



## Blue Crab Specific Laws - 2011

### COMAR:

#### CHAPTER 03 CRABS

##### ❖ **08.02.03.01 Crabbing Gear.**

###### A. Lawful Gear.

- (1) A person may catch crabs in the tidal waters of Maryland only with the gear authorized in this chapter.
- (2) Diving Apparatus. A person may not possess or catch crabs in the tidal waters of Maryland using diving apparatus by itself, or in conjunction with any of the other methods authorized in this chapter.
- (3) Gear designated to catch crabs and defined in this chapter, except for a seine, is not considered a net under the definition listed in COMAR 08.02.05.02.

###### B. Recreational Gear—Definitions.

- (1) The gear defined in this section may be used to catch crabs for recreational purposes.
- (2) "Collapsible crab trap" means a manually operated, portable device:
  - (a) Having a flat bottom not more than 20 inches by 15 inches, and not more than four articulated sides; and
  - (b) Designed so that failure to apply manually exerted tension on the closing mechanism allows the crabs to escape.
- (3) "Crab net ring" means netting supported by a ring-shaped rim less than or equal to 30 inches in diameter.
- (4) "Crab pot" means a cube-shaped or rectangular shaped device with openings toward the inside for the entrance of crabs.
- (5) "Dip net" means a mesh bag of netting or wire which is suspended from a circular, oval, or a rectangular frame attached to a handle.
- (6) "Handline" means a fishing line managed primarily by hand.
- (7) "Trotline" means a length of rope or line, buoyed at both ends with one or more anchors, which is baited without hooks or snares at intervals for the purpose of catching crabs.
- (8) "Seine" means an encircling type of net which is not more than 50 feet long and 5 feet wide.

###### C. Commercial Gear.

- (1) In addition to the gear listed in §B(2)—(7) of this regulation, the gear defined in this section may also be used for commercial crab harvesting.

(2) "Bank trap" means an enclosure constructed of wire mesh not more than 4 feet long and not more than 4 feet wide, with a single row of hedging not more than 75 feet long.

(3) "Barrel" means a container with a minimum capacity of 32 gallons and which holds not more than 2-1/2 U.S. standard bushels of crabs.

(4) "Channel pound" means an enclosure constructed of wire mesh not more than 8 feet long and not more than 4 feet wide, with two rows of hedging, each not longer than 100 feet long.

(5) "Crab scrape" means a scoop or other device which is dragged along the bottom for the purpose of catching crabs.

(6) "Hand scrape" means a single scoop or other device which is:

(a) Dragged along the bottom for the purpose of catching crabs; and

(b) Retrieved by hand without the aid of any mechanical device during any stage of the retrieval.

❖ **08.02.03.02 Seines.**

A. A seine may be used for recreational purposes only.

B. The seine may not be emptied:

(1) On the shore or beach; or

(2) In any water of less than sufficient depth to enable the unwanted fish to return to the waters alive.

❖ **08.02.03.03 Trotlines.**

A. An individual may not set or fish a trotline, crab net ring, or collapsible crab trap within 100 feet of another individual's trotline.

B. The length of a trotline is measured along the bait line.

C. In the coastal bays of the Atlantic Ocean and their tidal tributaries:

(1) An individual may not use or possess on board a vessel a trotline or trotlines with a baited portion more than 600 feet in length to catch or attempt to catch crabs for recreational purposes; or

(2) If two or more individuals are on a boat, not more than two trotlines with a baited portion more than 600 feet each may be used or possessed on board a vessel to catch or attempt to catch crabs for recreational purposes.

D. In the Chesapeake Bay and its tidal tributaries:

(1) Trotline gear may only be used to catch or attempt to catch crabs:

(a) For commercial purposes by an individual licensed in accordance with Natural Resources Article, §4-701, Annotated Code of Maryland; or

(b) For recreational purposes by an individual licensed in accordance with Regulation .09 of this chapter, or an individual on a boat licensed as a Chesapeake Bay sport fishing boat license;

(2) An individual licensed to catch crabs for recreational purposes may not use or possess on board a vessel a trotline or trotlines with a baited portion more than 1,200 feet in length to catch or attempt to catch crabs for recreational purposes; and

(3) The trotline gear used from the boat may not exceed 1,200 feet in length for the baited portion:

(a) Regardless of the number of individuals licensed to catch crabs for recreational purposes on a boat;

(b) If the boat is licensed as a recreational crabbing boat; or

(c) If the boat is licensed as a Chesapeake Bay sport fishing boat.

E. An individual licensed to catch crabs for commercial purposes may catch crabs for recreational purposes by trotline in accordance with the provisions of this regulation without paying the fee for recreational crabbing set forth in Regulation .09 of this chapter.

F. Float Requirements.

(1) A trotline shall have a float of the same color, size, and shape attached to each end.

(2) Floats that have a round or spherical shape shall be at least 12 inches in diameter.

(3) Floats that do not have a round or spherical shape shall be at least 12 inches long and 10 inches wide.

#### ❖ **08.02.03.04 Crab Scrapes.**

A. A crab scrape may not:

(1) Have a bar wider than 60 inches;

(2) Have teeth or projections of any kind;

(3) Have a flat plate attached to the scraping bar, which is the bar that touches the bottom;

(4) Have a diver, chain, or other device attached to it or the taking line to hold the scrape to the bottom; and

(5) Exceed 80 pounds in weight, including the bag.

B. Number of Scrapes Permitted.

(1) A person may not use more than two scrapes in any vessel that is propelled by an engine.

(2) Scrapes may not be affixed to each other so as to form a single fishing unit.

C. Prohibited Areas. Scrapes are prohibited in the following areas:

(1) St. Mary's River—that portion lying upriver from a line drawn between Chancellor Point and Portobello Point;

(2) Calvert Bay and Smith Creek—that portion north of a line drawn between Kitts Point and Lawson Point;

(3) All submerged lands leased for shellfish cultivation in accordance with Natural Resources Article, Title 4, Subtitle 11A, Annotated Code of Maryland; and

(4) The waters of the Chesapeake Bay and tidal tributaries north of a line extending in a westerly direction from the southern point of the mouth of Punch Island Creek in Dorchester County defined by Lat. 38°25'15.2"N., Long. 76°17'19.7"W. to Cove Point in Calvert County defined by Lat. 38°23'05.4"N., Long. 76°22'52.3"W.

D. Hand Scrapes. Notwithstanding §C(4) of this regulation, a person may use a single scrape not wider than 48 inches and not heavier than 45 pounds north of the line defined in §C(4) of this regulation in the following areas:

(1) The area of the Chesapeake Bay east of a line drawn from a point at or near Cook Point in Dorchester County defined by Lat. 38°37'41.5"N., Long. 76°17'21.1"W.; then running approximately 193° True to a point at or near Hills Point in Dorchester County defined by Lat. 38°34'19.9"N., Long. 76°18'21.2"W.; and

(2) The waters of Queen Anne's County and Kent County.

❖ **08.02.03.05 Bank Traps and Channel Pounds.**

A. A bank trap and channel pound shall meet the following structural requirements:

(1) A row of hedging attached to any bank trap or channel pound may not exceed more than 1/3 the distance across the body of water in which the bank trap or channel pound is placed;

(2) To permit trapped air-breathing animals to survive, each bank trap and channel pound shall be constructed and placed in the water to provide an airspace safety chamber in the top of the trap which shall extend 12 inches above the water at mean high tide, and consist of a cube not less than 12 inches on each side and 12 inches high, or a cylinder not less than 18 inches in diameter and 12 inches high; and

(3) A marker shall be attached to each bank trap and channel pound, which clearly identifies the name and license number of the owner in letters at least 2 inches high.

B. Areas Where Bank Traps and Channel Pounds May Be Placed.

(1) An individual may place a bank trap or channel pound only in the following tidal waters:

(a) The waters surrounding Eastern Neck Island from Baybush Point along the south and easterly sides of the island to the bridge crossing Eastern Neck Narrows, except within 300 feet of another bank trap or channel pound; and

(b) The tidal waters of Somerset County except within:

(i) 300 feet of another bank trap or channel pound; or

(ii) 500 feet of the point, formed at the intersection of a line from the nearest part of the dwelling to the water and a line along the mean high water mark, of property that contains an occupied dwelling.

(2) In Somerset County, a bank trap or channel pound may not be placed closer than the distance specified in §B(1)(b)(ii) of this regulation from a waterfront residence, unless written permission has been obtained from the owner, tenant, or lessee of the waterfront property. This permission shall include the signature, address, and telephone number of the owner, tenant, or lessee.

(3) If written permission is required, it shall be shown to a Natural Resources Police officer or other law enforcement officer upon request.

C. An individual may not set more than 35 bank traps or channel pounds in the tidal waters of Somerset County.

D. Times for Staking Out and Removing Bank Traps or Channel Pounds.

(1) After 8 a.m. on March 15, a licensee may use in each instance a single stake with the licensee's name and license number to stake out one or more sites for bank traps or channel pounds.

(2) Beginning on March 1 of each year, a landowner or lessee may use in each instance a single stake with the landowner's or lessee's name and address to stake out one site in the area riparian to the landowner's or lessee's land where the landowner or lessee may maintain a trap or pound. An individual other than the landowner or lessee may not place or maintain a trap or pound in that area, if the area is staked by a landowner or lessee.

(3) Each bank trap and hedging shall be in place not later than May 1 or the staking of the site is void and may be staked out by another licensee.

(4) An individual shall remove a bank trap or channel pound, including all hedging and stakes, by December 1.

(5) If a bank trap or channel pound is removed before December 1, all hedging and stakes shall be removed 30 days after the trap is removed.

❖ **08.02.03.06 Collapsible Crab Traps and Crab Net Rings.**

A. An individual may not set or fish a trotline, crab net ring, or collapsible crab trap within 100 feet of a trotline.

B. In the coastal bays of the Atlantic Ocean and their tidal tributaries:

(1) An individual may not catch or attempt to catch crabs for recreational purposes with any combination of more than ten collapsible traps and net rings; or

(2) If two or more individuals are on a boat, not more than any combination of 25 collapsible traps and net rings may be set per boat.

