



To Persons Wishing to Apply for a Commercial Aquatic Turtle Buyer License

Enclosed is an application for an annual Commercial Aquatic Turtle Buyer's License. License expires December 31st of the year issued. For additional information, contact Curtis Tackett at 405-365-5060.



IMPORTANT CHANGE: *With our new license database, after approval, your application will be processed and permit will be sent to you a little differently than in the past.*

You won't receive a plastic card. You will receive an e-mail notification and can print and carry your permit or you can carry it on your smart phone if you download the app. The mobile app is Go Outdoors Oklahoma and is available for iPhone and Android devices (available at app store).

As a result of the new procedure, we will be required to enter the last 4 digits of your Social Security Number in order to create your account.

Also enclosed are copies of

- State statutes and ODWC Commission rules pertaining to the harvest, purchase and sale of aquatic turtles in Oklahoma
- A clarification of waters open/closed to commercial turtle harvesting
- A list of turtle species which are prohibited from harvest in Oklahoma
- Turtle Purchase Transaction Record
- Monthly Turtle Buyer's Report
- Annual Turtle Buyer's Report

Complete and mail the following to ODWC:

1. Completed and signed application (**MUST be signed by Game Warden from county of residence**)
2. The original of your \$1,000.00 Surety Bond in effect through December 31st of the year you wish to be licensed
3. Certified check or money order for \$200.00 (resident) or \$500.00 (non-resident)
4. Annual Turtle Buyer's Report from previous year
5. NOTARIZED "Affidavit Verifying Lawful Presence in the United States"

Mail to: Oklahoma Dept. of Wildlife Conservation
Fisheries Division
PO Box 53465
Oklahoma City OK 73152



Important Information for Persons Applying for Commercial Aquatic Turtle Buyer License:

Permanent as of June 1, 2013:

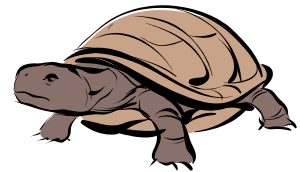
No turtles may be commercially harvested from “Waters of this State”

Title 29, Section 2-147. Waters of this State.

"Waters of this State" shall mean any river, stream, creek, bayou, oxbow and any impoundment constructed with public funds, provided, that impoundments constructed on private lands under the watershed protection and flood prevention programs of the U.S. Department of Agriculture, Soil Conservation Service, shall not be included as waters of this state.

Turtle Species Prohibited From Harvest/Collection, Sale or Purchase in Oklahoma:

- Alligator Snapping Turtle (*Macrochelys temminckii*)
- Chicken Turtle (*Deirochelys reticularia*)
- Map Turtle (*Graptemys* spp.)
- Painted Turtles (*Chrysemys* spp.)
- Razor-backed Musk Turtle (*Stemotherus carinatus*)
- All State and/or Federal threatened or endangered species
- All soft shell turtles and common snapping turtles greater than sixteen (16) inches in length when measuring the carapace only from the anterior (front) end to the posterior (rear).
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**No Terrestrial Turtles May Be Harvested,
Purchased, or Sold
Under This License**

Application for Commercial Aquatic Turtle Buyer License



FOR DEPARTMENT USE ONLY	
Permit # _____	Date Issued _____

Resident (\$200.00) New _____ Renewal _____
 Non-Resident (\$500.00) New _____ Renewal _____

License expires December 31st of year issued

Part 1 – Personal Information	Name: _____	County: _____			
	Phone #: _____	Business Name: _____			
	Address: _____				
	Address	City	State	Zip	
	Driver's License Number: _____	State: _____	Expiration Date: _____		
	Date of Birth: ____/____/____	Height: ____ft. ____in.	Weight: _____	Hair Color: _____	Eye Color: _____
	LAST 4 OF SSN: _____ (required) e-mail address: _____				

