

Article - Natural Resources

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§4-210.1.

(a) A person providing fishing guide services for compensation to a person fishing in nontidal freshwater or areas of tidal water designated in subsection (f) of this section for game and freshwater fish shall obtain a freshwater fishing guide license.

(b) An applicant for a license shall:

(1) Submit to the Department an application on the form that the Department requires;

(2) Pay to the Department an application fee of:

(i) \$20 for residents or \$50 for nonresidents to operate in nontidal freshwater; and

(ii) \$50 for residents or \$100 for nonresidents to operate in nontidal freshwater and the areas of tidal water designated in subsection (f) of this section; and

(3) Possess any necessary fishing licenses and stamps.

(c) Before a freshwater fishing guide license expires, the licensee may renew the license for an additional 1 year term. The licensee may renew a freshwater fishing guide permit if the licensee:

(1) Otherwise is entitled to hold the license;

(2) Submits to the Department a renewal application on the form that the Department requires; and

(3) Submits to the Department the annual license application fee under subsection (b) of this section.

(d) (1) All fees collected by the Department pursuant to this section shall be used for monitoring the freshwater fishery, including the capture and tagging of black bass in order to develop information and methods to sustain a healthy black bass population.

(2) The Department shall publicly report annually the amounts collected and the expenditures under this section.

(e) Beginning January 1, 2000 the Department may issue a freshwater fishing guide license which shall be valid for not more than 1 year and shall expire on December 31 of each year following the date of issuance.

(f) The freshwater fishing guide license is not valid in tidal waters except for the following designated areas:

(1) In the upper Chesapeake Bay upstream of a line from Sandy Point to Turkey Point;

(2) In the Elk River upstream of a line from Turkey Point to the State launching ramp at Pearce Creek;

(3) In the Pond Creek upstream of a line connecting the two unnamed points at the entrance to the creek;

(4) In the Sassafras River upstream of a line from Grove Point to Howell Point;

(5) In the Still Pond Creek upstream of a line from Meeks Point to Rocky Point;

(6) In the Worton Creek upstream of a line from the point at Copeland to Handys Point;

(7) In the Fairlee Creek upstream of a line across the entrance of the creek;

(8) (i) In the Chester River upstream of a line from Spaniard Point to Nichols Point;

(ii) In the Corsica River, a tributary of the Chester River, upstream of a line from Spaniard Point to Holton Point;

(iii) In the Langford Creek, a tributary of the Chester River, upstream of a line from Nichols Point to Grays Inn Point;

(iv) In the Grays Inn Creek, a tributary of the Chester River upstream from Grays Inn Point to Little Gum Point;

(9) In the Choptank River upstream of the Dover Bridge on Route 331;

(10) In the Blackwater River upstream of a line from the lower point of Snake Island to the southernmost point on the opposite shore;

(11) In the Transquaking River upstream of a line from Alabaster Point running magnetic north to the opposite shore;

(12) In the Nanticoke River upstream of a line from Long Point to Runaway Point;

(13) In the Wicomico River upstream of the Whitehaven ferry crossing;

(14) In the Pocomoke River upstream of the landing at Rehobeth;

(15) (i) In the Maryland tributaries of the Potomac River above the Route 301 bridge; and

(ii) In the Wicomico River, a tributary of the Potomac River, upstream of a line from Mills Point in a westerly direction to the northernmost point at the entrance to Dolly Boarmans Creek;

(16) (i) In the Patuxent River upstream of the overhead power lines north of Gods Grace Point;

(ii) In the Swanson Creek, a tributary of the Patuxent River, upstream of a line from Teague Point to Chalk Point;

(17) In the Patapsco River upstream of the Hanover Street crossing parallel to the Potee Street crossing;

(18) In the Back River upstream of a line from Cuckhold Point to Rocky Point;

(19) In the Middle River upstream of a line from Booby Point to Bowley Bar Point;

(20) In the Seneca Creek upstream of a line from Bowley Bar Point to Lowen Point;

(21) In the Gunpowder River upstream of a line from Weir Point to Rickett Point; and

(22) In the Bush River upstream of a line from Abbey Point to Sandy Point.

(g) (1) A recreational angler under the guidance of a freshwater fishing guide in tidal waters may not:

(i) Possess the species of fish known as striped bass or rockfish; or

(ii) From March 1 through May 31, catch or attempt to catch striped bass in spawning areas and rivers.

(2) For the purposes of item (1)(ii) of this subsection, spawning areas and rivers include everything north of a line from Abbey Point to Worton Point, including the Sassafra River, Bohemia River, Elk River, Northeast River, Susquehanna River, Susquehanna Flats, and the Chesapeake and Delaware Canal.

(h) An applicant for a freshwater fishing license that will be used in tidal waters must demonstrate to the Department that the applicant has obtained the appropriate federal licenses.

(i) The Department shall adopt regulations necessary to implement this section

including regulations that:

(1) Prohibit a person from furnishing any service as a fishing guide that requires operating a boat or vessel as part of that service without complying with appropriate federal regulations governing the operation of a vessel carrying passengers for hire;

(2) Limit to 150 the number of freshwater fishing guide licenses that will be issued annually that allow a person to operate in nontidal freshwater and tidal water areas designated in subsection (f) of this section;

(3) Allocate not more than 20% to nonresidents of the 150 freshwater fishing guide licenses that allow a person to operate in nontidal freshwater and tidal areas designated in subsection (f) of this section; and

(4) Establish provisions for maintaining a waiting list for applicants in excess of the maximum number of fishing guide licenses that allow a person to operate in nontidal freshwater and tidal areas designated in subsection (f) of this section.

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