GEAR - Recreational and Commercial Rules

What is being considered and why is it necessary?
Based on discussions with the Sport Fisheries Advisory Commission/Tidal Fisheries Advisory Commission Joint Gear Workgroup, the Department is considering updating certain rules for both recreational and commercial fishing gears. Changes being considered include:

Changes to Recreational Gear

1. Jugs — Move the start date for when jugs can be used from July 1 to June 1.
   The time period when jugs may be used by recreational anglers in tidal waters was initially set to ensure a minimal number of interactions with migratory striped bass. However, it is likely that users will be able to use the gear in the month of June without meaningfully increasing the number of interactions with migratory striped bass.

   Changing the legal start date from July 1 to June 1 will provide recreational anglers additional opportunities to target blue catfish (the primary target of this gear).

2. Gigs — Modify the allowable size of gigs.
   The current rule limits gigs to three prongs. The Department is requesting feedback from the users of this gear to determine if there is a preference for how the Department could modify this rule.

   The following two options are being considered:
   a. Increase the number of prongs.
      The Department would consider increasing the number of allowable prongs to between 5 and 8 prongs.
   b. Limit gigs to a maximum width, rather than a number of prongs.
      The Department would consider a maximum width of 8 to 12 inches.

   Modifying the rules for gigs is necessary because the current limitations on the number of prongs that a gig may have decreases the users' ability to target species such as blue catfish, which have heavier bone structures. The Department has heard that both options would allow anglers to utilize more heavy-duty gear in pursuit of these larger fish.

Changes to Commercial Gear

1. Finfish Trotlines — Modify the time period for when trotlines must be set on the bottom from March 1 through June 15 to March 1 through May 31.
   Currently, finfish trotlines must be set on the bottom of the water body from March 1 through June 15. Starting June 16, they can be floated above the bottom as long as they are at least 10 feet below the surface and in waters that are at least 10 feet deep at mean low tide.

   At all times of the year the finfish trotlines are required to be on the bottom in waters that are less than 10 feet deep at mean low tide. That would not change.

The initial time period when a commercial finfish trotline must be set on the bottom was created out of an abundance of caution to reduce potential conflicts with migratory fish. Based on the way this gear has been utilized, the Department does not think decreasing the time period that trotlines must be set on the bottom will result in a meaningful increase in those interactions. Additionally, moving the date will allow for regulatory consistency with similar gear types, thereby reducing complexity.

Changes to Both Commercial and Recreational Gear

1. Projectile Gear Prohibited Species List — Modify the current prohibited species list. The current prohibited list includes: All trout species, walleye, striped bass, striped bass hybrids, Northern pike, muskellunge, muskellunge hybrids including tiger musky, largemouth and smallmouth bass, snapping turtles, all shark species, American lobster, and any species listed as threatened or endangered under COMAR 08.03.08.

   The Department would like feedback on three options under consideration.
   a. Add species to the prohibited species list - species that could be added include:
      i. Cobia
      ii. Spanish mackerel
      iii. Red drum
      iv. Black drum
      v. Spotted seatrout
      vi. Weakfish
      vii. Other species (provide species that should not be allowed to be harvested by projectile gear)
   b. Adopt a rule where all species with minimum or maximum size limits are prohibited.
   c. Move to a list of allowable species rather than a prohibited species list. In this case a list could include:
      i. All species of catfish
      ii. All species of carp, including goldfish
      iii. All species of rays and skates
      iv. All species of gar
      v. Northern snakehead
      vi. Any species listed as a nuisance species
      vii. Any species not regulated by the Department
      viii. Other species (provide species you think should be harvestable by projectile gear)

   Modifying the list of projectile gear prohibited species is necessary due to the increased use of this type of gear and changes to the makeup of the fish species in Maryland's waters. As an example, when the original projectile gear rules were adopted cobia and red drum occurred at much lower prevalence. There have also been concerns raised regarding other fish species that have minimum or maximum sizes and the potential for accidentally killing a fish that does not comply with those size restrictions. In that case, it is likely the non-legal fish would be discarded, dead. Modifying the way the Department manages the legal species may address some of these concerns. The Department discussed the

possibility of adding species to the prohibited list, prohibiting the harvest of any species with a size limit, and changing from a prohibited list to an allowed list. Any of these options have the potential to address the concerns that have been raised, so the Department is seeking feedback from users of this gear to determine if there is a preferred path forward.