Part 2 – Signature & Approval	Under Title 29, Oklahoma Statutes, Section 4-103B:		
	A. You are required to furnish to the Department of Wildlife Conservation a true record of all your monthly turtle purchases, exports and sales and an annual summary of such. Failure to submit such records shall constitute a violation and result in cancellation of your license and forfeiture of your bond. Reports must be submitted as required even if you do not purchase, export or sell turtles.		
	B. All turtle buyers will pay to the Department by the 15th of each month , three percent (3%) of the dollar value of received or purchased turtles during the previous month.		
	Failure to comply with the terms of this contract, Wildlife Department Rules 800:15-9-2 and 15-9-3, Oklahoma Statutes Title 29, Section 4-103B or violation of any provisions in Title 29 of the Oklahoma Statutes shall prevent turtle buyers from obtaining a Turtle Buyers License for a period of at least one (1) year.		
	Prior to obtaining a Turtle Buyer's License, the applicant shall submit to the Oklahoma Department of Wildlife a good and sufficient surety bond for \$1,000.00 that shall be forfeited upon violation of any provisions in Oklahoma Statutes Title 29 and Wildlife Department Rules.		
	This is to certify that I am fully acquainted with, and agree to comply with provisions of Sections 4-101, 4-103B, 6-204, 7- 503 and 7-602 Title 29, Oklahoma Statutes, and Wildlife Department Rules 800:15-9-2 and 15-9-3.		
	Note: Do we have your permission to give your name, address and telephone number to the public? Yes _____ No _____		
	Signature of Applicant: _____	Date: _____	
	APPROVED: _____	Signature of Game Warden *(see below)	County _____ Date _____
	*NOTICE: Application must be signed by the Game Warden in the county of your residence		
APPROVED: _____	ODWC Fisheries Division	Date _____	

RETURN APPLICATION TO: ODWC, PO Box 53465, Oklahoma City OK 73152

Instructions for Required Affidavit:

All natural persons applying for a commercial license from the Oklahoma Department of Wildlife Conservation ("Department") are required, by the provisions of 56 O.S. Supp. 2007 § 71, to provide the Department with verification of lawful presence in the United States by executing the Affidavit below before a notary public or other officer authorized to notarize affidavits under State law. If submitting your license application by mail, **this form must be signed, notarized and returned with your application before a license can be issued.** The Department's main office in Oklahoma City is staffed with notaries who will provide notary service at no cost to applicants who appear in person.

AFFIDAVIT VERIFYING LAWFUL PRESENCE IN THE UNITED STATES

Affidavit of

_____)
[Applicant's printed name]

STATE OF OKLAHOMA)
) ss:
COUNTY OF _____)

_____, of lawful age, being first duly sworn, upon oath
[Applicant's Name]

states, under penalty of perjury, as follows:

I am a United States Citizen, or I am a qualified alien under the federal Immigration and Naturalization Act, and I am lawfully present in the United States.

[Signature of Applicant]

Subscribed and sworn to or affirmed before me this ____ day of _____
20____, by _____
[Applicant's printed name]

NOTARY SIGNATURE

My Commission Expires: _____

(Seal)

Transaction # _____

Turtle Purchase Transaction Record

Buyer's Name: _____

Date: _____

Turtle Harvester's Name: _____

License # _____

A. Number of each species purchased:

<u>Species Name</u>	<u>Number</u>	<u>Purchase Value</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. Total number turtles purchased:

C. Total purchase value of transaction:

\$ _____

White copy for ODWC

Yellow copy for Buyer

Pink copy for Seller

Monthly Turtle Buyer's Report

For: _____ to : _____
Month Day Year Month Day Year

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Turtle Buyer's License # _____

A. Complete the following for each species for this period:

<u>Species</u>	<u>Number¹ Bought</u>	<u>Pounds² Bought</u>	<u>Total³ Purchase Value</u>	<u>Number Imported</u>	<u>Number Exported</u>	<u>Number Processed</u>
Red-eared _____						
Spiny Soft Shell _____						
Smooth Soft Shell _____						
Common Snapping _____						
Common Musk _____						
River Cooter _____						
Yellow Mud _____						
Mississippi Map _____						
Ouachita Map _____						
TOTAL _____						

1. Must include number of turtles purchased and received.
2. Pounds for red-eared, soft shell species and common snapping turtles only.
3. Must include purchase value of all turtles bought and received. Purchase value is defined as price paid for turtles, or for turtles received but not bought the price being paid for such turtles.

