



Wes Moore, Governor
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DNR-FS-2024-6

SMALL BUSINESS COMPLIANCE GUIDE
Amendment to Subtitle 02 Fisheries Service
Regarding the Department's Regulations for Horseshoe Crabs – Harvest on Sundays

Released October 21, 2024
Updated January 10, 2025
Updated March 17, 2025

This Guide is prepared in accordance with the requirements of State Government Article, §10-110, Annotated Code of Maryland. It is intended to help small businesses comply with the revised rules adopted in the above-referenced sections of the Code of Maryland Regulations. This Guide is not intended to replace or supersede these rules, but to facilitate compliance with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small businesses, the coverage may not be exhaustive. This Guide cannot anticipate all situations in which the rules apply.

The Department will clarify or update the text of the Guide as an idea moves through the regulatory process. Direct your comments and recommendations, or calls for further assistance, to Fishing and Boating Services Regulatory Division:

410-260-8300
410-260-8DNR; toll free in Maryland 877-620-8DNR; TTY Users Call via the Maryland Relay

I. SUMMARY & FAQs

What was proposed?

The Department proposed allowing the catching and landing of horseshoe crabs on Sundays. Currently, a person may not catch or land horseshoe crabs on Saturday or Sunday. This requirement was put in place many years ago to prevent user conflicts on the weekends. The Department does not anticipate conflicts at this time because horseshoe crabs are generally harvested in the late afternoon or evening. The annual total allowable landings of male horseshoe crabs for the commercial fishery is 255,980 male crabs. There is no female harvest permitted. The number of landings is set annually and is determined by the Atlantic States Marine Fisheries Commission. Allowing harvest on Sundays will not increase the allowable landings. There is a strict cap on harvest and any overages must be subtracted from the total allotment for the following year.

Why is this change necessary?

Commercial harvesters requested that we consider allowing harvest and landing on Sunday to allow them some flexibility. This change gives commercial harvesters the flexibility to operate their business for maximum efficiency by allowing them to harvest horseshoe crabs when the weather and market conditions are optimal.

Who will this affect?

Horseshoe crab harvesters and dealers.

Has this change been discussed with advisory bodies or other interested individuals?

1. This idea was discussed at the Coastal Recreational and Commercial Fisheries Forums on October 4, 2024.
2. This idea was scoped with the Sport Fisheries Advisory Commission and the Tidal Fisheries Advisory Commission at their meetings in October 2024.

What is the specific regulatory action?

Amend Regulation .01 under COMAR 08.02.10 Horseshoe Crabs.

II. RECORDKEEPING AND REPORTING REQUIREMENTS

This action does not create any new recordkeeping or reporting requirements.

III. REGULATORY PROCESS

The Department followed our normal [procedures](#) as this concept moved forward.

- At the conclusion of the scoping process, the Department determined that the action is necessary and appropriate. The rules are being promulgated following the Administrative Procedures Act described in Title 10, Subtitle 1 of the State Government Article Annotated Code of Maryland.
- The General Assembly's Administrative, Executive, and Legislative Review Committee reviews the regulatory proposal for fiscal and legal analysis.
- The proposal was printed by the Division of State Documents in the Maryland Register on January 10, 2025.

- A 30 day public comment period began on the day of publication.
- After review of the comments, the Department adopted the changes.
- The final action was published in the Maryland Register on March 7, 2025.

IV. EFFECTIVE DATE

March 17, 2025