2. Projectile Gear Safety Zone
    a. Decrease the safety zone from 100 yards to 50 yards.
    The safety zone applies to human beings, private or public swimming areas, international diving flags, occupied duck blinds, and vessels other than the vessel occupied by the individual using the projectile gear. The changes to the safety zone rules are necessary to create regulatory consistency between units of the Department as it pertains to these types of gears. The original safety zone distance for projectile fishing gear was set when 100 yards was the minimum safety zone for archery equipment used to hunt deer. Since then, the archery safety zone for hunting deer has been reduced to 50 yards in many counties, including many of those which are most densely populated. By decreasing the safety zone size, individuals using this gear may be able to increase their harvest, which is largely made up of invasive species such as blue catfish and Northern snakehead, in addition to less desirable species such as carp and goldfish.
    b. Add pound nets to the safety zone list.
    This was requested by commercial harvesters due to some close interactions. If this is added, a person using projectile gear would need to be at least 50 yards away from a pound net.

3. Retention of Fish Caught with Projectile Gear
    Requiring a person to retain and land fish when using projectile gear is necessary to implement and enforce catch and possession limits. A fish that has been punctured will not likely survive if released, and so should be included in the catch and possession limit. For species that do not have a catch or possession limit, retaining fish that have been punctured is necessary to prevent littering the waterways with dead fish.

4. Use of Projectile Gear On, From, or Across Roadways — Prohibit the use of projectile gear on, from, or across a road.
    The Department prohibits the discharge of weapons on, from, or across a road in the context of hunting animals managed by the Wildlife and Heritage Service. There have been reports of individuals shooting archery equipment at fish from roads, typically at night, which is potentially dangerous for all involved. To decrease potential risk for both anglers and individuals driving on roads that cross waterways, the Department needs to extend the rule that currently applies to hunters to also apply to anglers.

Who will this affect?
These changes apply to individuals using the described gears.

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

1. Discussed with the Sport Fisheries Advisory Commission (SFAC)/Tidal Fisheries Advisory Commission (TFAC) Joint Gear Workgroup at their July 2026 meeting.
2. Discussed with SFAC and TFAC at their July 2026 meetings as part of the workgroup reports.
3. These ideas were discussed with the Sport Fisheries Advisory Commission (SFAC) and the Tidal Fisheries Advisory Commission (TFAC) at their meetings in October 2026. SFAC recommended listing the species that cannot be caught using projectile gear, rather than the other options being considered. SFAC also recommended that if a person uses a projectile gear, they should keep and land what they catch. TFAC recommended adding a pound net to the safety zone for projectile gear. TFAC also recommended that a person be able to use projectile gear for any species that does not have a minimum or maximum size. TFAC agreed that a larger gig is needed and decided that either option under consideration would be positive.

Additional Information

Information about gear is found in the Code of Maryland Regulations (COMAR) at COMAR 08.02.25.

1. Gear definitions - COMAR 08.02.25.01
2. Recreational gear in nontidal waters - COMAR 08.02.25.02
3. Recreational gear in tidal waters - COMAR 08.02.25.03
4. Commercial gear - general - COMAR 08.02.25.04
5. Commercial gear - archery equipment - COMAR 08.02.25.05
6. Commercial gear - finfish trotlines - COMAR 08.02.25.06

Regulatory Process

Fishing rules in Maryland may be created by either the General Assembly or the Department. When the Department creates a fishing rule, it is called a regulation. When the General Assembly creates a rule, it is called a statute. The Department often has to create a regulation to implement a statute. The regulatory process begins with scoping and the Department follows normal procedures as concepts move forward.

During the scoping process, the Department gathers suggestions and ideas from stakeholders and others about how to solve a fishery problem or address a need. The goal of scoping is to identify issues, potential impacts, and reasonable alternatives associated with the issues so that management actions can be developed. After the public has had an opportunity to comment on possible management actions during the scoping process, the Department considers these comments and develops an appropriate management strategy.

When could this be effective?

The Department projects that these changes could be effective in the spring of 2027. However, the exact date cannot be determined at this time.