B. Total purchase value³ of turtles this period _____ X .03 = \$ _____
Amount to pay ODWC

Buyer's signature

Date

Mail this report and amount computed in item B by the 15th of the month to:

Fisheries Division
 Oklahoma Department of Wildlife Conservation
 PO Box 53465
 Oklahoma City OK 73152

Annual Turtle Buyer's Report

For: _____ to : _____
 Month Day Year Month Day Year

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Turtle Buyer's License # _____

A. Complete the following for each species for this period:

<u>Species</u>	<u>Number¹ Bought</u>	<u>Pounds² Bought</u>	<u>Total³ Purchase Value</u>	<u>Number Imported</u>	<u>Number Exported</u>	<u>Number Processed</u>
Red-eared _____						
Spiny Soft Shell _____						
Smooth Soft Shell _____						
Common Snapping _____						
Common Musk _____						
River Cooter _____						
Yellow Mud _____						
Mississippi Map _____						
Ouachita Map _____						
TOTAL _____						

1. Must include number of turtles purchased and received.
2. Pounds for red-eared, soft shell species and common snapping turtles only.
3. Must include purchase value of all turtles bought and received. Purchase value is defined as price paid for turtles, or for turtles received but not bought the price being paid for such turtles.

B. Total purchase value³ of turtles this period _____ X .03 = \$ _____
Amount paid ODWC

Buyer's signature

Date

Mail this report to:

Fisheries Division
 Oklahoma Department of Wildlife Conservation
 PO Box 53465
 Oklahoma City OK 73152

**Article IV.
Licenses**

**Part 1.
License and Permit Requirements**

§29-4-101. LICENSE USAGE - APPLICATION - TERMINATION AND REVOCATION - DUPLICATION - CHECK-IN OF CERTAIN WILDLIFE CARCASSES - VIOLATION AND PENALTY.

A. All licenses and permits issued by the Director of Wildlife Conservation, the Department of Wildlife Conservation or by any of its agents shall be used only in conformity with the provisions of this title and the rules promulgated by the Oklahoma Wildlife Conservation Commission.

B. All persons making application for any licenses required by this section shall produce a valid license to operate a motor vehicle or other positive proof of identification, age and residency, and any such license issued shall show such data as well as the date and time of issuance.

C. All licenses are nontransferable. No person shall alter, change, lend or transfer any license. No person shall use or borrow a license which has not been issued to that person by the Director, the Department or by any of its agents pursuant to the provisions of this section.

D. No person may engage in activities requiring a license without that person's carrying such license on their person and producing the same for an inspection upon the demand of any Oklahoma citizen or game warden.

E. Any person required to produce a license must also identify themselves as the person to whom such license was issued, and failure or refusal to comply shall be deemed prima facie evidence of a violation of this section.

F. Unless otherwise provided in this Code:

1. Hunting licenses issued pursuant to paragraph 1 of subsection C and paragraphs 1 and 3 of subsection E of Section 4-112 of this title and paragraphs 1 and 3 of subsection B of Section 4-113 of this title shall expire on December 31 of the year issued. Hunting licenses issued pursuant to paragraph 2 of subsection C and paragraphs 2 and 4 of subsection E of Section 4-112 of this title and paragraphs 2 and 4 of subsection B of Section 4-113 of this title shall expire on June 30 of the fiscal year issued. All other licenses shall terminate December 31 for the year issued; and

2. Any person convicted of violating any of the provisions of this title may have any or all licenses held by that person or the privilege of applying for, purchasing or exercising the benefits conferred by the licenses revoked by the Department in accordance with rules promulgated by the Commission or by a court of competent jurisdiction for a period of not less than one (1) year. For purposes of this paragraph, a court conviction, a plea of guilty, a plea of nolo contendere, the imposition of a deferred or suspended sentence by a court, or forfeiture of bond shall be deemed a conviction.

G. Should any license or permit issued pursuant to Part 1 of Article IV of this title be lost or destroyed, duplicates will be issued by the Department at a fee of One Dollar and fifty cents (\$1.50).

H. Upon harvesting any whitetail or mule deer, or any other wildlife where the hunter, according to Commission rules, is required to check the wildlife in at a Department check station, the taker of the wildlife shall:

1. Securely attach the name of the taker, time of harvest, date of harvest and license number to the carcass of the wildlife;

2. Check in the carcass of the wildlife electronically using the online check station provided on the official website of the Oklahoma Department of Wildlife Conservation or as prescribed by rule of the Commission, within twenty-four (24) hours of leaving the hunt area and in all cases prior to processing the carcass; and

3. Not remove evidence of the sex of the animal until after the carcass of the animal has been checked in.

I. It shall be unlawful for any license or permit holder to knowingly make a false statement or give false information to any authorized hunter check station or to an authorized Department employee when complying with the provisions of subsection H of this section. Information which may be collected at a Department check station shall include but not be limited to the name, address, license or permit number and signature of the taker, the date, time, county, method or weapon of the kill, sex and weight of carcass, whether or not the animal was taken on public hunting land and if so in what area, or any other information which may be required by the Commission.