C. In the Chesapeake Bay and its tidal tributaries:

(1) An individual may not catch or attempt to catch crabs for recreational purposes with any combination of more than ten collapsible traps and net rings unless the individual is:

(a) Licensed to catch crabs for recreational purposes; or

(b) On a boat licensed as a recreational crabbing boat or a boat licensed as a Chesapeake Bay sport fishing boat;

(2) If an individual is licensed to catch crabs for recreational purposes, not more than 30 collapsible traps or net rings or not more than 30 of a combination of collapsible traps and net rings may be set;

(3) Not more than 30 collapsible traps or net rings or not more than 30 of a combination of collapsible traps and net rings may be set per boat:

(a) Regardless of the number of individuals licensed to catch crabs for recreational purposes on a boat;

(b) If the boat is licensed as a recreational crabbing boat; or

(c) If the boat is licensed as a Chesapeake Bay sport fishing boat; and

(4) Regardless of the number of unlicensed individuals on a boat that is not licensed, not more than 20 collapsible traps or net rings or not more than 20 of a combination of collapsible traps and net rings may be set per boat.

D. A collapsible crab trap or crab net ring which is not attached to a pier, wharf, or boat shall be marked with a buoy bearing the name of the owner.

### ❖ 08.02.03.07 Crab Pots.

A. "Cull ring" means a device in a crab pot, for the escapement of undersized crabs, described as a:

- (1) Ring with an opening of the established measurement for the inside diameter; or
- (2) Square opening cut from the crab pot measuring at least 4-1/2 inches by 4-1/2 inches and covered by a panel of 2-inch by 2-inch mesh so that there are at least four complete 2-inch by 2-inch square meshes.

B. A crab pot shall meet the following structural requirements:

- (1) A standard cube type crab pot may not have sides which are more than 24 inches long;
- (2) Rectangular crab pots may not have dimensions which are greater than 12 inches high, 24 inches wide, and 48 inches long in total;
- (3) A crab pot shall be constructed of wire having a mesh measuring along its longest axis when the wire is unstretched of not less than:
  - (a) 1-1/2 inches for the purpose of catching hard crabs; or
  - (b) 1 inch for the purpose of catching peeler crabs;
- (4) Except for a crab pot constructed with unstretched mesh measuring less than 1-1/2 inches or at least 2 inches on each side, a crab pot set in the Chesapeake Bay or its tidal tributaries shall have two cull rings, one of at least 2-3/16 inches and one of at least 2-5/16 inches inside diameter located in exterior side panels or the top panel of the crab pot;
- (5) A live male blue crab used for bait, in a crab pot used for catching peeler crabs, shall be contained only in the upper chamber of the crab pot and may not be less than the minimum size; and
- (6) A crab pot set for recreational purposes shall have a turtle reduction device which:
  - (a) Is firmly attached to each entrance or funnel in the lower chamber;
  - (b) Is constructed of wire or plastic;
  - (c) Is rectangular in shape; and
  - (d) Has dimensions which do not exceed 1-3/4 inches high and 4-3/4 inches long.

C. Times for Setting and Removing Crab Pots.

- (1) Crab pots may not be set in State waters before March 31 of each year.
- (2) All crab pots shall be removed from the waters of the Chesapeake Bay and its tidal tributaries by December 31 of each year.
- (3) All crab pots shall be removed from the waters of the coastal bays of the Atlantic Ocean and their tidal tributaries:
  - (a) If set for commercial purposes, by November 16 of each year; or
  - (b) If set for recreational purposes, by December 31 of each year.

D. General Requirements.

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<http://www.dnr.state.md.us/fisheries/regulations/regindex.html>

(1) A person who owns or leases private property along the shore may set not more than two crab pots to catch crabs for recreational purposes. However, not more than two crab pots may be set attached to a pier or a parcel of property, regardless of the number of owners or lessees of that pier or parcel of property.

(2) The crab pots shall be set in front of the person's property, within 100 yards of the shore, and:

(a) Be attached by a line to the property or a privately owned pier or dock; or

(b) Be marked by a buoy or pole and sign, indicating the owner's name and address.

(3) A person who owns or is in charge of operating a vessel used to catch crabs for commercial purposes with crab pots shall be licensed by the Department.

(4) Buoys.

(a) Each pot individually set shall be marked with a buoy that is easily visible on the surface.

(b) Each string of pots shall be marked at each end with a buoy that is easily visible on the surface.

(c) Each buoy shall be clearly marked with the identification number of the licensee in letters at least 2 inches high, and, if the buoy is attached to a string of crab pots, with the number of pots in the string.

(d) The Department may require individual numbered markers supplied by the Department to be attached to every buoy.

(5) A person may not fish a crab pot licensed to another person.

(6) While crabbing in the Chesapeake Bay and its tidal tributaries, a person licensed to catch crabs with more than 50 crab pots may not at any time set or fish more than 300 crab pots unless the person is authorized to set or fish 600 or 900 crab pots.

(7) A person commercially licensed to catch crabs may set crab pots in the coastal bays of the Atlantic Ocean and their tidal tributaries subject to the following limitations:

(a) A person licensed to catch crabs with more than 50 pots may not set or fish more than 300 pots per day; and

(b) Regardless of the number of licensees per boat, not more than 300 pots per day may be set or fished.

#### E. Crab Pot Line for the Chesapeake Bay and Potomac River.

(1) Subject to the limitations of §§G and H of this regulation, a person may set crab pots in the waters of the Chesapeake Bay and the Potomac River that are enclosed by the lines specified in §E(3) and F of this regulation.

(2) As used in §G of this regulation, a line "along shore" means a line drawn directly between points of land. Except as provided in §F of this regulation, all bays, sounds, rivers, creeks, coves, ponds, and inlets shoreward of that line are excluded from the area where crab pots may be set.

(3) The following lines mark the headlands of the rivers, bay, creeks, sounds, coves, and inlets beginning on the western side of Chesapeake Bay at Locust Point on Spesutie Island; then southwesterly along the shore to Bear Point; thence to Black Point; thence southwesterly along shore to Abbey Point; thence to Lego Point; thence along the shore to Ford Point; thence along the shore to Robbins Point; thence along the shore to southwestern tip of Rickett Point; thence in a northwesterly direction to the point of Carroll Island at Lat. 39°18'52.29"N., Long. 76°19'42.11"W. to Weir Point to Lower Point; thence to the northeasterly point of Millers Island; thence southerly along southeasterly shores of Millers Island, Hart Island, and Patapsco River Neck to the southernmost tip of North Point; thence southwesterly along a line to Buoy R "6" to within 200 yards of the Brewerton channel; thence in a southeasterly direction to intersect a point along a line from North Point to Bodkin Point 200 yards north of the Brewerton channel; thence to Bodkin Point; thence southerly along shore to Mountain Point; thence to Persimmon Point; thence along shores to Sandy Point to Hackett Point; thence to Greenbury Point; thence to Tolly Point; thence along shore to Thomas

Point; thence to Saunders Point; thence along shore to Dutchman Point; thence to Curtis Point; thence along shore to point on north side of entrance into Parkers Creek; thence to Holland Point; thence southerly along shore to Plum Point and to Cove Point and to Drum Point; thence to Hog Point; thence along shores to Cedar Point to Point No Point and to Point Lookout; thence southeasterly across the Potomac River to Smith Point; thence northeasterly along State line to intersection with westerly shore of Smith Island, crossing Big Thorofare at points marking its western entrance and continuing northward along shore to Fog Point; thence to southwesternmost point of land on Pry Island; thence to southernmost point of Holland Island; thence along western shores of Holland Island, Adam Island, Billys Island, and Bloodsworth Island to tip of shore on southwestern side of entrance into Okahanikan Cove; thence to Navy-maintained tower; thence to nun Buoy N "2", thence to Honga River Light Fl. 4 sec. 16 ft. 4M; thence to Billy's Point at Lat. 38°14.52'N., Long. 76°07.58'W. on lower Hoopers Island; thence westerly along shore of Hoopers Island to Pons Point; thence to southernmost point of Barren Island; thence northerly along the western shore of Barren Island crossing Tar Bay at points marking its northwestern entrances, and continuing northerly along west shores of Meekins Neck, Taylors Island, and James Island to James Point; thence to Hills Point; thence to Black Walnut Bar Bell buoy; thence to Black Walnut Point; thence northerly along west shore of Tilghman Island to point on northerly side of Paw Paw Cove; thence northerly along shore to Lowe's Point; thence in a straight line in a northwesterly direction to Bloody Point; thence northerly along west shore to Kent Island to Love Point; thence to northwest point of Eastern Neck Island; thence northerly along west shore of Eastern Neck to Huntingfield Point; thence to Swan Point; thence northerly along shore to point on south side of Fairlee Creek marking its entrance; thence along shore to Worton Point; thence along shore to Plum Point; thence along shore to include area known as Still Pond to Meeks Point; thence along shore to Howell Point; thence to Grove Point; thence along the shore to Pearce Creek; thence westerly to Buoy R 6 Fl. R 4 sec. thence to Turkey Point; thence northerly along the western shore of Elk Neck to Rocky Point; thence westerly across the Bay to Locust Point, the point of beginning.

