protection, or the  
35 commissioner's designee who shall not be in the Division of Fish  
36 and Wildlife, who shall serve ex officio, and who shall be the non-  
37 voting member;

38 (2) three members who shall be wildlife rehabilitators licensed  
39 in New Jersey and residents of the State, and appointed by the  
40 Governor with the advice and consent of the Senate;

41 (3) two members, with experience rehabilitating injured  
42 wildlife, who shall be recommended by the New Jersey Veterinary  
43 Medical Association, in consultation with the New Jersey  
44 Veterinary Technicians and Assistants, and appointed by the  
45 Governor;



1 (4) two members who shall be recommended by the New Jersey  
2 Society for the Prevention of Cruelty to Animals and appointed by  
3 the Governor; and

4 (5) two members of the public with a demonstrated interest in  
5 the protection of wildlife who shall be residents of the State and  
6 appointed by the Governor with the advice and consent of the  
7 Senate.

8 c. If a vacancy for any appointed member exists after the 120th  
9 day after the date of enactment of this act, the President of the  
10 Senate in consultation with the Speaker of the General Assembly  
11 shall fill any vacancy by appointing a member as soon as  
12 practicable. A member appointed pursuant to this subsection shall  
13 be subject to the appointment terms set forth in subsection d. of this  
14 section. Any person may apply for consideration to be appointed as  
15 a member of the board pursuant to this subsection.

16 d. Of the nine members first appointed, three shall be  
17 appointed to a term of one year, three shall be appointed to a term  
18 of two years, and three shall be appointed to a term of three years.  
19 Thereafter, all appointments shall be for a term of three years, and a  
20 member shall not be appointed to serve more than three consecutive  
21 three-year terms.

22 e. Each appointed member shall serve for the term of the  
23 appointment and until a successor shall have been appointed and  
24 qualified.

25 f. No member may be appointed if found in violation of any  
26 law, rule, or regulation concerning animal cruelty, or this act or any  
27 rule or regulation adopted pursuant thereto. A member found in  
28 violation of any law, rule, or regulation concerning animal cruelty,  
29 or this act or any rule or regulation adopted pursuant thereto, shall  
30 be immediately removed by the Governor from the board and the  
31 vacancy shall be filled in the manner prescribed pursuant to  
32 subsection b. of this section.

33 g. The appointed members shall serve without compensation.

34 h. The board shall organize as soon as possible after the  
35 appointment of its members, and shall select a chairperson from  
36 among its members, other than the commissioner or the  
37 commissioner's designee, and a secretary who need not be a  
38 member of the board.

39 i. A majority of the entire board shall constitute a quorum for  
40 the transaction of business. Action may be taken and motions and  
41 resolutions adopted by the board at any meeting thereof by the  
42 affirmative vote of a majority of the nine voting members of the  
43 board.

44 j. The board shall be entitled to the assistance and service of  
45 the employees of the Department of Environmental Protection, and  
46 any State, county or municipal department, board, bureau,  
47 commission or agency, or a public institution of higher education in

1 the State, as it may require and as may be available to it for its  
2 purposes.

3

4 9. a. The department may recommend to the board that the  
5 license of a wildlife rehabilitator or an apprentice be suspended or  
6 revoked pursuant to the provisions of this section. The board shall  
7 determine if a license shall be suspended or revoked.

8 b. Whenever, on the basis of available information, the  
9 department finds that a wildlife rehabilitator or an apprentice is in  
10 violation of this act, or any rule or regulation adopted pursuant  
11 thereto, or knowingly has made any false statement, representation,  
12 or certification in any documents or information required to be  
13 submitted to the department, the department may recommend to the  
14 board that the license of the wildlife rehabilitator or apprentice, or  
15 the renewal thereof, be denied, suspended, or revoked.

16 c. (1) The board is authorized to deny, suspend, or revoke a  
17 license of a wildlife rehabilitator or an apprentice after receipt of  
18 any recommendations from the department, pursuant to the process  
19 set forth in this section.