J. 1. Any person convicted of violating the provisions of this section or of making a false statement or giving any false information in order to acquire any license or permit, pursuant to the provisions of this section, shall be punishable by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty

Dollars (\$250.00), or by imprisonment in the county jail for a period not to exceed ten (10) days, or by both such fine and imprisonment. Any person convicted of a second or subsequent violation of the provisions of this section or of making a false statement or giving any false information in order to acquire any license or permit, pursuant to the provisions of this section, shall be punishable by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Seven Hundred Fifty Dollars (\$750.00), or by imprisonment in the county jail for a period not to exceed ten (10) days, or by both such fine and imprisonment.

2. Any hunting or fishing license issued to a person by the Department of Wildlife Conservation shall be automatically revoked upon conviction of the person of violating the provisions of this section. The revocation shall be for a period set by the court of not less than one (1) year nor more than ten (10) years. If the court does not set a period, the revocation shall be for one (1) year from the date of the conviction. During this period of revocation, the Department shall not issue the person a hunting or fishing license. If the court does not set a revocation period, the Department shall not issue that person a license within one (1) year of the conviction of the person pursuant to this section. A person who has a license or permit revoked pursuant to this section shall surrender the revoked license or permit to the court. The court shall send the Department of Wildlife Conservation the revoked license and a copy of the judgment of conviction. For purposes of this section, "conviction" shall include a plea of guilty or nolo contendere to an offense or the imposition of deferred adjudication for an offense.

K. Any person who has had their license privileges revoked shall not be entitled to purchase, apply for, or exercise the benefits conferred by any license until the revocation period has expired or the person has obtained approval from the Director. Any person violating the provisions of this subsection, upon conviction, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in a county jail for a term of not more than ninety (90) days or by both the fine and imprisonment. Upon conviction under this subsection, the previously granted license revocation period shall be extended by two (2) additional years.

- 4-101. 4-101 B. Giving false information to obtain a license.**
- 4-101 C. (Altering)(Lending)(Transferring)(Borrowing) a license.**
- 4-101 D. (Hunting)(Fishing) without a license.**
- 4-101 E. Failure to provide identification as a license holder.**
- 4-101 H.1. Failure to attach name and license number to harvested wildlife, [wildlife required to be checked].**
- 4-101 H.2. Failure to check wildlife at check station.**
- 4-101 H.3. Removal of sex identification prior to checking wildlife.**
- 4-101 I. Giving false information to check station operator.**
- 4-101 K. (Purchase or apply for a license)(Hunting)(Fishing) while license is revoked**

§29-4-103A. COMMERCIAL TURTLE HARVESTER LICENSE.

A. Except as otherwise provided by subsection B of this section, no person may take for commercial purposes, by the use of nets, traps, seines and other similar devices, turtles from this state without having first procured a commercial turtle harvester license from the Director.

B. Any person having procured a commercial turtle harvester license, pursuant to subsection A of this section, may take for commercial purposes by any means, or assist in any such operations, turtles or aquatic turtles from any waters of this state, except from waters located within a city, town or municipality, and such areas designated pursuant to Section 1452 of Title 82 of the Oklahoma Statutes.

C. Prior to the issuance of each license, the applicant must file with the Director a true inventory of the equipment to be utilized in the operations of that turtle harvester. Such inventory shall be kept current. The inventory may be amended by filing a new inventory at any time.

D. The fee for a license under this section shall be Forty Dollars (\$40.00) for residents and Two Hundred Dollars (\$200.00) for nonresidents of the State of Oklahoma.

E. The Director shall not issue a commercial turtle harvester license to residents of any other state which does not allow residents of Oklahoma the opportunity to purchase such license in their state.

F. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment.

G. Commercial turtle harvesters whose licenses have been revoked under subsection F of Section 4-101 of this title shall not engage in commercial turtle harvesting operations in any manner during such revocation.

4-103A. 4-103.A. Commercial turtle harvesting without a license

§29-4-103B. COMMERCIAL TURTLE BUYER'S LICENSE.

A. No person may buy, transport out of state or export aquatic turtles from this state without having first procured a commercial turtle buyer's license from the Director.

B. The fee for an annual license under this section shall be Two Hundred Dollars (\$200.00) for residents and Five Hundred Dollars (\$500.00) for nonresidents. Prior to the issuance of such license the applicant shall file with the Department a good and sufficient surety bond by a surety company licensed to do business in this state in the sum of One Thousand Dollars (\$1,000.00) conditioned upon the observance and compliance with the provisions of the Oklahoma Wildlife Conservation Code, which bond will be forfeited to the Department upon conviction for the violation of any provision of this section, or Section 4-101 or 5-602 of this title or any rule of the Oklahoma Wildlife Conservation Commission.