#### F. Additional Crab Pot Areas.

(1) Crab pots may also be set in the following areas:

(a) In the waters of Tangier Sound, including Kedges Straits and the Somerset County waters of Holland Straits, south of a line running from Lower Island Point on Bloodsworth Island, following the Dorchester County-Somerset County line to its junction with county line buoy A; thence in a northerly direction toward Sharkfin Shoal Light to its junction with a straight line running from range marker AA northeasterly to range marker BB and the Dorchester County-Somerset County line; thence in a northeasterly direction following the straight line running from range marker AA northeasterly to range marker BB and the Dorchester County-Somerset County line to its junction with a line running from the former dwelling of Thomas Tigner near Haines Point, defined by Lat. 38°37'43.990", Long. 76°56'58.961"(NAD 1983, 1991 adjustment) to the southwestly most point of land on Clay Island. However, no crab pots may be set in water that is less than 4 feet deep at mean low tide;

(b) In the waters of Breton Bay and St. Clements Bay that are south of a line beginning at Huggins Point, Breton Bay, following the mean low water line to Protestant Point; thence in a westerly direction to Clem Point of Newton Neck; thence following the mean low water line along the shore to Chapel Point, St. Clements Bay; thence in a northwesterly direction to Shipping Point; thence following the mean low water line along the shore, across the mouth of Canoe Neck Creek and St. Patrick Creek to Colton Point;

(c) In the waters of Wicomico River that are south of a line beginning at White Point; thence following the ridge of White Point Sand Bar to White Point Island; thence in a southwestly direction to Rock Point in Charles County; thence southerly to the most easterly point of Cobb Island; thence along shore to Cobb Point;

(d) Subject to the limitation in §G(10) of this regulation, in the waters of St. Catherine Sound east of St. Catherine Island enclosed by a line starting at the northeasterly most point of land on St. Catherine Island thence northerly to Yellow Bank Point; thence along the shore to the Potomac River Fisheries Commission jurisdictional line; thence following the jurisdictional line west to its junction with the southeastern tip of St. Catherine Island;

(e) In the waters of St. Mary's River from the Potomac River boundary line at St. Inigoes Neck to a line beginning at Priest's Point and running in a southwestly direction to Edmund Point; thence along the shore to Cherryfield Point; thence to Ball Point; and

(f) Subject to the limitations in §G(11) of this regulation, in the waters of Calvert Bay enclosed by a line starting at Kitts Point, thence easterly to the most southwestly point on east side of the mouth of Smith Creek; thence easterly and southerly along the shore to the Potomac River Fisheries Commission jurisdictional line; thence following the jurisdictional line northwesterly to its junction with Kitts Point.

(2) A person licensed to catch crabs may set crab pots in the coastal bays of the Atlantic Ocean and their tidal tributaries subject to the restrictions in §D of this regulation.

(3) A person may set crab pots easterly of a line starting at Smith Point in Charles County, then following the Potomac River Fisheries Commission jurisdictional line northward to Liverpool Point.

(4) A person may set crab pots in the waters of Pocomoke Sound, including the area subject to the depth restriction set forth in §F(5)(a) of this regulation.

(5) A person may set crab pots in water that is less than 4 feet deep at mean low tide in the following areas:

(a) In Pocomoke Sound, shoreward of the Maryland-Virginia State line, from its junction with a line running from Bullbegger Point westward to the northeasternmost point of land on Fair Island, thence following the State line in a westerly direction to State line marker "A", thence northwesterly to Ware Point;

(b) In Tangier Sound, shoreward of a line drawn from the southern tip of Deal Island at Lower Thorofare in a westerly direction to Lower Thorofare entrance Red Nun "2", thence following a line drawn in a northerly direction to Haines Point Light Fl. 4 sec., thence easterly to the northernmost tip of Deal Island;

(c) In Tangier Sound, shoreward of a line drawn from Flatcap Point in a southerly direction to Janes Island Light Fl. 4 sec., thence in a northeasterly direction to Island Point; and

(d) In Tangier Sound, in the waters west of a line drawn from Muscle Point to Sound Point on South Marsh Island.

(6) Crab pots may be set from April 1 to June 15, outside of marked channels in Tyler Creek, in the area enclosed by a line beginning at a point at or near the intersection of the Maryland—Virginia line and the west side of Tyler Creek, defined by Lat. 37°57.21'N. and Long. 76°01.04'W.; then running northerly along the west shore of Tyler Creek to a point at or near the south side of the Canal, defined by Lat. 37°59.10'N. and Long. 76°01.29'W.; then running approximately 3° True to a point at or near the north side of The Canal, defined by Lat. 37° 59.17'N. and Long. 76° 01.28'W.; then running northerly along the west shore of Tyler Creek to a point, defined by Lat. 37° 59.56'N. and Long. 76° 01.39'W.; then running approximately 113° True to a point, defined by Lat. 37° 59.37'N. and Long. 76° 00.83'W.; then running southerly along the east shore of Tyler Creek to a point at or near the intersection of the Maryland—Virginia line and the east side of Tyler Creek, defined by Lat. 37° 57.21'N. and Long. 76° 00.37'W.; then running approximately 270° True to the point of beginning defined by a point at or near the intersection of the Maryland —Virginia line and the west side of Tyler Creek, defined by Lat. 37° 57.21'N. and Long. 76° 01.04'W.

G. Crab pots may not be set in the following areas:

(1) In water that is less than 4 feet deep at mean low tide, except as provided in §F(5) of this regulation;

(2) In all of the waters of Smith Island, Chesapeake Bay, Kedges Straits, and Tangier Sound enclosed by a line beginning at a point at or near the intersection of the Maryland-Virginia line and the eastern (Tangier Sound) shoreline of Smith Island, defined by Lat. 37° 57.20'N. and Long. 75° 59.68'W.; then running approximately 270° True along the Maryland-Virginia line to a point at or near the intersection of the Maryland-Virginia line and the western (Chesapeake Bay) shoreline of Smith Island, defined by Lat. 37° 57.21'N. and Long. 76°02.82'W.; then running northerly along the west shore of Smith Island to a point at or near the south side of Sheep Pen Gut, defined by Lat. 37°58.77'N. and Long. 76°02.93'W.; then running approximately 349° True to a point at or near the north side of Sheep Pen Gut, defined by Lat. 37°58.99'N. and Long. 76°02.98'W.; then running northerly along the west shore of Smith Island to a point at or near the south entrance of Goose Harbor, defined by Lat. 37°59.45'N. and Long. 76°03.04'W.; then running approximately 3° True to a point at or near Channel Point, defined by Lat. 38° 00.57'N. and Long. 76° 02.96'W.; then running northerly along the west shore of Smith Island to a point at or near Fog Point, defined by Lat. 38° 02.04'N. and Long. 76° 02.50'W.; then running easterly along the shore of Fog Point Cove to a point at or near Bards Point, defined by Lat. 38° 02.20'N. and Long. 76° 01.65'W.; then running approximately 88° True to a point at or near the east shore of Bridge Creek, defined by Lat. 38° 02.20'N. and Long. 76° 01.50'W.; then running easterly along the shore to a point at or near Fishing Point, defined by Lat. 38° 02.26'N. and Long. 76° 00.33'W.; then running approximately 138° True to a point, defined by Lat. 38° 01.53'N. and Long. 75° 59.49'W.; then running approximately 115° True to a point, defined by Lat. 38° 01.39'N. and Long. 75° 59.14'W.; then running approximately 119° True to a point at the former location of Terrapin Sands Point defined by Lat. 38° 00.95'N. and Long. 75° 58.13'W.; then running approximately 198° True to a point at or near on the north side of the channel at Big Thorofare, defined by Lat. 37° 58.13'N. and Long. 75° 59.27'W.; then running approximately 185° True to a point at or near the southerly entrance of Big

Thorofare, defined by Lat. 37° 57.62'N. and Long. 75° 59.33'W.; then running approximately 214° True to the point of beginning defined by a point at or near the intersection of the Maryland-Virginia line and the eastern (Tangier Sound) shoreline of Smith Island, defined by Lat. 37° 57.20'N. and Long. 75° 59.68'W.;

(3) In the waters of the Manokin River landward or upstream of a straight line joining South Point on Little Deal Island to Hazard Point on the mainland;

(4) In the waters of Big Annemessex River easterly of a straight line from the most westerly point of marsh on Pat Island to the easterly point of marsh at the entrance of Thru Creek on Lawsons Marsh;

(5) In the waters of the Little Annemessex River east of a line from Janes Island Point to Great Point;

(6) In the Dorchester County waters of Holland Straits;

(7) From May 1 to September 30, inclusive, within 200 yards of a public bathing beach running not more than 100 yards along the shore which is plainly marked by a white sign reading "Bathing Beach" in black letters at least 4 inches high;

(8) In the waters of the Pocomoke River north of a line running from Bullbegger Point westward to the northeasternmost point of land on Fair Island which marks the eastern entrance to Fair Island Channel;

(9) Westward of the buoy free channel in the Pocomoke River;

(10) Within 100 feet of any aid to navigation or within 100 feet of the channel of St. Catherine Sound;

(11) Within 100 feet of any aid to navigation or within 100 feet of the channel to Smith Creek;

(12) In the waters of St. Catherine Sound, except as provided by regulation;

(13) In the waters of the Wicomico River that are east of a line beginning at the southernmost point of St. Margaret Island and ending at the northeasterly most point of land on St. Catherine Island;

(14) In the following areas of Pocomoke Sound: Ape Hole Creek, upstream of a line running from Long Point to Gap Point; Gunby Creek, upstream of a line running between the two State-maintained markers marking the mouth of Gunby Creek; East Creek, upstream of a line running from East Creek Point southeasterly to the westernmost point of land on Richardson Marsh; Marumsco Creek, upstream of a line running from a point on the western shore of Marumsco Creek at Lat. 37°58'38"N. and Long. 75°43'22"W. due east to the opposite shore at a point Lat. 37°58'38"N and Long. 75°42'55"W; and

(15) Within 100 yards of the Flag Ponds Nature Park fishing pier in Calvert County.