20 (2) Upon determination by the board that an applicant is not  
21 qualified or is ineligible to become licensed or have a license  
22 renewed, the board shall provide to the applicant a written  
23 statement setting forth the reasons for the denial of the license.

24 (3) Upon determination by the board that a license shall be  
25 suspended or revoked, the board shall provide to the wildlife  
26 rehabilitator or apprentice a written statement setting forth the  
27 reasons for the suspension or revocation.

28 (4) The written statement, which shall be provided to the  
29 applicant, wildlife rehabilitator, or apprentice by certified mail or  
30 personal service, shall: (a) identify the statutory or regulatory basis  
31 of the violation; (b) identify the specific act or omission  
32 constituting the violation; and (c) affirm the right of the violator to  
33 a hearing on any matter contained in the notice and the procedures  
34 for requesting a hearing, pursuant to subsection d. of this section.

35 d. Upon determination by the board that an applicant shall be  
36 denied a license or that a wildlife rehabilitation license or an  
37 apprentice license shall be suspended or revoked, an applicant,  
38 wildlife rehabilitator, or apprentice may, within 30 days after the  
39 date of receipt of the written statement, request a hearing for a  
40 review of the determination. The board shall grant a hearing to the  
41 applicant, wildlife rehabilitator or apprentice within 30 days after  
42 receipt of the request for a hearing.

43 After a hearing and upon finding that a violation has occurred,  
44 the board shall issue a final order denying, suspending, or revoking  
45 the license. If a violator does not request a hearing or fails to satisfy  
46 the requirements for requesting a hearing, the notice of intent to

1 deny, suspend, or revoke the license shall become final after the  
2 expiration of the 30-day period.

3 e. Upon a recommendation of the department that the conduct  
4 of the wildlife rehabilitator or apprentice is so egregious as to pose  
5 an imminent threat to public health or safety or to the health or  
6 safety of the animals if the wildlife rehabilitator or apprentice is  
7 allowed to continue conducting wildlife rehabilitation activities or  
8 otherwise caring for the animals pending a hearing on a revocation  
9 of the license, the board may suspend the license prior to the  
10 outcome of the hearing and relocate the animals to a secure and  
11 appropriate wildlife rehabilitation facility if appropriate, pending  
12 the hearing and final determination concerning the license.

13 f. Any order issued by the board suspending or revoking a  
14 license shall provide for the obligations of a wildlife rehabilitator  
15 regarding the disposition of any wildlife in the possession of the  
16 wildlife rehabilitator and the maintenance and preservation of  
17 records regarding the wildlife rehabilitation activities.

18 g. A wildlife rehabilitator wishing to retain a license, prior to  
19 suspension or revocation, shall allow an inspector, authorized by  
20 the board pursuant to subsection b. of section 11 of this act, to  
21 inspect, at a reasonable time, the wildlife rehabilitation facility in  
22 which the wildlife rehabilitator performs wildlife rehabilitation and  
23 any wild animal therein, to determine compliance with license and  
24 inspection requirements as set forth by the board.

25 h. At the discretion of the board, a wildlife rehabilitator or an  
26 apprentice may not apply for a new license for up to two years  
27 following the date of revocation of a license by the board if the  
28 violation is of a severe nature. At the conclusion of the license  
29 revocation period, the formerly licensed wildlife rehabilitator or  
30 apprentice shall follow the application procedures for licensure in  
31 accordance with this act.

32 i. Upon the second revocation of a license, a wildlife  
33 rehabilitator or an apprentice shall be permanently prohibited from  
34 holding a wildlife rehabilitation license or apprentice license in the  
35 State.

36  
37 10. a. The Wildlife Rehabilitation Board, in consultation with  
38 the Department of Environmental Protection, shall establish  
39 continuing education requirements for a wildlife rehabilitator. A  
40 wildlife rehabilitator shall fulfill specific criteria, as set forth  
41 pursuant to this section, prior to renewal of a wildlife rehabilitation  
42 license issued pursuant to this act.