C. The Director shall not issue a commercial turtle buyer's license to residents of any other state which does not allow residents of Oklahoma the opportunity to purchase such license in their state.

D. Any person who buys or exports aquatic turtles from this state shall pay the Department as a severance fee an amount equal to three percent (3%) of the dollar value of turtles purchased or received from licensed commercial turtle harvesters. The payment shall be computed from the purchase records completed and maintained by the licensee for each and every purchase made. Such purchase records along with the fee and an accurate report of all turtles exported from this state for each month shall be submitted to the Department by the fifteenth day of the following month. The Wildlife Commission shall issue such rules and reporting requirements governing the purchases and exports and shall design all forms necessary for the operation of these provisions.

E. Any person convicted of violating any provision of this section shall be guilty of a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00), nor more than One Thousand Dollars (\$1,000.00), or by imprisonment not to exceed thirty (30) days, or by both fine and imprisonment. In addition, such person shall forfeit his license and not be permitted to renew the license for a one-year period.

4-104A. 4-104.A. Assist in commercial turtle harvesting operation without a helper's license

§29-4-104A. COMMERCIAL TURTLE HARVESTING HELPER'S LICENSE.

A. No person may assist in any commercial turtle harvesting operation without having first procured from the Director a license for each such person.

B. Such license shall be in the form of a John Doe license and will be valid for the helper or assistant only so long as the helper or assistant works under the supervision of a commercial turtle harvester who shall be legally responsible for the actions of such helper or assistant.

C. The fee for a license under this section shall be Forty Dollars (\$40.00).

D. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment.

§29-6-204. OPERATING PROVISIONS FOR COMMERCIAL TURTLE HARVESTERS.

A. Except as otherwise provided by subsection B of this section, no person may net or trap aquatic turtles for commercial purposes or assist in such operations or buy, barter, trade or export any aquatic turtles from this state without having first obtained a valid commercial turtle harvester's license and without observing the following requirements:

1. All types of traps shall have an identification tag with the owner's name and license number attached and the name and license number of all persons authorized to operate the traps or nets;
2. Aquatic turtles may be harvested for commercial purposes only from private ponds, with permission of the pond owner and from municipal lakes, with written permission of the municipal authority;
3. Traps and nets must be cleaned and emptied at least once every forty-eight (48) hours;
4. Any game or nongame fish trapped or netted during a turtle harvesting operation shall be immediately released to the water; and
5. Legally taken nongame fish and their parts may be utilized for bait in turtle harvesting operations.

B. No person may take for commercial purposes by any means, or assist in any such operations, turtles or aquatic turtles from any scenic river area of this state as such areas are designated pursuant to Section 1452 of Title

82 of the Oklahoma Statutes or from any major river channel specifically designated by rule by the Oklahoma Wildlife Conservation Commission to be restricted from commercial turtle or aquatic turtle harvesting.

C. The Commission may promulgate other rules it deems necessary to implement the provisions of this section.

D. Any equipment used in violation of this section shall be confiscated and become the property of the Department or disposed of according to law.

E. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a period not to exceed thirty (30) days or by both such fine and imprisonment.

- 6-204. 6-204 A Trapping turtles for commercial purposes without a commercial turtle harvester's license.[includes netting and assisting in such operations],(Bur)(Barter)(Trade)(Export turtles without a commercial turtle harvester's license**
- 6-204 A.1 Trapping turtles with nets or traps with unlawful mesh size.**
- 6-204 A.2 Failure to have proper identification tags attached to equipment. [owner's name and license number, name and license number of persons authorized to operate the traps or nets]**
- 6-204 A.3 Harvesting turtles without permission. [permission from private pond owners, written permission from municipalities]**
- 6-204 A.4 Failure to empty turtle traps and nets every forty-eight (48) hours.**
- 6-204 A.5. Failure to immediately release fish trapped or netted during turtle harvesting.**
- 6-204 B. Taking turtles for commercial purposes in a closed area. [scenic rivers, rivers closed by commission regulation]**

SUBCHAPTER 9. COMMERCIAL TURTLE HARVEST

Section	Purpose
800:15-9-1	Purpose
800:15-9-2	License requirements
800:15-9-3	General; operating provisions
800:15-9-3.1	Closed Areas
800:15-9-4	Non-commercial turtle harvest
800:15-9-5	Penalties

800:15-9-1. Purpose

The purpose of this subchapter is to describe the rules pertaining to the lawful harvest, sale, purchase and export of aquatic turtles for commercial purposes pursuant to 29 O.S., Sections 4-103A, 4-103B and 4-104A and 6-204. Penalties for violations of rules are also provided.