H. In addition to the rivers and channels listed in COMAR 08.02.05.08, a person may not set buoyed fish gear, including crab pots, in the following river or entrance channels:

(1) Bush River—100 yards each side of a line from G "29" Qk. Fl. G to G "3" Fl. G 2.5 sec.;

(2) Middle River—100 yards each side of a line from Pooles Island Light to "1" Qk. Fl. G to G "3" Fl. G 4 sec. and 100 yards each side of a line from R "2" Fl. R 4 sec. to "1" Qk. Fl. G;

(3) Bodkin Creek—100 yards channelward of a line extending northwesterly beginning at Bodkin Point Shoal Buoy 1, at or near Lat. 39°07'54"N., Long. 76°24'36"W., then running approximately 306° True to Bodkin Point Shoal Light 3, at or near Lat. 39°08'10"N., Long. 76°25'03"W., then running approximately 276° True to Bodkin Creek Approach Day Beacon 5, at or near Lat. 39°08'12"N., Long. 76°25'28"W., then running approximately 276° True to Bodkin Creek Entrance Light 7, at or near Lat. 39°08'14"N., Long. 76°25'48"W., and 100 yards channelward of a line extending northwesterly beginning at Bodkin Creek Entrance Light 7, at or near Lat. 39°08'14"N., Long. 76°25'48"W., then running approximately 44° True toward Seven Foot Knoll Light, at or near Lat. 39°09'19"N., Long. 76°24'32"W., to the southwestern edge of the Craighill Channel Upper Range (Cutoff Channel), at or near Lat. 39°09'02"N., Long. 76°24'52"W.;

- (4) Gunpowder River—100 yards each side of a line from G "1" Qk. Fl. G to R "4" Fl. R 4 sec. to R "6" Fl. R 4 sec. to R "8" Fl. R 4 sec. to G "9" Fl. G 4 sec.;
- (5) Magothy River—100 yards each side of a line from Baltimore Light to Fl. G 4 sec. 14 ft. 4M "3";
- (6) Whitehall Creek—100 yards channelward of a line from Fl. 4 sec. 12 ft. 4M "2" inside Whitehall Creek to R "2" Fl. 2.5 sec. Bell;
- (7) Severn River—Channel marked by: C "1", R "2" Fl. 2.5 sec. Bell, C "3", R N "4", C "5", R N "6";
- (8) Fishing Creek (Anne Arundel County)—100 yards channelward of a line from Fl. 4 sec. "3" to Fl. R 2.5 sec. 15 ft. 4M "2" thence a 100 yard wide channel eastward, (090° True) for a distance of 1/2 nautical mile;
- (9) South River—200 yards channelward of a line from Thomas Point Light to Fl. 2.5 sec. 15 ft. 4M "4" and 100 yards each side of a line 1 Qk. Fl. 10 ft. 5M to Fl. R 2.5 sec. 15 ft. 4M "4";
- (10) West River—100 yards each side of a line running from "73" Fl. G 4 sec. to 1 Qk. Fl. 10 ft. 5M, then 200 yards channelward from a line running from 1 Qk. Fl. 10 ft. 5M to Fl. R 2.5 sec. 15 ft. 4M "2" and G "3";
- (11) Poplar Island—200 yards channelward of a line from Fl. 4 sec. 14 ft. 4M "1" in Knapps Narrows Channel to "1" Fl. 4 sec. 14 ft. 4M;
- (12) Poplar Island Narrows Channel—200 yards channelward of a line from "1" Fl. 4 sec. 14 ft. 4M to G "3", R "4", C "5", and R N "8" (closed to potting only from Memorial Day to Labor Day);
- (13) Pocomoke River—10 yards channelward of a line running from Williams Point, defined by Lat. 37°57.20'N., Long. 75°39.33'W., northward to Fl. "23", defined by Lat. 37°57.88'N., Long. 75°39.05'W.;
- (14) Rock Hall—100 yards southwesterly of a line from Fl. G 4 sec. 5M "5" PA Bell to G C "1";
- (15) Sandy Point State Park—Within 100 yards of Qk. Fl. 11 ft. PA at the breakwater entrance;
- (16) Chesapeake Beach—100 yards north of a line from Fl. G 6 sec. "3" PA to Fl. G 4 sec. 4M "1";
- (17) Flag Harbor—Within 100 yards of the stone jetty of Flag Harbor;
- (18) Patuxent River—35 yards each side of a line extending northeasterly beginning at a point at or near the mouth of the Patuxent River, defined by Lat. 38°18.86'N., Long. 76°24.61'W.; then running approximately 52° True to a point defined by Lat. 38°19.57'N., Long. 76°23.47'W.; then running approximately 51° True to a point defined by Lat. 38°19.98'N., Long. 76°22.82'W.; then running approximately 52° True to a point defined by Lat. 38°20.47'N., Long. 76°22.03'W.;
- (19) St. Clements Bay—St. Patrick Creek—Channel marked by Fl. R 4 sec. 14 ft. 3M "2" PA westerly to the entrance to St. Patrick Creek R "6";
- (20) St. George Island Straits—Channel marked by GPA "3" northeasterly to the bridge between Straits Point and St. George Island;
- (21) Honga River—Tar Bay—50 yards channelward of a line from Fishing Creek Bridge westerly to Fl. R 4 sec. 16 ft. 4M "8", Fl. 4 sec. 4M "7", Fl. R 4 sec. 15 ft. 3M "6", Fl. 4 sec. 5M "5", Fl. R 4 sec. 15 ft. 3M "4", Fl. 4 sec. 16 ft. 5M "3", Fl. R 4 sec. 14 ft. 3M "2", Fl. G 4 sec. 14 ft. 6M "1";
- (22) Honga River—Middle Hooper Island—50 yards channelward of a line from Middle Hooper Island Bridge to Fl. G 4 sec. 15 ft. 3M "1";
- (23) Deal Island—50 yards channelward of a line from Deal Island Harbor to Fl. R 6 sec. "6", Fl. G 2.5 sec. 15 ft. 3M "1";

- (24) Wenona—50 yards channelward of a line from Wenona Harbor to Qk. Fl. "6" to Fl. R 4 sec. "4";
- (25) Pocomoke Sound—Broad Creek—50 yards channelward of a line northerly from Fl. 2.5 sec. 14 ft. 4M "2", R "4", R "6" into Broad Creek;
- (26) Pocomoke River—50 yards channelward of a line easterly from Fl. 4 sec. "1", R N "2", C "3", R N "4", C "5";
- (27) Smith Island—50 yards channelward of a line easterly from the entrance to Smith Island to R "8", Fl. G 4 sec. 14 ft. "3", R "2", Fl. 2.5 sec. 14 ft. "1";
- (28) Isle Of Wight Bay—Eastern Channel, 50 yards channelward of a line southward from day marker "13", C "11", R N "10", G C "9", R N "8", G C "7", R N "6", C "5", C "3", R N "2", C "1", Fl. R 4 sec. 14 ft. 3M "2", G "1A" to U.S. Route 50 Bridge;
- (29) Isle Of Wight Bay—Western Channel, 50 yards channelward of a line southward from Fl. R 2.5 sec. "14", R N "12", R N "10", R N "8", R N "6", C "1";
- (30) Isle Of Wight Bay—100 feet channelward of a line from Ocean Pines Yacht Club easterly to Fl. R 2 sec. 6 ft. "4", Fl. G 2 sec. 6 ft. "3", Fl. 2 sec. 6 ft. "2";
- (31) Sinepuxent Bay—50 yards channelward of a line southward from C "1", R N "2", C "3", Fl. G 4 sec. 15 ft. 5M "5", C "5A", R "6", Fl. R 4 sec. 15 ft. 4M "8", R "10", Fl. G 4 sec. 4M "11", R "12", Fl. G 4 sec. 16 ft. 4M "13", R "14", Fl. G 4 sec. 16 ft. 3M "15", R "16", G "17", Fl. G 4 sec. 16 ft. 3M "19", R "20", G "21", G "23", Fl. G 4 sec. 16 ft. 3M "25", G "27", G "27A", R "28", G "29", Fl. G 4 sec. 16 ft. 4M "31", G "33", R "34", Fl. 4 sec. 14 ft. 5M "35", G "37", Fl. G 4 sec. 14 ft. 3M "39";
- (32) Chincoteague Bay—50 yards channelward of a line from Public Landing Harbor easterly to Fl. G 2.5 sec. 15 ft. 3M "1";
- (33) Chincoteague Bay—50 yards channelward of a line from the entrance to Tanhouse Creek easterly to Fl. R 2.5 sec. 14 ft. 4 M "2";
- (34) Herring Bay—In a channel defined by corner coordinates beginning at the northeast corner at Lat. 38°44'31"N., Long. 76°30'50"W., and then southerly to Lat. 38°44'25"N., Long. 76°30'50"W., and then westerly to Lat. 38°44'22"N., Long. 76°31'47"W., and then northerly to Lat. 38°44'28"N., Long. 76°31'48"W., and then easterly to the point of origin;
- (35) Susquehanna Flats—100 yards either side of line from Junction Buoy "A" Fl. (2+1) 6 sec. to G "1" Fl. G 2.5 sec. to R N "2" to Fl. G "3"; and
- (36) Susquehanna Flats—200 yards west of a line from Junction Buoy "A" Fl. (2+1) 6 sec. to R "2" Fl. R 4 sec.

❖ **08.02.03.08 Egg-Bearing Female Crabs.**

A. Except as provided in §B of this regulation, a person may not possess, transport, or pack a female crab from which the egg pouch or bunion has been removed, or an egg-bearing female crab known as the sponge crab.

B. From April 25 through July 5, a female crab from which the egg pouch or bunion has been removed, or an egg-bearing female crab known as the sponge crab may be imported into Maryland from another state by a dealer or crab processing plant, if accompanied by a bill of sale or bill of lading from the jurisdiction of origin.

❖ **08.02.03.09 Recreational Crabbing Licenses-Chesapeake Bay and its Tidal Tributaries.**

A. Recreational Crabbing License.

(1) An individual who catches or attempts to catch crabs for recreational purposes in the waters of the Chesapeake Bay and its tidal tributaries shall pay the fee and obtain a recreational crabbing license in order to use the following gear to catch crabs:

(a) Trotline;

(b) More than ten but not more than 30 collapsible traps or net rings, or a combination of 30 collapsible traps and net rings; and

(c) Up to ten eel pots for catching the individual's own bait, which are:

(i) Clearly labeled with the individual's name, and

(ii) Not placed in a buoy free channel as listed in Regulations .07H and .08E of this chapter.

(2) The annual fee for a recreational crabbing license to catch or attempt to catch crabs for recreational purposes from the waters of the Chesapeake Bay and its tidal tributaries with the gear specified in §A(1) of this regulation is:

(a) For a Maryland resident ... \$5;

(b) For a Maryland resident, in possession of a Maryland Chesapeake Bay and coastal sport fishing license or a resident consolidated senior sport fishing license ... \$2;

(c) For a nonresident ... \$10.

(3) An individual who has purchased a recreational crabbing license shall have the license in possession when:

(a) Engaged in crabbing for recreational purposes with the gear listed under §A(1) of this regulation; or

(b) In possession of more crabs than provided for in the daily catch limits set forth in Regulation .10C(1) and D of this chapter and not on a boat that has been licensed as a recreational crab boat.