43 b. A wildlife rehabilitator shall complete at least 12 hours of  
44 instruction in each three-year license cycle.

45 c. Upon fulfillment of the continuing education requirements, a  
46 wildlife rehabilitator shall provide verification to the board and the  
47 department that the continuing education coursework is complete.

1 The board shall accept any certificate of completion issued by a  
2 college or other education provider for the purposes of renewing a  
3 license issued pursuant to section 5 of this act. If such a certificate  
4 is not provided, the board may specify other documentation that is  
5 acceptable for the verification required pursuant to this section.

6  
7 11. a. The Wildlife Rehabilitation Board shall develop wildlife  
8 rehabilitation facility inspection requirements for any size facility,  
9 including home-based facilities and facilities specializing in a  
10 particular species, and shall use the National Wildlife Rehabilitators  
11 Association guidelines as the basis therefor. The requirements shall  
12 include inspection of the space, and cage if applicable, for an  
13 animal, and the capacity of the facility for rehabilitating multiple  
14 animals.

15 b. The board shall establish requirements for any person  
16 authorized to conduct inspections of wildlife rehabilitation  
17 facilities. Each inspector shall serve at the discretion of the board.

18 c. Each wildlife rehabilitation facility shall be inspected twice  
19 during a three-year period, in conjunction with the three-year period  
20 of the license of the wildlife rehabilitator, except as provided  
21 pursuant to subsection d. of section 7 of this act, subsection g. of  
22 section 9 of this act, and subsection g. of this section. An inspector  
23 shall only inspect areas where animals are present, are expected to  
24 be present, or are reasonably presumed to be present based on  
25 evidence discovered at the facility.

26 d. At the time of an inspection, the inspector shall provide a  
27 copy of the inspection documentation to the wildlife rehabilitator.  
28 The inspection documentation shall include space for the inspector  
29 to remark on any deficiencies found and what corrective actions are  
30 required. The inspector shall submit the inspection documentation  
31 to the board within three days after the date of inspection.

32 e. Upon failure to satisfactorily fulfill inspection requirements,  
33 and within 15 days after the date of inspection, a wildlife  
34 rehabilitator shall submit a letter to the board indicating the wildlife  
35 rehabilitator's response to any inspection violation, an explanation  
36 of the facility conditions cited in the inspection documentation, and  
37 the intended corrective action to be taken by the wildlife  
38 rehabilitator.

39 f. All reasonable corrective action, as determined by the board,  
40 shall be completed by a wildlife rehabilitator within 30 days after  
41 the board's receipt of a letter submitted pursuant to subsection e. of  
42 this section, except as agreed to otherwise by the board. The board  
43 may agree to the completion of the corrective action after the 30  
44 days if the wildlife rehabilitator provides proper documentation  
45 indicating that the corrective action will be completed and submits  
46 it to the board within the 30 days, including a contractor quote for

1 cost and timeframe of completion of the work necessary to meet the  
2 inspection requirement if applicable.

3 g. A wildlife rehabilitator shall notify the board after  
4 completion of all corrective action. Within 30 days after the  
5 board's receipt of this notification, an authorized inspector shall re-  
6 inspect the wildlife rehabilitation facility to ensure completion of  
7 the corrective action for the original violations only.

8 h. When an inspector attempts an inspection of a wildlife  
9 rehabilitation facility and no person is present to grant access, the  
10 inspector shall post a notice on an entrance to the facility  
11 demanding access within three days. Failure to permit an inspection  
12 within three days, as indicated in the posted notice, shall constitute  
13 a refusal of entry for purposes of this section, unless there are no  
14 animals at the facility, or the wildlife rehabilitator and the inspector  
15 who posted the notice agree within the three days indicated in the  
16 posted notice to permit an inspection at a time agreed to by both  
17 parties.