[Source: Amended at 11 Ok Reg 4701, eff 8-31-94 (emergency); Amended at 12 Ok Reg 1525, eff 1-1-96]

800:15-9-2. License requirements

The following license provisions pertain to the commercial harvest and buying of aquatic turtles:

- (1) It shall be unlawful for any person to harvest or attempt to harvest aquatic turtles from any waters in this state for commercial purposes without having first procured from the Department of Wildlife Conservation, or its authorized agent, a commercial aquatic turtle harvester license in accordance with 29 O.S., Section 4-103A which shall be issued only upon the receipt of a completed application for such license.
- (2) A person licensed to harvest aquatic turtles for commercial purposes may purchase one or more helpers license. Such helpers license shall be a "John Doe" license that shall be valid for the helper or assistant only so long as the helper works under the supervision of the licensed commercial turtle harvester who shall be legally responsible for the activities of such helper, and any one assisting a commercial aquatic turtle harvester in any commercial turtle harvesting operation must possess such a helpers license in accordance with 29 O.S., Section 4-104A.
- (3) No person may buy, transport out of state or export aquatic turtles from Oklahoma without having applied for and received an aquatic turtle buyer's license from the Director in accordance with 29 O.S., Section 4-103B.

800:15-9-3. General; operating provisions

Harvest, sale and purchase of aquatic turtles for commercial purpose shall be in accordance with 29 O.S., Sections 4-103A, 4-103B and 6-204 and the following:

- 1) The application for an aquatic turtle harvest license must be signed by a Game Warden, and must list the county or counties from which turtles will be harvested.
- 2) The harvest, collection, sale or purchase of the following turtle species is prohibited:
 - a. Alligator Snapping Turtle (*Macrolemys temminckii*);
 - b. Chicken Turtle (*Deirochelys reticularia*);
 - c. Map Turtle (*Graptemys spp.*);
 - d. Painted Turtles (*Chrysemys spp.*)
 - e. Razor-backed Musk Turtle (*Sternotherus carinatus*)
 - f. All State and/or Federal threatened or endangered species;
 - g. All soft shell turtles, except as provided in Title 29 O.S., Section 4-102, greater than sixteen (16) inches in length when measuring the carapace only from the anterior (front) end to the posterior (rear) end shall not be kept in possession or sold or purchased and must be returned to the water immediately.
- 3) The possession, buying and/or selling of any terrestrial turtles commonly known as "box turtles", is prohibited.
- 4) All traps and nets used in the harvest of turtles for commercial purposes must have an identification tag with the owner's name and address attached and the name and address of all persons authorized to operate the traps and nets. All such traps and nets must be shown to the county Game Warden at the time the Game Warden signs the license application.
- 5) All persons licensed as a commercial turtle buyer must keep accurate records of all turtles purchased within and exported from the State of Oklahoma. These records shall be available for inspection by any agent of the Department at any time. A copy of each turtle purchase transaction must be given to the seller by the buyer at the time of the sale on forms provided by the Department. A copy of all turtle purchase transactions and turtle exports shall be submitted to the Department as follows:

