
By: Senators Frosh and Cade (Chesapeake Bay Commission)

Introduced and read first time: February 2, 1996

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 1996

CHAPTER ____

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

20 BY adding to

21 Article - Natural Resources

22 Section 4-804.1

23 Annotated Code of Maryland

24 (1989 Replacement Volume and 1995 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

26 MARYLAND, That the Laws of Maryland read as follows:

2

1 **Article - Natural Resources**

2 4-804.1.

3 ~~(A) IN THIS SECTION, "LICENSE" MEANS A NONCOMMERCIAL CRABBING~~
4 ~~LICENSE.~~

5 ~~(B)~~ (A) AN INDIVIDUAL WHO ATTEMPTS TO CATCH OR CATCHES CRABS IN
6 THE WATERS OF THE CHESAPEAKE BAY AND ITS TIDAL TRIBUTARIES FOR
7 NONCOMMERCIAL PURPOSES SHALL OBTAIN A NONCOMMERCIAL CRABBING
8 LICENSE IF THE INDIVIDUAL USES:

9 (1) USES MORE THAN 300 FEET BUT NOT MORE THAN 1,000 FEET OF
10 TROTLINE;

11 (2) USES MORE THAN 10 BUT NOT MORE THAN 20 COLLAPSIBLE CRAB
12 TRAPS; OR

13 (3) USES MORE THAN 10 BUT NOT MORE THAN 20 RINGS.

14 ~~(C)~~ (B) A NONCOMMERCIAL CRABBING LICENSE ISSUED UNDER THIS
15 SECTION IS VALID FOR NOT MORE THAN 1 YEAR AND EXPIRES ON DECEMBER 31 OF
16 EACH YEAR.

17 ~~(D)~~ (C) (1) A NONCOMMERCIAL CRABBING LICENSE MAY BE OBTAINED
18 FROM ANY AUTHORIZED AGENT OF THE DEPARTMENT.

19 (2) THE ANNUAL NONCOMMERCIAL CRABBING LICENSE FEES ARE:

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

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

22 (3) (I) THE DEPARTMENT MAY DESIGNATE A PERSON ENGAGED IN A
23 COMMERCIAL ENTERPRISE TO SELL NONCOMMERCIAL CRABBING LICENSES AS AN
24 AGENT UNDER THE DEPARTMENT'S CONTROL AND SUPERVISION.

25 (II) AN AGENT SELLING NONCOMMERCIAL CRABBING LICENSES
26 UNDER THIS PARAGRAPH MAY RETAIN 50 CENTS FOR EACH LICENSE ISSUED BY THE
27 AGENT.

28 ~~(E)~~ (D) ~~(H)~~ AN INDIVIDUAL MAY ATTEMPT TO CATCH OR CATCH CRABS IN
29 THE WATERS OF THE CHESAPEAKE BAY AND ITS TIDAL TRIBUTARIES FOR
30 NONCOMMERCIAL PURPOSES WITHOUT OBTAINING A NONCOMMERCIAL CRABBING
31 LICENSE, IF THE INDIVIDUAL USES:

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

33 ~~(II) IS ON ACTIVE DUTY WITH THE ARMED FORCES OF THE UNITED~~
34 ~~STATES AND:~~

35 1. ~~IS A RESIDENT OF THIS STATE;~~

36 2. ~~IS ON LEAVE FROM THE ARMED FORCES; AND~~

1 ~~3. POSSESSES A COPY OF THE INDIVIDUAL'S OFFICIAL~~
2 ~~LEAVE ORDERS.~~

3 ~~(2) AN INDIVIDUAL ATTEMPTING TO CATCH OR CATCHING CRABS~~
4 ~~UNDER THIS SUBSECTION SHALL USE:~~

5 ~~(I)~~ (1) NOT MORE THAN 300 FEET OF TROTLINE;

6 ~~(II)~~ (2) NOT MORE THAN 10 COLLAPSIBLE CRAB TRAPS;

7 ~~(III)~~ (3) NOT MORE THAN 10 RINGS; OR

8 ~~(IV)~~ (4) A DIPNET OR A HANDLINE AND DIPNET.

9 ~~(F)~~ (E) (1) THE DAILY CATCH LIMITS UNDER THIS SECTION ARE:

10 (I) 1 BUSHEL FOR A HOLDER OF A NONCOMMERCIAL CRABBING
11 LICENSE HOLDER;

12 (II) 2 BUSHELS PER BOAT IF THERE ARE TWO OR MORE LICENSE
13 HOLDERS OF NONCOMMERCIAL CRABBING LICENSES ON THE A BOAT; ~~AND~~

14 (III) 3 DOZEN CRABS ~~IF THE~~ FOR AN INDIVIDUAL WHO IS EXEMPT
15 FROM THE LICENSE REQUIREMENT OF THIS SECTION; AND

16 (IV) 3 DOZEN CRABS PER INDIVIDUAL EXEMPT FROM THE LICENSE
17 REQUIREMENT OF THIS SECTION, UP TO A MAXIMUM OF 1 BUSHEL PER BOAT, IF
18 THERE ARE MULTIPLE INDIVIDUALS EXEMPT FROM THE LICENSE REQUIREMENT OF
19 THIS SECTION ON A BOAT.

20 (2) ~~(F)~~ WHEN IF THERE ARE TWO OR MORE HOLDERS OF
21 NONCOMMERCIAL CRABBING LICENSES ATTEMPTING TO CATCH OR CATCHING
22 CRABS FROM A BOAT, REGARDLESS OF THE NUMBER OF LICENSE HOLDERS
23 ABOARD, CRABBERS THEY MAY NOT SET USE FROM THE ONE BOAT MORE THAN A
24 TOTAL OF:

25 ~~1.~~ 1-40

26 (I) 25 COLLAPSIBLE CRAB TRAPS OR RINGS; AND

27 ~~2. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,~~
28 ~~2,000 FEET OF TROTLINE~~

29 (II) TWO 1,000-FOOT TROTLINES.

30 ~~(H) AN INDIVIDUAL ATTEMPTING TO CATCH OR CATCHING CRABS~~
31 ~~FROM A BOAT MAY NOT SET MORE THAN 1,000 FEET OF TROTLINE FROM THE BOAT.~~

32 ~~(G)~~ (F) THE DEPARTMENT SHALL DEPOSIT ALL FEES RECEIVED FOR
33 NONCOMMERCIAL CRABBING LICENSES TO THE CREDIT OF THE FISHERIES
34 RESEARCH AND DEVELOPMENT FUND TO BE USED FOR RESEARCH AND
35 ENFORCEMENT.

4

1 ~~(H)~~ (G) (1) AN INDIVIDUAL WHO MAY CATCH OR ATTEMPT TO CATCH
2 CRABS UNDER THIS SECTION MAY NOT OFFER TO SELL OR SELL CRABS THAT WERE
3 CAUGHT FOR NONCOMMERCIAL OR RECREATIONAL PURPOSES.

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

7 (H) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
8 PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A
9 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

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

11 (II) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT
12 EXCEEDING \$1,000.

13 ~~(2)~~ (2) A PERSON WHO VIOLATES ~~THIS~~ THIS SUBSECTION (G) OF THIS
14 SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

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

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

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