

# Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

## Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

## Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

## Title 08 DEPARTMENT OF NATURAL RESOURCES

### Subtitle 02 FISHERIES SERVICE

#### 08.02.11 Fishing in Nontidal Waters

Authority: Natural Resources Article, §4-602, Annotated Code of Maryland

#### Notice of Proposed Action

[25-241-P]

The Secretary of Natural Resources proposes to amend Regulations .01 and .03 under COMAR 08.02.11 Fishing in Nontidal Waters.

#### Statement of Purpose

The purpose of this action is to modify trout fishing areas on Beaver Creek in Washington County and to eliminate the catch-and-return bass area on the North Branch of the Potomac River.

The proposed action modifies the uppermost put-and-take trout fishing area on Beaver Creek by moving the boundary downstream from a private farm lane to the upstream side of the I-70 West on-ramp bridge. This is necessary because the upper boundary is currently on private property and the landowner no longer allows public access to their property. Shifting the upper boundary downstream to I-70 W adjusts the uppermost put-and-take section to areas where public angler access is allowed.

The proposed action clarifies the rules for a small section of Beaver Creek that currently has three sections with different rules. Specifically, the proposed action extends the catch-and-release artificial fly fishing section on Beaver Creek to the downstream side of the bridge at U.S. Route 40 and modifies the lower put-and-take trout fishing area on Beaver Creek by moving the boundary from Beaver Creek Road to the downstream side of the bridge at U.S. Route 40. Changing the boundaries of these areas eliminates a section of the

creek that does not have special management rules. This change is necessary because having three separate management areas in such a short distance is confusing for anglers. This change will simplify the rules in the area and reduce confusion about where and when anglers can harvest trout. The change will also protect stocked trout from being harvested during the put-and-take closure period and ensure more trout are available to anglers for opening day.

The proposed action eliminates the catch-and-return bass area on the North Branch of the Potomac River. The designated area extends from the spillway in Cumberland, Maryland upstream approximately 25 miles to the U.S. Route 220 Bridge at Keyser, West Virginia. The Department continuously evaluates freshwater fishing regulations for efficacy based on fishery monitoring efforts and habitat assessments. After the initial introduction, the smallmouth bass fishery in this portion of the North Branch of the Potomac River was characterized by faster growth rates, a desirable size distribution, and a higher density of fish. Recent surveys indicate that with the improvements in upstream water quality relating to temperature (i.e., colder temperatures), smallmouth bass growth rates have slowed significantly and the fishery now has a contracted, downstream distribution compared to their initial range following introduction. Age and growth data suggest that the catch and return regulation has become ineffective since smallmouth bass now only rarely reach quality size or the statewide minimum size for harvest (12 inches). Because few fish will survive to reach a quality size, catch and release regulations are no longer expected to improve the overall quality of the fishery or meet angler expectations for a catch and release fishery.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Trout and Bass Regulations, Regulatory Staff, Maryland Department of Natural Resources Fishing and Boating Services, 580 Taylor Ave., E-4, Annapolis, MD 21401, or call 410-260-8300, or email to [fisheriespubliccomment.dnr@maryland.gov](mailto:fisheriespubliccomment.dnr@maryland.gov) or complete the comment form at <https://dnr.maryland.gov/fisheries/Pages/regulations/changes.aspx>. Comments will be accepted through January 2, 2026. A public hearing has not been scheduled.

**.01 Trout Fishing and Management Areas.**

A. (text unchanged)

B. Put-and-Take Trout Fishing Areas.

(1)—(4) (text unchanged)

(5) Except as provided in §C(1) of this regulation the following areas are designated as put-and-take trout fishing areas and are subject to the provisions in §B(1)—(3) of this regulation:

	Closure Periods
(a)—(k) (text unchanged)	
(l) Washington County:	
(i) Beaver Creek from the [downstream side of the bridges located on the private farm lane below the Albert Powell State Trout Hatchery] <i>upstream side of the bridge at the I-70 West on-ramp</i> downstream to Black Rock Creek; and from [Beaver Creek Road] <i>the downstream side of the bridge at U.S. Route 40</i> downstream to the confluence with Antietam Creek	1
(ii)—(ix) (text unchanged)	
(m)—(n) (text unchanged)	

C. Catch-and-Return Trout Fishing Areas.

(1)—(3) (text unchanged)

(4) Areas Limited to Artificial Fly Fishing Only.

(a) (text unchanged)

(b) Areas subject to provisions of this section are:

(i) (text unchanged)

(ii) Beaver Creek, Washington County. From the confluence with Black Rock Creek downstream [approximately 1 mile to a red post located 0.1 mile above Beaver Creek Road] *to the downstream side of the U.S. Route 40 bridge*; and

(iii) (text unchanged)

D.—J. (text unchanged)

**.03 Special Fisheries Management Areas.**

A.—B. (text unchanged)

C. Catch-and-Return Bass Areas.

(1) (text unchanged)

(2) The areas subject to the provisions of this section are the:

(a) (text unchanged)

(b) Monocacy River from the Potomac River upstream to Buckeystown Dam; *and*

(c) Patapsco River from Interstate 70 downstream to Maryland Route 144 (Frederick Road)]; *and*

(d) North Branch of the Potomac River, from the spillway in Cumberland upstream 25 miles to the U.S. Route 220 Bridge at Keyser, West Virginia].

JOSH KURTZ  
Secretary of Natural Resources

# Title 09

## MARYLAND DEPARTMENT OF LABOR

### Subtitle 03 COMMISSIONER OF FINANCIAL REGULATION

#### 09.03.16 Virtual Currency Kiosks

Authority: Financial Institutions Article, §§2-105.1, and 12-1209, Annotated Code of Maryland

#### Notice of Proposed Action

[25-238-P]

The Commissioner of Financial Regulation proposes to adopt new Regulations .01—,10 under new chapter, **COMAR 09.03.16 Virtual Currency Kiosks**.

#### Statement of Purpose

The purpose of this action is to enable Maryland's virtual currency kiosk laws as a result of the Legislature's adoption of Ch. 117 (S.B. 305), Acts of 2025, which created a registration requirement for virtual currency kiosk operators and created a registration requirement for each virtual currency kiosk.

This action establishes the Office of Financial Regulation's (OFR's) registration regulations by adding:

(1) Definitions for certain undefined terms used for virtual currency kiosks;

(2) A description of the registration procedure for kiosk operators and kiosks;

(3) Procedures for fee refunds;

(4) A description of the fraud prevention requirements;

(5) A description of the communications and notice requirements;

(6) A description of the lighting, safety, and signage required;

(7) A description of the screen disclosures timing;

(8) A description of the information required on receipts;

(9) A description of the annual report required.

#### Estimate of Economic Impact

**I. Summary of Economic Impact.** The economic impact of the proposed action is expected to be positive.

#### II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	<b>Benefit (+)</b>	<b>Magnitude</b>
	<b>Cost (-)</b>	
D. On regulated industries or trade groups:		
Virtual Currency Kiosk Operators	(-)	Moderate
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:		
Consumers	(+)	Impactful

**III. Assumptions.** (Identified by Impact Letter and Number from Section II.)