- a. Each turtle buyer shall complete and submit to the Department a true and accurate purchase record for each turtle purchase transaction. Each purchase record must contain:
 - i. the buyer's name and license number;
 - ii. seller's name and license number;
 - iii. counties from which turtles were harvested;
 - iv. the total number of each species purchased;
 - v. the total amount paid for each species;
 - vi. the total amount paid for the transaction.
 - vii. the total pounds of red-eared, common snapping and soft shell turtles purchased;
- b. A copy of each transaction along with a monthly summary must be mailed to the Department by the 15th of each month by each turtle buyer.
- c. Each turtle buyer must supply to the Department shipping bills of lading of all turtles exported from the state during the monthly reporting period. A copy of all shipping bills of lading must accompany all turtle shipments from the state.
- d. The shipping bill of lading must contain:
 - i. total number of turtles in shipment;
 - ii. number of each species of turtles in shipment;
 - iii. date of shipment;
 - iv. person firm or corporation's name transporting turtles out of Oklahoma;
 - v. person firm or corporation's name(s) that sold or otherwise provided the turtles to be transported out of Oklahoma;
 - vi. total pounds of turtles in the shipment;
 - vii. total pounds of each species of turtles in the shipment;
 - viii. turtle harvest season dates and turtle species legal for harvest;
 - ix. state, if other than Oklahoma, were turtles were harvested;
 - x. destination of shipment; and
 - xi. total purchase price of turtles in shipment.
- e. Each turtle buyer must supply to the Department an annual summary report of all turtles, by species, purchased within and exported from the State of Oklahoma. This report shall contain:
 - i. total number of turtles of each species purchased or received;
 - ii. total purchase value of turtles purchased or received;
 - iii. total number and pounds of turtles of each species exported from Oklahoma.
 - iv. total pounds of red-eared, common snapping and softshell turtles purchased or received;

6) Inaccurate or incomplete records or delinquent reports shall be violations of this rule.

[Source: Amended at 11 Ok Reg 4701, eff 8-31-94 (emergency); Amended at 12 Ok Reg 1525, eff 1-1-96; Amended at 12 Ok Reg 3476, eff 1-2-96 through 7-14-96 (emergency); Amended at 14 Ok Reg 1478, eff 1-1-98; Amended at 15 Ok Reg 2057, eff 7-1-98; Amended at 22 Ok Reg 1624, eff 7-1-05; Amended at 26 Ok Reg 2635, eff 1-1-10; Amended at 30 Ok Reg 732, eff 6-1-13; Amended at 31 Ok Reg 2537, eff 9-15-14]

800:15-9-3.1. Closed Areas

The following waters are closed to all commercial aquatic turtle harvest:

- (1) Waters located within a city, town or municipality.
- (2) All waters of this state.

[Source: Added at 11 Ok Reg 4701, eff 8-31-94 (emergency); Added at 12 Ok Reg 1525, eff 1-1-96; Amended at 12 Ok Reg 3476, eff 1-2-96 (emergency); Amended at 13 Ok Reg 1771, eff 6-1-97; Amended at 14 Ok Reg 1478, eff 1-1-98; Amended at 30 Ok Reg 732, eff 6-1-13]

800:15-9-4. Non-commercial turtle harvest

Non-commercial harvest of turtles shall be lawful in all waters of the state throughout the year provided:

- (1) All persons engaged in taking turtles for personal use shall have obtained from the Department of Wildlife Conservation or its authorized agent, a resident fishing license.
- (2) Turtles harvested shall not be sold commercially.
- (3) Shooting of turtles is prohibited in accordance with Federal Regulations.
- (4) Private ponds and impoundments and municipal lakes may be fished for turtles only upon permission of the landowner or municipality.
- (5) Turtles may be taken from public waters only under the provisions of OAC 800:10.

800:15-9-5. Penalties

Any person violating these subchapter provisions shall be subject to the penalties provided in 29 O.S., Sections 4-103A, 4-103B, 4-104A and 6-204.

[Source: Amended at 11 Ok Reg 4701, eff 8-31-94 (emergency); Amended at 12 Ok Reg 1525, eff 1-1-96]

Oklahoma Statutes Title 2. Agriculture

§2-6-311. LICENSE - CONSTRUCTION OF ACT - RESTRICTED AQUATIC SPECIES.

- A. No person may engage in the private commercial production of catfish, minnows, fingerlings, fish, frogs, or other aquatic species without having first procured a license from the State Board of Agriculture.
- B. The initial fee for a license issued pursuant to the provisions of this section, and the annual fee for the renewal of such license, shall be Ten Dollars (\$10.00).
- C. All licenses may be renewed so long as the applicant remains in operation, in the production of a particular aquatic species and in compliance with the provisions of this act and rules promulgated thereto.
- D. Nothing in this act shall be construed to authorize the importation or exportation of minnows and other fish species that are subject to the provisions of Sections 4-105, 4-115, and 7-602 of Title 29 of the Oklahoma Statutes.
- E. No license shall be issued by the Oklahoma Department of Agriculture, Food, and Forestry pursuant to the provisions of this section for any restricted aquatic species designated by rules promulgated by the Oklahoma Wildlife Conservation Commission.

Added by Laws 2002, c. 295, § 1, eff. Nov. 1, 2002.

§2-6-312. TECHNICAL ASSISTANCE.