#### B. Recreational Crabbing Boat License.

(1) An individual shall pay the fee and obtain a recreational crabbing boat license in order to use the following gear to catch or attempt to catch crabs in the licensed boat in the Chesapeake Bay and its tidal tributaries:

(a) Trotline; or

(b) More than ten but not more than 30 collapsible traps or net rings, or combination of 30 collapsible traps and net rings.

(2) The annual fee for a recreational crabbing boat license to catch or attempt to catch crabs for recreational purposes from the waters of the Chesapeake Bay and its tidal tributaries with the gear specified in §B(1) of this regulation is \$15.

(3) To the recreational crabbing boat licensee, the Department shall issue:

(a) A recreational crabbing boat decal; and

(b) A complimentary recreational crabbing license.

(4) The recreational crabbing boat decal shall be affixed to the boat of the licensee.

#### C. Complimentary Recreational Crabbing License.

(1) An individual who has received a complimentary recreational crabbing license shall have the complimentary license in possession when:

(a) Engaged in crabbing for recreational purposes with the gear listed under §A(1) of this regulation from a location other than the boat of the licensee; or

(b) In possession of more crabs than provided for in the daily catch limits set forth in Regulation .10C(1) and D of this chapter and not on a boat that has been licensed as a recreational crab boat.

(2) If a recreational crabbing boat licensee or a Chesapeake Bay and coastal sport fishing boat licensee is in possession of the complimentary recreational crabbing license, the licensee may:

(a) Catch crabs for recreational purposes in the Chesapeake Bay and its tidal tributaries; and

(b) Use up to ten eel pots for catching bait for use by the licensee.

D. Exceptions. An individual who catches or attempts to catch crabs for recreational purposes in the waters of the Chesapeake Bay and its tidal tributaries is not required to have a recreational crabbing license if the individual:

(1) Uses any of the following gear:

(a) A dipnet;

(b) A handline;

(c) Up to ten collapsible traps or net rings, or combination of ten collapsible traps and net rings; or

(d) A seine which does not exceed 50 feet in length;

(2) Is younger than 16 years old;

(3) Is crabbing for recreational purposes in an area which has been designated by the Department in COMAR 08.02.01.07C as a free fishing area;

(4) Is qualified to use not more than two crab pots as set forth in Regulation .07D of this chapter;

(5) Is aboard a boat with an individual who has a recreational crabbing license; or

(6) Is crabbing for recreational purposes from a boat that has been licensed:

(a) By the Department as a recreational crabbing boat; or

(b) Under Natural Resources Article, §4-745(d)(2), Annotated Code of Maryland.

E. General.

(1) A recreational crabbing license or recreational crabbing boat license is valid for not more than 1 year and expires December 31 following the date of issuance.

(2) A recreational crabbing license or recreational crabbing boat license may be obtained from any authorized agent of the Department.

(3) The Department may designate a person engaged in a commercial enterprise as an agent to sell recreational crabbing licenses or recreational crabbing boat licenses.

(4) An agent may retain:

- (a) 50 cents for each recreational crabbing license issued by the agent; and
- (b) \$1.50 for each recreational crabbing boat license issued by the agent.

**❖ 08.02.03.10 Recreational Crabbing Catch and Possession Limits—Chesapeake Bay and its Tidal Tributaries.**

A. A daily catch limit of a maximum of 2 bushels of male hard crabs, and 2 dozen soft crabs or male peeler crabs or a combination of 2 dozen soft crabs and male peeler crabs, may be caught and possessed if:

- (1) Two or more individuals licensed to catch crabs for recreational purposes are on a boat, regardless of whether the boat is licensed by the Department as a recreational crabbing boat; or
- (2) Two or more individuals are on a boat and one individual is licensed to catch crabs for recreational purposes and in addition the boat is licensed by the Department as a recreational crabbing boat.

B. A daily catch limit of a maximum of 1 bushel of male hard crabs, and 2 dozen soft crabs or male peeler crabs or a combination of 2 dozen soft crabs and male peeler crabs, may be caught and possessed if:

- (1) An individual on shore is licensed to catch crabs for recreational purposes;
- (2) An individual is licensed to catch crabs for recreational purposes with either an individual crab license or a recreational crabbing boat decal which authorizes one individual to crab from the boat to which the decal is affixed;
- (3) There is no individual licensed to catch crabs for recreational purposes aboard a boat licensed by the Department as a recreational crabbing boat; or
- (4) A commercially licensed individual is recreationally crabbing as described in Regulation .03E of this chapter.

C. A daily catch limit of a maximum of 2 dozen male hard crabs, and 1 dozen soft crabs or male peeler crabs or a combination of 1 dozen soft crabs and male peeler crabs, may be caught and possessed if:

- (1) An individual is not licensed to catch crabs for recreational purposes;
- (2) An individual is exempted or registered with the Department to crab recreationally as described in Regulation .09 of this chapter; or
- (3) A seine is used, regardless of the number of licensed or unlicensed individuals.

D. If there is no individual licensed to catch crabs for recreational purposes aboard a boat not licensed by the Department as a recreational crabbing boat or one or more individuals exempted or registered with the Department to crab recreationally as described in Regulation .09 of this chapter aboard a boat:

- (1) The daily catch limit is 4 dozen male hard crabs per boat; and
- (2) The maximum number of soft crabs and male peeler crabs per boat is 1 dozen soft crabs or male peeler crabs or a combination of 1 dozen soft crabs and male peeler crabs per day.

E. Female Hard Crabs and Female Peelers.

- (1) Except as provided in §E(2) of this regulation, an individual may not catch or possess female hard crabs or female peelers.
- (2) Exceptions.

(a) An individual licensed to harvest crabs for commercial purposes, except those with a frozen or male only crab harvester license as described in Regulation .14F of this chapter, may catch or possess female hard crabs and female peelers.

(b) An individual may possess female peeler crabs if:

(i) The individual is using the female peeler crabs as bait while finfishing; and

(ii) The female peeler crabs are accompanied by a bill of sale.

(c) An individual recreationally harvesting crabs may not be in possession of female peeler crabs.

F. An individual commercially harvesting crabs aboard a vessel may only have crabs that are commercially harvested on board.

#### ❖ **08.02.03.11 Season and Time for Catching Crabs.**

A. Commercial.

(1) An individual licensed to catch crabs for sale may remove crabs from commercial gear in the Chesapeake Bay and its tidal tributaries only during the following time periods:

(a) Trotlines:

(i) Between 1 hour before sunrise to 9 hours after sunrise during the period May through September; and

(ii) Between sunrise and 10 hours after sunrise during April, October, November, and December; and

(b) Crab Scrapes:

(i) Between 1 hour before sunrise to 9 hours after sunrise during the period May through September; and

(ii) Between sunrise and 10 hours after sunrise during April and October; and

(c) Crab pots, bank traps, channel pounds, collapsible traps, net rings, handlines, dip nets, and pound nets between 1/2 hour before sunrise to 7-1/2 hours after sunrise.

(d) A person may not catch crabs using a crab scrape from October 31 to April 14, inclusive.

(2) An individual licensed to catch crabs for sale may set or place overboard scrapes only during the following time periods:

(a) Between 1 hour before sunrise to 9 hours after sunrise during the period May through September; and

(b) Between sunrise and 10 hours after sunrise during April and October.

(3) Crab pots already on board a boat at the end of the 8-hour period specified in §A(1)(b) of this regulation may be set during a period of 1 hour immediately following that 8-hour period.

(4) Time limits specified in this regulation are not applicable to the fishing of bank traps before May 1.

(5) An individual licensed to catch crabs for commercial purposes may not harvest mature female hard crabs from the Chesapeake Bay and its tidal tributaries during the periods:

(a) June 1 through June 15, inclusive;

(b) September 26 through October 4, inclusive; and

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<http://www.dnr.state.md.us/fisheries/regulations/regindex.html>

(c) November 11 through December 15 inclusive.

B. Recreational. Except for handlines and dipnets, a person may not set any recreational crabbing gear or catch crabs for recreational purposes from a boat during:

(1) May through September between:

(a) 5 p.m. and 1/2 hour before sunrise in the main Chesapeake Bay; and

(b) Sunset and 1/2 hour before sunrise in tidal waters tributary to the Chesapeake Bay;

(2) April, October, November, and December between:

(a) 5 p.m. and 1/2 hour after sunrise in the main Chesapeake Bay; and

(b) Sunset and 1/2 hour after sunrise in tidal waters tributary to the Chesapeake Bay.

C. A person may not catch blue crabs in the Chesapeake Bay and its tidal tributaries from December 16 through March 31, inclusive.

#### ❖ **08.02.03.12 Special Regulations for Crabbing in Worcester County.**

A. Structural Requirements of Crab Pots. Notwithstanding Regulation .07A and B of this chapter, a crab pot set in the coastal bays of the Atlantic Ocean and their tidal tributaries shall have one unobstructed 2-5/16 inch cull ring on a side panel of the upper compartment and one 2-5/16 inch cull ring on a panel at the lower compartment of the crab pot. The cull ring is not required in a crab pot constructed with unstretched mesh measuring less than 1-1/2 inches or at least 2 inches on each side. The cull ring shall be closed from April 23 through May 31.

B. Daily Catch Limits.

(1) Commercial. The daily catch limit in the coastal bays of the Atlantic Ocean and their tidal tributaries is 25 bushels per commercial boat.

(2) Recreational. The daily catch limit in the waters of the coastal bays of the Atlantic Ocean and their tidal tributaries is:

(a) 1 bushel per individual; and

(b) 2 bushels per boat if two or more individuals are on the boat.

C. Seasons for Catching Crabs.

(1) Commercial. A person licensed to catch crabs for sale may not catch crabs in the coastal bays of the Atlantic Ocean and their tidal tributaries between October 31 and April 1.

(2) Recreational. A person may not catch crabs for recreational purposes in the coastal bays of the Atlantic Ocean and their tidal tributaries between December 31 and April 1.

D. Commercial Daily Time Restrictions. A person licensed to catch crabs for sale may not:

(1) Remove crabs from commercial gear in the coastal bays of the Atlantic Ocean and their tidal tributaries between 2 p.m. and 5:30 a.m.; or

(2) Set or retrieve crab pots in the coastal bays of the Atlantic Ocean and their tidal tributaries between 2 p.m. and 5:30 a.m.