18 i. A violation of this section may be used by the board to  
19 determine if denial of a license renewal or suspension or revocation  
20 of a license, pursuant to section 9 of this act, is appropriate.

21 j. A wildlife rehabilitator may report a complaint about an  
22 inspector or an inspection to the board. Within 30 days after receipt  
23 of a complaint, the board may conduct a hearing to review the  
24 complaint. After a hearing and upon a finding that an inspector has  
25 not performed an inspection in a professional manner, or has  
26 violated any provision of this section, the board may suspend or  
27 remove the inspector, or determine that the inspector shall remain  
28 authorized to perform inspections pursuant to this section.

29

30 12. a. A wildlife rehabilitator may release an animal within 10  
31 miles of where the animal was found, and may release an animal at  
32 a State park or forest, with the approval of the Division of Parks and  
33 Forestry in the Department of Environmental Protection, or in a  
34 wildlife management area if the animal was originally found near or  
35 in the park, forest, or wildlife management area.

36 b. A wildlife rehabilitator may recommend placement of a non-  
37 releasable animal to a zoo and, upon approval by the board in  
38 consultation with the zoo, may place the animal at the zoo.

39

40 13. a. A wildlife rehabilitator shall be allowed to care for an  
41 injured, orphaned, or sick wild animal outside of the scope of the  
42 species authorized under the license pursuant to subsection b. of  
43 section 4 of this act or the permit required pursuant to section 7 of  
44 this act, if:

45 (1) no other wildlife rehabilitator is available and able to care  
46 for the injured, orphaned, or sick wild animal at the time it is  
47 discovered;

1 (2) no other wildlife rehabilitator in the State has been issued a  
2 license which includes such species;

3 (3) the nearest wildlife rehabilitator with a license to care for  
4 that species of wild animal is located more than 25 miles away; or

5 (4) the transportation of the wild animal to another wildlife  
6 rehabilitator would jeopardize the health, safety, or general  
7 wellbeing of the wild animal at that time.

8 b. For any injured, orphaned, or sick wild animal being  
9 temporarily cared for by a wildlife rehabilitator pursuant to  
10 subsection a. of this section, the wild animal shall be transferred to  
11 a wildlife rehabilitator with a license to care for that species within  
12 a reasonable and practicable period of time, but no longer than 30  
13 days, except if the board determines that transferring the wild  
14 animal within that timeframe would be impracticable or unfeasible.

15

16 14. Notwithstanding the provisions of any law, or rule or  
17 regulation adopted pursuant thereto, to the contrary, any person,  
18 who in good faith renders emergency care to an animal at the scene  
19 of a natural accident or emergency, or while transporting a animal  
20 to a veterinary hospital or other facility where treatment or care is  
21 to be rendered, shall not be liable for any civil damages as a result  
22 of any acts or omissions by the person rendering the emergency  
23 care, so long as the person contacts a wildlife rehabilitator or  
24 licensed veterinarian as soon as possible and the animal is  
25 transported within 48 hours to a wildlife rehabilitator or licensed  
26 veterinarian. This section shall apply to, but shall not necessarily  
27 be limited to, a volunteer member of an animal rescue organization  
28 or shelter or a person licensed to practice any method of treatment  
29 of animal ailments, disease, pain, injury, deformity, or mental or  
30 physical condition, or licensed to render services ancillary thereto.

31

32 15. The Department of Environmental Protection, in  
33 consultation with the Wildlife Rehabilitation Board, shall adopt  
34 rules and regulations, pursuant to the "Administrative Procedure  
35 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary for the  
36 implementation and administration of this act.

37

38 16. Section 8 of this act shall take effect immediately and the  
39 remainder of this act shall take effect on the 180th day after the date  
40 of enactment, but the Commissioner of Environmental Protection  
41 may take such anticipatory administrative action in advance thereof  
42 as shall be necessary for the implementation of this act.