
By: Delegates Wood, McClenahan, and Weir (Chesapeake Bay Commission) and Delegate W. Baker

Introduced and read first time: January 31, 1997

Assigned to: Environmental Matters

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 certain individuals
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 individuals to catch crabs without
10 a license under certain circumstances; establishing daily catch limits under certain
11 circumstances; establishing a limit on the use of certain methods under certain
12 circumstances; requiring the Department to deposit the fees in a certain fund for
13 certain purposes; prohibiting an individual who catches crabs for noncommercial
14 purposes to sell the crabs; prohibiting a person from buying crabs from a person
15 who catches crabs for noncommercial purposes; establishing certain penalties for
16 certain violations under certain circumstances; providing for the termination of this
17 Act; and generally relating to the establishment of a noncommercial crabbing
18 license.

19 BY adding to

20 Article - Natural Resources
21 Section 4-805
22 Annotated Code of Maryland
23 (1989 Replacement Volume and 1996 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 4-805.

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

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1 (1) USES A TROTLINE, WHICH MAY NOT EXCEED 1,000 FEET IN LENGTH;

2 (2) USES COLLAPSIBLE CRAB TRAPS, NOT TO EXCEED 10; OR

3 (3) USES NET RINGS, NOT TO EXCEED 10.

4 (B) A NONCOMMERCIAL CRABBING LICENSE ISSUED UNDER THIS SECTION IS
5 VALID FOR NOT MORE THAN 1 YEAR AND EXPIRES ON DECEMBER 31 OF EACH YEAR.

6 (C) (1) A NONCOMMERCIAL CRABBING LICENSE MAY BE OBTAINED FROM
7 ANY AUTHORIZED AGENT OF THE DEPARTMENT.

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

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

10 (II) FOR A MARYLAND RESIDENT, IN POSSESSION OF A MARYLAND
11 CHESAPEAKE BAY SPORT FISHING LICENSE OR A RESIDENT CONSOLIDATED SENIOR
12 SPORT FISHING LICENSE, \$2; AND

13 (III) FOR A NONRESIDENT, \$10.

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

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

20 (D) A NONCOMMERCIAL CRABBING LICENSE IS NOT REQUIRED FOR:

21 (1) AN INDIVIDUAL TO TAKE CRABS BY DIPNET OR HANDLINE; OR

22 (2) A PERSON WHO OWNS PRIVATE PROPERTY ALONG THE SHORE TO
23 SET UP TO TWO CRAB POTS FROM THAT PRIVATE PROPERTY.

24 (E) (1) THE DAILY CATCH LIMITS UNDER THIS SECTION ARE:

25 (I) ONE BUSHEL FOR A HOLDER OF A NONCOMMERCIAL
26 CRABBING LICENSE OR AN INDIVIDUAL EXEMPT UNDER SUBSECTION (D);

27 (II) TWO BUSHEL PER BOAT IF THERE ARE MULTIPLE
28 INDIVIDUALS ON THE BOAT AND AT LEAST ONE INDIVIDUAL HOLDS A
29 NONCOMMERCIAL CRABBING LICENSE; AND

30 (III) TWO BUSHEL PER BOAT IF THERE ARE MULTIPLE
31 INDIVIDUALS TAKING CRABS BY DIPNET OR HANDLINE.

32 (2) IF THERE ARE TWO OR MORE HOLDERS OF NONCOMMERCIAL
33 CRABBING LICENSES ATTEMPTING TO CATCH OR CATCHING CRABS FROM A BOAT,
34 THEY MAY NOT USE FROM ONE BOAT MORE THAN A TOTAL OF:

35 (I) 20 COLLAPSIBLE CRAB TRAPS OR NET RINGS; OR

3

1 (II) TWO TROT LINES, EACH OF WHICH MAY NOT EXCEED 1,000
2 FEET IN LENGTH.

3 (F) (1) THE DEPARTMENT SHALL DEPOSIT ALL FEES RECEIVED FOR
4 NONCOMMERCIAL CRABBING LICENSES TO THE CREDIT OF THE FISHERIES
5 RESEARCH AND DEVELOPMENT FUND TO BE USED FOR RESEARCH TO DETERMINE
6 THE EXTENT OF THE NONCOMMERCIAL CRAB CATCH. THE AMOUNT OF FUNDS
7 EXPENDED ON THE CRAB RESEARCH MAY NOT EXCEED \$150,000.

8 (2) ANY FUNDS REMAINING BEYOND THE FINANCIAL DEMANDS OF THE
9 RESEARCH REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE USED
10 FOR ENFORCEMENT.

11 (G) (1) AN INDIVIDUAL WHO MAY CATCH OR ATTEMPT TO CATCH CRABS
12 UNDER THIS SECTION MAY NOT OFFER TO SELL OR SELL CRABS THAT WERE
13 CAUGHT FOR NONCOMMERCIAL OR RECREATIONAL PURPOSES.

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

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

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

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

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

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

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

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
29 Natural Resources shall prepare a report to the Senate Economic and Environmental
30 Affairs Committee, House Environmental Matters Committee, and Chesapeake Bay
31 Commission, in accordance with § 2-1312 of the State Government Article, no later than
32 December 31, 1998, and every year thereafter, which shall include estimates or survey
33 results detailing the number of recreational crabbers, the categories or groupings of
34 recreational crabbing activities such as handlines, trotlines, traps, shoreline owners' use of
35 crab pots, and whether such activities are carried out from private boats, hired boats, or
36 from the shore or piers. The report shall also include estimates or counts of recreational
37 crab catchers, by category, for at least the last 2 years and information on short-term and
38 long-term trends in crab populations and how recreational crabbing affects or is affected
39 by these trends. The report shall also include itemized costs of the noncommercial crab
40 catch research, identifying any needs, if necessary, for expansion of the research. The
41 report shall also include information on law enforcement activities regarding recreational

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1 crabbing, particularly enforcement of a prohibition on selling recreationally caught
2 noncommercial crabs. The report shall also include information or results of studies
3 dealing with the effect of fish and crab predation on small crabs.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 1997. It shall remain effective for a period of 5 years and 3 months, and, at the
6 end of December 31, 2002, with no further action required by the General Assembly, this
7 Act shall be abrogated and of no further force and effect.