E. Gear Restrictions. A person may not catch crabs in the coastal bays of the Atlantic Ocean and their tidal tributaries by scrape.

F. Landing Provision. Crabs caught in the waters of Worcester County may be landed out of the State.

### **08.02.03.13 Commercial Harvest of Crabs from Finfish Gear.**

A. Notwithstanding Regulations .01—.07 of this chapter, an individual licensed to harvest both crabs and finfish for commercial purposes may catch crabs from pound nets.

B. The harvest and possession of crabs from a pound net is:

(1) Prohibited on any day during which a licensee is otherwise prohibited from harvesting crabs as provided in Regulation .14 of this chapter;

(2) Restricted to the seasons and times provided in Regulations .11 and .12 of this chapter;

(3) Restricted by the size limits provided in Regulation .14 of this chapter; and

(4) Restricted to a maximum of 2 bushels per licensee per day, except as described in Regulation .14 of this chapter, harvested from a single pound net or a combination of pound nets registered to the individual.

### **08.02.03.14 General Prohibitions.**

A. Recreational.

(1) Except for crab pots from private piers, dipnets, or handlines, a person may not set any crabbing gear or catch crabs for recreational purposes on Wednesdays in the Chesapeake Bay and its tidal tributaries.

(2) When a State or federal holiday falls on a Wednesday or Thursday, recreational crabbing is permitted on the Wednesday of that week.

(3) An individual may not offer to sell or sell crabs that were caught for recreational purposes.

(4) An individual may not knowingly buy or offer to buy crabs which were caught for recreational purposes.

(5) An individual licensed to provide services as a fishing guide or to fish recreationally in the Chesapeake Bay and its tidal tributaries may possess any number of soft crabs or male peeler crabs for the purposes of fishing.

B. Commercial — General.

(1) Except for a person who declares intent under §C of this regulation, a person licensed to catch crabs for sale may not set or retrieve gear or catch crabs for commercial purposes in the Chesapeake Bay and its tidal tributaries on Sundays and Mondays.

(2) A person who is granted an alternate day off under §D of this regulation may not set or retrieve gear or catch crabs for commercial purposes on the alternate day off.

(3) The vessel of a person licensed to catch crabs for sale may not be used to set or retrieve gear or catch crabs for commercial purposes on the day or days on which the vessel's owner may not set or retrieve gear or catch crabs for commercial purposes.

(4) A person licensed to catch crabs for commercial purposes, who declares under §C(1) of this regulation, may set or retrieve gear or catch crabs for commercial purposes on a Sunday or Monday of a particular week if:

(a) A State or federal holiday falls on the Sunday or Monday, or the immediately preceding Saturday; or

- (b) The Sunday or Monday precedes a State or federal holiday that falls on a Tuesday, Wednesday, Thursday, or Friday of the particular week.
- (5) A person licensed to catch crabs for sale may not set or retrieve gear or catch crabs for commercial purposes in the Chesapeake Bay and its tidal tributaries on the second and third Thursdays in November.
- (6) Mature female hard crabs shall be kept in separate bushels or barrels from male hard crabs or peeler crabs.
- (7) Except as specified in §F(2)(c) of this regulation, an individual licensed to catch crabs for commercial purposes may not catch or possess in the Chesapeake Bay and its tidal tributaries more than:
- (a) Five mature female hard crabs per bushel of male crabs; or
- (b) 13 mature female hard crabs per barrel of male crabs.
- (7-1) Beginning in 2010, an individual with a limited crab harvester (LCC) license will be considered as limited crab harvester — frozen license status, as specified in §F(2)(b) of this regulation, if that license is not designated as a:
- (a) Limited crab harvester — active license; or
- (b) Limited crab harvester — male only license.
- (8) The commercial female crab daily catch limit shall be determined by the license type based on the abundance target for spawning age crabs recommended by the Chesapeake Bay Stock Assessment Committee.
- (9) Except as provided in §B(11) of this regulation, an individual licensed to catch crabs for commercial purposes may not harvest or possess more mature female hard crabs daily than the catch limit specified by the individual's license type.
- (10) Except as provided in §B(11) of this regulation, more than two licensees' daily catch limits from 1 day may not be harvested from, carried on, or possessed on a vessel while the licensees are on board.
- (11) An individual may possess and transport crabs harvested from the waters of the Potomac River or Virginia if:
- (a) The individual is not engaged in harvesting crabs in Maryland waters while the crabs harvested in the waters of the Potomac River or Virginia are on board the vessel; and
- (b) The individual is in possession of a Virginia commercial crab harvester license or Potomac River Fisheries Commission commercial license.

#### C. Closed Day Declaration of Intent.

- (1) A person licensed to catch crabs for sale and who wishes to set or retrieve gear or catch crabs on one of the required days off in §B(1) of this regulation shall declare that person's intent to set or retrieve gear or catch crabs in the Chesapeake Bay and its tidal tributaries for commercial purposes on one of the required days off as specified in §B(1) of this regulation.
- (2) Display of Declaration. The letters for the abbreviation of the day off shall be identified and displayed on the vessel and shall be painted or firmly attached to the port side near the stern of the vessel as follows:
- (a) The letters shall be positioned in such a manner as to be clearly visible to persons in passing boats;
- (b) The letters shall be plain vertical block characters of not less than 4 inches in height and shall contrast with the color of the background;
- (c) The letters "SUN" shall be displayed as the abbreviation for Sundays; and

(d) The letters "MON" shall be displayed as the abbreviation for Monday.

(3) A person licensed to catch crabs for sale who declares a day off under §C(1) of this regulation shall declare the licensee's vessel identification number and a Sunday or Monday day off at the time of license renewal on forms provided by the Department.

(4) A person licensed to catch crabs for sale may only declare a day off at the time of license renewal or issuance.

#### D. Alternate Closed Day.

(1) A person licensed to catch crabs for sale may apply to the Department for an alternate to the closed days specified in §B(1) of this regulation. The Department may grant a licensee's request for an alternate closed day if the licensee demonstrates the:

(a) Imposition of substantial hardship on the licensee's exercise of religion by observing one of the closed days specified in §B(1) of this regulation; and

(b) Absence of substantial hardship on the licensee's exercise of religion by observing the alternate closed day requested in the application.

(2) An alternate closed day shall be displayed on the vessel in the manner set forth in §C(2) of this regulation using the first three letters of the day of the week.

(3) A licensee who is granted an alternate closed day may set gear and catch crabs on the closed days specified in §B(1) of this regulation.

#### E. Notwithstanding Natural Resources Article, §4-809, Annotated Code of Maryland, a person may not:

(1) Catch or possess more than 5 hard crabs per bushel or 13 hard crabs per barrel which measure less than the minimum size specified in these regulations;

(2) Possess hard crabs imported from another State which:

(a) Measure less than 5 inches across the shell from tip to tip of the spike;

(b) Do not comply with the tolerance limits of the jurisdiction of origin;

(c) Are not accompanied by a bill of sale or bill of lading from the jurisdiction of origin; and

(d) Were not caught in full compliance with the laws of the jurisdiction of origin;

(3) From April 1 through July 14, catch or possess a hard crab which measures less than 5 inches across the shell from tip to tip of the spike, from the waters of the Chesapeake Bay and its tidal tributaries, except that the minimum size of crabs does not apply to mature female crabs, identified by the apron;

(4) After July 14, catch or possess a hard crab which measures less than 5-1/4 inches across the shell from tip to tip of the spike from the waters of the Chesapeake Bay and its tidal tributaries, except that the minimum size of crabs does not apply to mature female crabs, identified by the apron;

(5) Catch or possess a hard crab which measures less than 5 inches across the shell from tip to tip of the spike from the waters of Worcester County, except that the minimum size of crabs does not apply to mature female crabs, identified by the apron;

(6) Catch or possess more than 10 peeler crabs per bushel or more than 20 per float which are:

(a) Less than 3-1/4 inches across the shell from tip to tip of the spike during the period from April 1 through July 14; and

(b) Less than 3-1/2 inches across the shell from tip to tip of the spike during the period from July 15 through December 15; or

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<http://www.dnr.state.md.us/fisheries/regulations/regindex.html>

(7) Catch or possess more than one soft crab per 2 dozen soft crabs which is less than 3-1/2 inches across the shell from tip to tip of the spike.

#### F. Limited Crab Harvester.

##### (1) Latent Effort Limited Crab Harvester License.

(a) A limited crab harvester (LCC) authorization of a tidal fish license that has no reported crab harvest between January 1, 2004 and December 15, 2008 on reports submitted to the Department by January 30, 2009, shall be determined to be a latent effort limited crab harvester license, except for those licenses specified in §F(1)(b) of this regulation.

(b) Exceptions to Latent Effort Designation. The following are exceptions to the latent effort designation:

(i) An LCC authorization received through the apprenticeship program;

(ii) An LCC authorization received through a permanent license transfer between August 1, 2006 and July 8, 2009;

(iii) An LCC authorization assigned to an individual who provides appropriate documentation of active military service during the period January 1, 2004 and January 30, 2009;

(iv) An LCC assigned to an individual who completed a successful female bushel limit hardship appeal in 2008; and

(v) An LCC assigned to an individual who currently resides and has resided for at least 5 years on an island in the State that is at least 3 miles from the mainland.

##### (2) Latent Effort Limited Crab Harvester Status.

(a) An individual with a license that has been determined to be a latent effort license as described in §F(1) of this regulation shall, through a process as determined by the Department, declare to:

(i) Have their LCC license placed in limited crab harvester — frozen status as described in §F(2)(b) of this regulation; or

(ii) Have their LCC license placed in limited crab harvester — male only status as described in §F(2)(d) of this regulation.

(b) An individual with a limited crab harvester license — frozen status:

(i) May not commercially harvest crabs beginning on April 1, 2010;

(ii) Shall renew the license annually in accordance with the schedule designated for an LCC authorization in Natural Resources Article, §4-701, Annotated Code of Maryland, without a fee;

(iii) Need not file a harvest report while the license is on frozen status; and

(iv) May only permanently transfer the license through a family transfer, beneficiary, or business transfer, as described in Natural Resources Article, §4-701, Annotated Code of Maryland.