- A. The Oklahoma Department of Agriculture, Food, and Forestry may provide technical assistance to persons legally engaged in the private commercial production of catfish, minnows, fingerlings, fish, frogs and other aquatic species pursuant to the provisions of this act. Such technical assistance shall be limited to recommendations and in no instance shall the Department provide any assistance or any funds to effectuate or implement such recommendations.
- B. Reasonable fees, as determined by the State Board of Agriculture, may be charged by the Department for salary, expenses, and supplies of Department employees providing technical assistance.

Added by Laws 2002, c. 295, § 2, eff. Nov. 1, 2002.

§2-6-313. CONFINEMENT AND SEPARATION FROM WILD SPECIES.

- A. All catfish, minnows, fingerlings, fish, frogs, and other aquatic species which are legally produced, pursuant to the provisions of this act, shall be confined to the lands and waters of the licensee in such a manner so as to prohibit:
 - a. Contact with wild fish or other aquatic species in public waters; and
 - b. Such wild fish or other aquatic species in public waters from becoming a part of the commercial production.
- B. 1. Except as otherwise provided by this subsection, the Oklahoma Department of Agriculture, Food, and Forestry shall not restrict the manner in which persons, licensed pursuant to this act, gather or impound aquatic species raised within the impoundments in their commercial operations.
2. No person shall sell or attempt to sell game fish and/or paddlefish obtained from public waters that have been commingled with privately produced fish subject to the provisions of this act.
- C. No licensee may receive, free of charge, any catfish, minnow, fingerling, fish, frog or other aquatic species from the state or federal government.

Added by Laws 2002, c. 295, § 3, eff. Nov. 1, 2002.

§2-6-315. DECALS.

- A. 1. Each vehicle used to transport private commercially produced catfish, minnows, fingerlings, fish, frogs or other aquatic species shall be marked conspicuously by decals bearing the inscription "Aquatic Culture".
2. The decals shall be located on each side of the hauling unit.
- B. The decals shall be furnished by the Oklahoma Department of Agriculture, Food, and Forestry at a reasonable cost per decal payable by the owner of the vehicle hauling the aquatic species.

Added by Laws 2002, c. 295, § 5, eff. Nov. 1, 2002.

§2-6-316. Application for license - Proofs required - Revocation.

- A. 1. All persons applying for a license to commercially produce catfish, minnows, fingerlings, fish, frogs or other aquatic species pursuant to the provisions of this act shall produce positive proof of:
 - a. identification including, but not limited to, a valid Oklahoma driver license of the applicant,
 - b. age, and
 - c. residency.
- 2. It shall be unlawful for any person to make a false statement or to give any false information in order to acquire a license, pursuant to the provisions of this act.
- B. Any license issued by the Oklahoma Department of Agriculture, Food, and Forestry pursuant to this act

shall contain the data required by subsection A of this section as well as the date and time of issuance of the license.

- C. 1. All licenses issued by the Department pursuant to this act shall be nontransferable.
- 2. No person shall alter, change, lend or transfer any such license. No person shall use, loan or borrow a license which has not been issued to that person by the Oklahoma Department of Agriculture, Food, and Forestry.
- D. All licenses issued pursuant to this act shall terminate December 31 for the year issued.
- E. The Department may issue a duplicate license at a reasonable cost for a commercial operation if such license is lost or destroyed.
- F. 1. A license for engaging in a private commercial operation subject to the provisions of this act may be revoked for a period of not less than one (1) year upon the conviction of the licensee for violating any provision of this act or rules promulgated thereto by the Oklahoma Department of Agriculture, Food, and Forestry in accordance with rules promulgated by the State Board of Agriculture, or by a court of competent jurisdiction.
- 2. For purposes of this subsection, a court conviction, a plea of guilty, a plea of nolo contendere, the imposition of a deferred or suspended sentence by a court, or forfeiture of bond shall be deemed a conviction.
- 3. Any person who has had a license to engage in private commercial operations pursuant to this act shall not be entitled to reapply for such license until the revocation period has expired or the person has obtained approval of the Oklahoma Department of Agriculture, Food, and Forestry to reapply for the license.
- 4. It shall be unlawful for any person to engage in a private commercial operation subject to the provisions of this act after revocation of his or her license. Upon conviction of engaging in a commercial operation after revocation of a license, such person shall not be entitled to obtain a license pursuant to this act for a two-year period after conviction.

Added by Laws 2002, c. 295, § 6, eff. Nov. 1, 2002.