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**By: Senators Frosh and Cade (Chesapeake Bay Commission)**

Introduced and read first time: February 2, 1996

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Noncommercial Crabbing License**

3 FOR the purpose of establishing a noncommercial crabbing license for certain individuals  
4 catching crabs in the Chesapeake Bay and tributaries; requiring a certain individual  
5 catching crabs in a certain manner to obtain a license; providing for the expiration  
6 of the license; establishing certain fees for the license under certain circumstances;  
7 authorizing certain persons to sell licenses as an agent of the Department of Natural  
8 Resources; authorizing the agent to retain a certain portion of the fee the agent  
9 collects; authorizing certain individuals to catch crabs without a license under  
10 certain circumstances; establishing daily catch limits under certain circumstances;  
11 establishing a limit on the use of certain methods under certain circumstances;  
12 requiring the Department to deposit the fees in a certain fund; prohibiting an  
13 individual who catches crabs for noncommercial purposes to sell the crabs;  
14 prohibiting a person from buying crabs from a person who catches crabs for  
15 noncommercial purposes; establishing that a violation of the provisions of this Act is  
16 a misdemeanor and that the violator is subject to a certain fine under certain  
17 circumstances; providing for the effective date of this Act; and generally relating to  
18 the establishment of a noncommercial crabbing license.

19 BY adding to  
20 Article - Natural Resources  
21 Section 4-804.1  
22 Annotated Code of Maryland  
23 (1989 Replacement Volume and 1995 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article - Natural Resources**

27 4-804.1.

28 (A) IN THIS SECTION, "LICENSE" MEANS A NONCOMMERCIAL CRABBING  
29 LICENSE.

30 (B) AN INDIVIDUAL WHO ATTEMPTS TO CATCH OR CATCHES CRABS IN THE  
31 WATERS OF THE CHESAPEAKE BAY AND ITS TIDAL TRIBUTARIES FOR  
32 NONCOMMERCIAL PURPOSES SHALL OBTAIN A LICENSE IF THE INDIVIDUAL USES:

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1 (1) MORE THAN 300 FEET BUT NOT MORE THAN 1,000 FEET OF  
2 TROTLINE;

3 (2) MORE THAN 10 BUT NOT MORE THAN 20 COLLAPSIBLE CRAB TRAPS;  
4 OR

5 (3) MORE THAN 10 BUT NOT MORE THAN 20 RINGS.

6 (C) A LICENSE ISSUED UNDER THIS SECTION IS VALID FOR NOT MORE THAN 1  
7 YEAR AND EXPIRES ON DECEMBER 31 OF EACH YEAR.

8 (D) (1) A LICENSE MAY BE OBTAINED FROM ANY AUTHORIZED AGENT OF  
9 THE DEPARTMENT.

10 (2) THE ANNUAL LICENSE FEES ARE:

11 (I) FOR A MARYLAND RESIDENT, \$5; AND

12 (II) FOR A NONRESIDENT, \$10.

13 (3) (I) THE DEPARTMENT MAY DESIGNATE A PERSON ENGAGED IN A  
14 COMMERCIAL ENTERPRISE TO SELL LICENSES AS AN AGENT UNDER THE  
15 DEPARTMENT'S CONTROL AND SUPERVISION.

16 (II) AN AGENT SELLING LICENSES UNDER THIS PARAGRAPH MAY  
17 RETAIN 50 CENTS FOR EACH LICENSE ISSUED BY THE AGENT.

18 (E) (1) AN INDIVIDUAL MAY ATTEMPT TO CATCH OR CATCH CRABS IN THE  
19 WATERS OF THE CHESAPEAKE BAY AND ITS TIDAL TRIBUTARIES FOR  
20 NONCOMMERCIAL PURPOSES WITHOUT OBTAINING A LICENSE, IF THE INDIVIDUAL:

21 (I) IS UNDER THE AGE OF 16 YEARS; OR

22 (II) IS ON ACTIVE DUTY WITH THE ARMED FORCES OF THE UNITED  
23 STATES AND:

24 1. IS A RESIDENT OF THIS STATE;

25 2. IS ON LEAVE FROM THE ARMED FORCES; AND

26 3. POSSESSES A COPY OF THE INDIVIDUAL'S OFFICIAL  
27 LEAVE ORDERS.

28 (2) AN INDIVIDUAL ATTEMPTING TO CATCH OR CATCHING CRABS  
29 UNDER THIS SUBSECTION SHALL USE:

30 (I) NOT MORE THAN 300 FEET OF TROTLINE;

31 (II) NOT MORE THAN 10 COLLAPSIBLE CRAB TRAPS;

32 (III) NOT MORE THAN 10 RINGS; OR

33 (IV) A DIPNET OR A HANDLINE AND DIPNET.

34 (F) (1) THE DAILY CATCH LIMITS UNDER THIS SECTION ARE:

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1 (I) 1 BUSHEL FOR A LICENSE HOLDER;

2 (II) 2 BUSHEL PER BOAT IF THERE ARE TWO OR MORE LICENSE  
3 HOLDERS ON THE BOAT; AND

4 (III) 3 DOZEN CRABS IF THE INDIVIDUAL IS EXEMPT FROM THE  
5 LICENSE REQUIREMENT OF THIS SECTION.

6 (2) (I) WHEN ATTEMPTING TO CATCH OR CATCHING CRABS FROM A  
7 BOAT, REGARDLESS OF THE NUMBER OF LICENSE HOLDERS ABOARD, CRABBERS  
8 MAY NOT SET FROM THE BOAT MORE THAN A TOTAL OF:

9 1. 40 COLLAPSIBLE CRAB TRAPS OR RINGS; AND

10 2. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
11 2,000 FEET OF TROTLINE.

12 (II) AN INDIVIDUAL ATTEMPTING TO CATCH OR CATCHING CRABS  
13 FROM A BOAT MAY NOT SET MORE THAN 1,000 FEET OF TROTLINE FROM THE BOAT.

14 (G) THE DEPARTMENT SHALL DEPOSIT ALL FEES RECEIVED FOR LICENSES TO  
15 THE CREDIT OF THE FISHERIES RESEARCH AND DEVELOPMENT FUND.

16 (H) (1) AN INDIVIDUAL WHO MAY CATCH OR ATTEMPT TO CATCH CRABS  
17 UNDER THIS SECTION MAY NOT OFFER TO SELL OR SELL CRABS THAT WERE  
18 CAUGHT FOR NONCOMMERCIAL OR RECREATIONAL PURPOSES.

19 (2) A PERSON MAY NOT KNOWINGLY BUY OR OFFER TO BUY CRABS  
20 FROM AN INDIVIDUAL WHO CAUGHT CRABS FOR NONCOMMERCIAL PURPOSES  
21 UNDER THIS SECTION.

22 (3) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A  
23 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

24 (I) FOR FIRST OFFENSE, A FINE NOT EXCEEDING \$500; AND

25 (II) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE OF NOT LESS  
26 THAN \$500 AND NOT EXCEEDING \$2,000.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 January 1, 1997.