(c) Upon a determination that the blue crab population meets or exceeds the abundance target for 3 consecutive years, the Department shall assess the number of limited crab harvester — frozen licenses that may be restored to full active status for commercial harvest.

(d) An individual with a limited crab harvester license — male only status:

(i) Shall only harvest male crabs beginning on April 1, 2010;

- (ii) May not harvest females at any time regardless of the blue crab population target level being achieved for 3 consecutive years;
- (iii) Shall renew the license annually in accordance with the schedule and fees designated for a LCC authorization in Natural Resources Article, §4-701, Annotated Code of Maryland; and
- (iv) May only permanently transfer the license through a family or beneficiary transfer as described in Natural Resources Article, §4-701, Annotated Code of Maryland.
- (e) Licensees who do not declare their latent effort license status by March 15, 2010, through the Department process shall have their limited crab harvester license placed in limited crab harvester license — frozen status beginning April 1, 2010.
- (f) The latent effort license status may not be modified after declaration even if the license has been transferred to a new owner.
- (g) Conditions for using an LCC frozen or male only authorization as one of the required authorizations to upgrade to an unlimited tidal fish authorization are described in COMAR 08.02.01.05I.

G. Public Notice. The Department may open, close, or modify a season, or catch limits to manage the harvest to remove not more than 46 percent of the crab population as estimated by the results of the winter dredge survey by:

- (1) Publishing notice in a daily newspaper of general circulation at least 48 hours in advance of the time of modification, stating the effective hour and date; and
- (2) Disseminating notice of modification through various other media so that an affected person has a reasonable opportunity to be informed.

## **CHAPTER 10 HORSESHOE CRABS**

### **08.02.10.01 Horseshoe Crabs.**

A. Quota. The annual total allowable landings of horseshoe crabs for the commercial fishery is 170,653 horseshoe crabs.

B. Seasons.

- (1) A person may not catch or land horseshoe crabs in Maryland from December 1 through June 7, inclusive.
- (2) From June 8 through July 12, inclusive, a person:
  - (a) May not catch or land horseshoe crabs from:
    - (i) The Chesapeake Bay and its tidal tributaries, or
    - (ii) Within 1 mile of the Atlantic coast or its coastal bays; and
  - (b) May catch and land horseshoe crabs outside of 1 mile of the Atlantic coast on Monday through Friday in accordance with the catch limits in §D of this regulation.
- (3) From July 13 through November 30, inclusive, a person may catch or land horseshoe crabs from the tidal waters of the State on Monday through Friday in accordance with the catch limits in §D of this regulation.

C. Time Restrictions. A person may not catch or land horseshoe crabs on Saturday or Sunday.

D. Catch Limits.

- (1) A person may not catch or land more than 25 horseshoe crabs daily, except as follows:

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- (a) From June 8 through July 12, inclusive, the daily catch limit for this period for a permittee shall be 100 horseshoe crabs; and
  - (b) From July 13 through November 30, inclusive, the daily catch limit for this period for a permittee shall be based on the ratio of landings reported by the permittee in Maryland during 1996 to the total reported landings for 1996 as applied to the annual total allowable landings for the present year.
- (2) A permittee may not catch or land more than the daily catch limit specified on the horseshoe crab landing permit issued by the Department.

#### E. Horseshoe Crab Landing Permit.

- (1) The Department may issue a permit to catch and land horseshoe crabs in Maryland to a person who:
- (a) Is licensed in accordance with Natural Resources Article, §4-701, Annotated Code of Maryland; and
  - (b) Reported catching and landing horseshoe crabs in Maryland during 1996.
- (2) The daily catch limits shall be printed on the horseshoe crab landing permit.
- (3) A permittee shall possess the horseshoe crab landing permit when engaged in permitted activities.
- (4) Permanent Transfer of a Landing Permit. The Department may approve the permanent transfer of a landing permit to a person who:
- (a) Is the permittee's spouse, daughter, son, stepchild, grandchild, step-grandchild, parent, sister, brother, grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, or brother-in-law;
  - (b) Upon death of the permittee, has been indicated as the transferee to the Department by the permittee or authorized representative of the permittee;
  - (c) Has purchased a vessel used for commercial fishing from the permit holder; or
  - (d) Provides a notarized bill of sale for the purchase of equipment and assets with a minimum value of \$2,000 and the commercial fishing business from the permit holder.
- (5) Temporary Transfer of a Landing Permit.
- (a) The Department may approve the temporary transfer of a landing permit to a person for not less than 30 days and not more than 90 days.
  - (b) A person may not transfer a permit in exchange for any type of remuneration.
  - (c) At the end of the specified transfer time period the permit automatically returns to the original permittee.
- (6) A horseshoe crab landing permit may only be transferred to a person who:
- (a) Is licensed in accordance with Natural Resources Article, §4-701, Annotated Code of Maryland; and
  - (b) Is not currently a permit holder.
- (7) An applicant for a Maryland horseshoe crab landing permit shall declare an intent to harvest by May 1 of each year.

#### F. General.

- (1) A person who catches or lands horseshoe crabs in Maryland shall:
- (a) Accurately record their catches or landings:
    - (i) On the horseshoe crab landing permit; and
    - (ii) On the daily commercial fisheries catch log in accordance with COMAR 08.02.13.06; and
  - (b) Submit:
    - (i) The completed horseshoe crab landing permit as required by the Department; and
    - (ii) The daily commercial fisheries catch log in accordance with COMAR 08.02.13.06.
- (2) The Department may deny an application for a horseshoe crab landing permit to a person who has failed to comply with the horseshoe crab landing permit reporting requirements.
- (3) A person authorized to catch and release horseshoe crabs for purposes of scientific research:
- (a) Shall return within 48 hours the live horseshoe crabs to the waters from which the horseshoe crabs were taken; and
  - (b) Is exempt from §§A—E of this regulation.
- (4) A person who purchases horseshoe crabs for purposes of scientific research may:
- (a) Return the horseshoe crabs to the harvester for use or sale as bait;
  - (b) Return or sell the horseshoe crabs to a bait dealer; or
  - (c) Return the horseshoe crabs live to tidal waters.
- (5) The Secretary may modify catch limits or quotas, or open or close a season by publishing notice in a daily newspaper of general circulation at least 48 hours in advance, stating the effective hour and date.
- (6) The Secretary shall make a reasonable effort to disseminate public notice through various other media so that an affected person has reasonable opportunity to be informed.

**CHAPTER 13 FISHING LICENSES – POINT ASSIGNMENT, LICENSE REVOCATION AND SUSPENSION SCHEDULE AND CRITERIA, AND HEARING PROCEDURE**

**08.02.13.06 Commercial Fishing Records.**

C. Reports.

- (1) During the appropriate open seasons, the following reports shall be submitted to the Department monthly:

License Type or Authorization	Required Report
Unlimited Tidal Fish License	Daily Commercial Fisheries Catch Log, Daily Record of Commercial Crabbing, Maryland Monthly Oyster Report, Commercial Charter Boat <b>Captain's</b> Daily Log, Monthly Softshell/Razor Clam Report, Monthly Hardshell Clam Report
Limited Crab Catcher, Crab Harvester, or Additional Crab Pot	Daily Record of Commercial Crabbing

## CHAPTER 05 FISH

### 08.02.05.02 Definitions and General Fishing Prohibitions.

#### B. Prohibitions and Limitations on Fishing in General.

(6) When using fish, crabs, or worms as bait, or processed bait, a person recreationally angling in the Susquehanna Flats and Northeast River during the period set forth in §B(5) of this regulation shall use:

- (a) Non-offset circle hooks; or
- (b) "J" hooks with a gap of less than 1/2 inch between the point and the shank.

(10) A commercial tidal fish licensee may not catch or possess fish of the species listed in Natural Resources Article, §4-215, Annotated Code of Maryland, except crabs or shellfish, for commercial purposes during a trip for which fishing guide services are provided to a person for compensation from a vessel or shore in Maryland waters.

(11) Except as provided in §B(12) of this regulation, a commercial tidal fish licensee may not catch or possess fish of the species listed in Natural Resources Article, §4-215, Annotated Code of Maryland, except crabs or shellfish, for commercial purposes and have more than:

- (a) Two crew members assist the licensee with commercial hook and line fishing; or
- (b) Four individuals, including no more than two crew members, present on a vessel which is engaged in commercial hook and line fishing.

Children 12 years old or younger may be on board a vessel engaged in commercial hook and line fishing in addition to any crew members and licensees as described in §B(11) of this regulation.

#### **STATUTES:**

##### Natural Resources Code, Subtitle 1: In General

#### **§ 4-102. Application of local or general laws, Potomac River Compact of 1958**

(b) Notwithstanding any general or local laws or ordinances to the contrary, finfish, **crabs**, oysters, clams, and other shellfish, caught in the waters within the jurisdiction of the Potomac River Fisheries Commission, in compliance with regulations prescribed by the Commission pursuant to the Potomac River Compact of 1958, may be possessed, stored, marketed, and otherwise disposed of elsewhere in the State.

##### Natural Resources Code, Subtitle 2: Organization and Authority of Department Pertaining to Fish and Fisheries –in General

#### **§ 4-215. Fishery management plan requirements**

- (b) The Department shall prepare fishery management plans for the following species:
- (7) Blue crabs;

(18) Horseshoe crabs;

Natural Resources Code, Subtitle 7: Licensing, Regulation, and Supervision of Fishing and Fisheries in Tidal Waters

**§ 4-701. Tidal fish**

(b)(1) The Department shall utilize a single, commercial license, to be known and designated as a tidal fish license.

(2) A tidal fish license authorizes a licensee:

- (i) To engage in each activity indicated on the license; and
- (ii) For catching crabs, to utilize the number of crew members indicated on the license.

(d)(2)(i) On a tidal fish license, the Department may issue an authorization for any of the following activities for which the indicated fee has been paid.

(ii) The following annual fees for an authorization shall apply regardless of when the license is issued or an activity is authorized:

2. To catch for sale fish with equipment which is legal under this title:

B. Crabs:

I. Up to 50 pots, trotlines, nets, dip nets, traps, pounds, and scrapes: \$50

II. Over 50 pots, plus any other gear listed in item I of this sub-sub-subparagraph: \$150

3. For one or two crew members employed under § 4-814 of this title to enable a licensee to catch crabs under subparagraph (ii)2BII and F of this paragraph with more than 300 pots, the licensee shall pay \$20 for each crew member.

(k)(1) At the time of license renewal, a licensee who possesses three or more authorizations under subsection (d)(2)(ii)1 and 2A through E of this section, one of which is a crabbing authorization, may relinquish each authorization and receive an authorization under subsection (d)(2)(ii)2F of this section.

Natural Resources Code Subtitle 7: Licensing, Regulation, and Supervision of Fishing and Fisheries in Tidal Waters

❖ **§ 4-736. Eels**

(b)(1) A person may not catch eels for sale with pots or other devices in the tidal waters of the State without first obtaining a tidal fish license to catch finfish for commercial purposes from the Department.

(2) A licensee who is authorized to catch crabs under this section may use up to 50 pots to catch eels for personal use as crab trotline bait without obtaining an authorization to catch finfish.

Natural Resources Code Subtitle 8: Crabs

❖ **§ 4-801. Definitions**

- (a) In this subtitle the following words have the meanings indicated.
- (b) "Buckram crab" means a crab that has a paper shell.
- (c) "Crab" means the blue crab species.
- (d) "*Green crab*" means an under-developed peeler.
- (e) "Peeler" means a crab which has a soft shell that is developing under the hard shell, on which there is a white, pink, or red line or rim on the edge of that part of the back fin next to the outer section of this fin.

❖ **§ 4-802. Application of subtitle**

The provisions of this subtitle apply only to the species of crab commonly known as the blue crab.

❖ **§ 4-802.1. Landing of crabs caught in waters of Worcester County; waiver of section**

Any crabs caught in the waters of Worcester County shall be landed in the State. However, the Department may waive the provisions of this section in case of emergency, necessity, or for other good cause.

❖ **§ 4-803. Rules and regulations generally; public hearings before rules and regulations become effective**

(a) The Department may adopt rules and regulations to effectuate the following purposes:

- (1) To restrict catching and possessing any blue crab;
- (2) The methods by which crabs are taken;
- (3) To close or open any specified area to catch crabs;
- (4) To prohibit or restrict devices used to catch crabs;
- (5) To establish seasons to catch crabs; and

(6) To establish minimum size limits for hard, soft, and peeler crabs. However, this section does not permit the Department to change existing license fees for catching, picking, canning, packing, or shipping cooked hard or soft crabs or crab meat; or for selling, or shipping live hard or soft crabs by barrel or crate. The Department may set license fees on types of gear or equipment if not otherwise set by law.

(b) Trotline and cull ring restrictions. -- The Department may not adopt regulations to:

(1) Restrict a tidal fish licensee who catches crabs using trotline gear to a workday of less than 8 hours per day, excluding time spent setting or taking up gear;

(2) Establish time restrictions on a tidal fish licensee using trotline gear for setting and taking up gear; or

(3) Prohibit a tidal fish licensee from obstructing the cull ring of a hard crab pot at any time of the year in order to catch peeler crabs.

(c) Public hearings required. -- The Department's regulations may not become effective under this

section until the Department first holds public hearings. The Department shall advertise the time, place, and purpose of the hearings in one newspaper of general daily circulation in the State, and at least in one newspaper circulated in the affected region of each county whose waters may be directly affected by the proposed regulations for 2 successive weeks in advance of the hearings.

❖ **§ 4-804. License for catching crabs for commercial or noncommercial purposes**

(a) Any person who owns or is in charge of operating a vessel utilized to catch crabs in the waters of the State for commercial purposes shall obtain a license.

(b) Any person crabbing from a "for hire" boat operated by the owner, who is present on the boat and is licensed to catch crabs for commercial purposes, is not required to obtain a license.

§ 4-805. Noncommercial crabbing license (Abrogated).

§ 4-806. Limitations on crabbing in coastal bays (Abrogated).

❖ **§ 4-807. License to engage in business of picking, canning, or packing crabs**

(a) Any person desiring to engage in the business of picking, canning, or packing crabs, except a person picking and selling crab meat for local family trade, first shall obtain a license. "Local family trade" means the selling of picked crab meat directly to the consumer by the picker, with the meat being picked entirely from crabs harvested by the picker or family of the picker. Nothing in this section exempts persons engaged in picking, canning, or packing crabs from the applicable Department of Health and Mental Hygiene requirements.

(b) This section does not require any person licensed to catch crabs to obtain a license to sell the crabs caught, or require a license for retail crab sellers who purchase crabs from a person licensed under this section.

❖ **§ 4-808. Closed season for hard crabs (Repealed)**

❖ **§ 4-809. Limitations and prohibitions on catching and possessing certain kinds and sizes of crabs; regulations; special provisions for Worcester County**

(a) Size of peelers; bycatches. --

(1) Except as provided in paragraph (2) of this subsection, a person may not catch or possess peeler crabs measuring less than 3 inches across the shell from tip to tip of spike.

(2) A person may possess a bycatch of peeler crabs measuring less than 3 inches across the shell from tip to tip of spike if the bycatch is not greater than:

(i) 30 per bushel; or

(ii) 60 per float.

(3) In determining the number of peelers measuring less than 3 inches across the shell from tip to tip of the spike, the Department shall select the minimum number of bushels or floats necessary to be representative of the person's catch.

(b) Size of soft crabs; regulations. --

(1) Except as provided in paragraph (2) of this subsection, a person may not catch or possess soft crabs measuring less than three and one-half inches across the shell from tip to tip of the spike.

(2) (i) This paragraph applies until the Department adopts regulations under paragraph (3) of this

subsection.

(ii) A person may possess a bycatch of soft crabs measuring less than three and one-half inches across the shell from tip to tip of the spike if the bycatch is not greater than one undersized soft crab per dozen soft crabs possessed.

(3) (i) The Department shall adopt regulations establishing and governing a permissible bycatch for soft crabs under this subsection.

(ii) The regulations that the Department adopts under this paragraph may not be more restrictive than the applicable restrictions on the permissible bycatch for hard crabs and peeler crabs.

(c) Fat crabs, snot crabs, green crabs and buckram crabs in Worcester County. -- In the waters of Worcester County, a person may not catch, possess, or keep in floats any fat crabs, or any crab known as snot crab, green crab, or buckram crab.

(d) Exception for female crabs. -- The minimum size of crabs does not apply to mature female crabs, identified by the rounded apron.

(e) Imported crabs. -- The provisions of subsection (a) do not apply to crabs imported into Maryland during the closed season for catching crabs if the person possessing the imported crabs has a certificate of origin.

(f) Peelers. -- Once taken, peelers shall be kept separate from other crabs.

❖ **§ 4-810. Female crabs**

The Department may adopt rules and regulations, after reasonable notice by publication, to permit or prohibit catching, canning, packing, shipping, or possessing the egg-bearing female crab or the female crab from which eggs have been removed.

❖ **§ 4-812. Crab pots in Chesapeake Bay**

(a) Authorized areas. -- A person may set crab pots in the waters of Tangier Sound, including Kedges Straits and the Somerset County waters of Holland Straits, south of a line running from Lower Island Point on Bloodsworth Island, following the Dorchester County-Somerset County line to its junction with county line buoy A; thence in a northerly direction toward Sharkfin Shoal Light to its junction with a straight line running from range marker AA northeasterly to range marker BB and the Dorchester County-Somerset County line; thence in a northeasterly direction following the straight line running from range marker AA northeasterly to range marker BB and the Dorchester County-Somerset County line to its junction with a line running from the former dwelling of Thomas Tigner near Haines Point to the southwesterly most point of land on Clay Island, provided that no crab pots be set in water that is less than 4 feet deep at mean low tide.

(b) Tyler Creek on Smith Island. -- A person may set crab pots outside of marked channels in the waters of Tyler Creek on Smith Island from April 1 to June 15.

(c) Restriction. -- A person may not set crab pots in the Dorchester County waters of Holland Straits.

§ 4-813. Harvesting crabs with crab pots in Somerset County (Repealed)

❖ **§ 4-814. Commercial crab fishing; additional crew authorizations**

(a) In general. -- Except as otherwise provided in this section, a person authorized to catch crabs for commercial purposes may not set or fish more than 300 crab pots.

(b) License year ending August 31, 1994. -- For the license year ending August 31, 1994, a licensee who held a valid license to catch crabs for commercial purposes on April 1, 1994 may set and fish 300 additional crab pots for each additional crew member authorized on the license, but may not set more than 600 additional crab pots, regardless of the number of crew members, and may not set more than 900 pots per boat.

(c) License years after August 31, 1994. --

(1) After August 31, 1994, an authorization granted under subsection (b) of this section to employ one or two additional crew members and thereby fish additional crab pots, shall run with that license until the license is revoked by the Department or relinquished voluntarily by the licensee.

(2) An authorization granted under subsection (b) of this section shall transfer with the license in any valid transfer under Subtitle 7 of this title.

(d) Award of unused crew authorizations. --

(1) The Department shall determine the total number of additional crew authorizations granted under subsection (b) of this section.

(2) When a license is revoked or voluntarily relinquished, the Department may award the unused crew authorization to another licensee under criteria and procedures to be promulgated as regulations by the Department, provided that the number of crew authorizations in use may not exceed the total number granted under subsection (b) of this section as of August 31, 1994.

#### ❖ § 4-815. Harvesting crabs in St. Mary's county, restrictions

In St. Mary's County, a person may not harvest crabs with a bank trap or a channel pound after October 1, 2000

#### § 4-816. Nonnative crab restrictions

The Department may adopt regulations to limit or prohibit the importation, use, catching, or possessing of the following nonnative crab species, which are determined to be harmful to the ecology and natural resources of the State:

- (1) Green crab (*Carcinus maenas*) of the family Portunidae;
- (2) Japanese shore crab (*Hemigrapsus sanguineus*) of the family Grapsidae; and
- (3) Chinese mitten crab (*Eriocheir sinensis*) of the family Grapsidae..