

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Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken.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an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.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

Notice of Proposed Action

[25-187-P]

The Secretary of Natural Resources proposes to amend:

- (1) Regulations .23, .26, and .27 under **COMAR 08.02.05 Fish and Regulations**; and
- (2) Regulations .02 and .03 under **COMAR 08.02.22 Sharks**.

Statement of Purpose

The purpose of this action is to: (1) remove the State reporting and tagging requirements for bluefin tuna, white marlin, blue marlin, roundscale spearfish, sailfish, swordfish, and sharks; (2) transition the reporting of highly migratory species to a federal reporting program; and (3) update the creel limit for oceanic whitetip and shortfin mako sharks.

Currently, anglers are required to report their catch through a State-run reporting and tagging program that was adopted by the Department to help with federal data collection. At the time the program was developed, there was not a federal electronic reporting system. The program requirements are often difficult, especially for shore-based anglers, and duplicative for charters and headboats. Today, however, there is a federal electronic reporting system, and it is much more efficient than the current program. Anglers will still be required to hold a valid Atlantic HMS permit to fish for or keep Atlantic tunas, billfishes, swordfish and sharks in federal and state waters. The proposed action requires reporting in accordance with the Code of Federal Regulations, which means that federal HMS angling, HMS charter/headboat and Atlantic tunas permit holders would report their landings and dead discards directly to the National Marine Fisheries Service using one of their electronic options.

The proposed action removes the requirements for completing a catch card and affixing a plastic tail tag prior to removing a bluefin tuna, white marlin, blue marlin, roundscale spearfish, sailfish, swordfish, or shark caught for recreational purposes from a boat or

removing a boat containing one of those species from the water. The action also removes the requirement for shore-based anglers to tag their shark prior to moving it from the point of landing. The action establishes the requirement that anglers follow the federal rules for reporting that are described in the Code of Federal Regulations (CFR) for billfish, bluefin tuna, and swordfish caught in Maryland waters. The number of sharks caught in Maryland waters has significantly declined over the past few years and there are no longer enough landings to warrant the continuation of the reporting requirement for sharks caught in state waters. Finally, the proposed action alters the shark chapter to reflect the zero creel limits for oceanic whitetip and shortfin mako sharks.

The Atlantic States Marine Fisheries Commission's Interstate Fishery Management Plan for Atlantic Coastal Sharks established a zero creel limit for oceanic whitetip and shortfin mako sharks. The limits have been in place by public notice (shortfin mako since 2022 and oceanic whitetip since 2024), but since they are not anticipated to change in the foreseeable future, having the limits in regulation will be clearer, since all of the rules will be in one location.

The proposed changes:

- (1) provide consistency with NOAA Fisheries requirements for HMS permit holders;
- (2) provide consistency with neighboring states;
- (3) remove duplicate reporting requirements,
- (4) comply with the Atlantic States Marine Fisheries Commission's requirements for sharks; and
- (5) are expected to improve compliance because anglers will have electronic reporting options.

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 HMS Regulations, Regulatory Staff, Maryland Department of Natural Resources Fishing and Boating Services, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call

410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov or complete the comment form at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#hms>. Comments will be accepted through November 17, 2025. A public hearing has not been scheduled.

08.02.05 Fish

Authority: Natural Resources Article, Natural Resources Article, §§4-206, 4-215, and 4-2A-03, Annotated Code of Maryland

.23 Bluefin Tuna.

A.—B. (text unchanged)

[C. Before removing the bluefin tuna caught for recreational purposes from a boat or removing a boat from the water, a person shall:

(1) Immediately report to a reporting station designated by the Department; and

(2) Obtain and affix a tail tag, provided by the reporting station, between the fifth dorsal finlet and the keel.]

C. Reporting.

(1) *A person shall maintain and submit all reports in accordance with 50 CFR 635 and 50 CFR 648.*

(2) *In addition to §C(1) of this regulation, any person licensed under Natural Resources Article, §§4-210 or 4-701, Annotated Code of Maryland shall report their harvest in accordance with COMAR 08.02.13.06.*

D. (text unchanged)

.26 Billfish.

A.—C. (text unchanged)

[D. Before removing a landed billfish caught for recreational purposes from a boat or removing a boat containing a billfish from the water, a person shall:

(1) Immediately report to a reporting station designated by the Department;

(2) Complete a catch information form provided by the reporting station; and

(3) Affix a tail tag, provided by the reporting station, to the billfish.]

D. Reporting.

(1) *A person shall maintain and submit all reports in accordance with 50 CFR 635 and 50 CFR 648.*

(2) *In addition to §D(1) of this regulation, any person licensed under Natural Resources Article, §§4-210 or 4-701, Annotated Code of Maryland shall report their harvest in accordance with COMAR 08.02.13.06.*

E. (text unchanged)

.27 Swordfish.

A.—C. (text unchanged)

[D. Before removing a landed swordfish caught for recreational purposes from a boat or removing a boat containing a swordfish from the water, a person shall:

(1) Immediately report to a reporting station designated by the Department;

(2) Complete a catch information form provided by the reporting station; and

(3) Affix a tail tag, provided by the reporting station, to the swordfish.]

D. Reporting.

(1) *A person shall maintain and submit all reports in accordance with 50 CFR 635 and 50 CFR 648.*

(2) *In addition to §D(1) of this regulation, any person licensed under Natural Resources Article, §§4-210 or 4-701, Annotated Code of Maryland shall report their harvest in accordance with COMAR 08.02.13.06.*

E. (text unchanged)

08.02.22 Sharks

Authority: Natural Resources Article, §§4-206, 4-215, and 4-2A-03, Annotated Code of Maryland

.02 Recreational Shark Fishery.

A. Authorized Shark Species. A recreational angler may harvest only the following species:

(1)—(11) (text unchanged)

[(12) Shortfin mako (*Isurus oxyrinchus*);]

[(13)] (12) — [(14)](13) (text unchanged)

[(15) Oceanic whitetip (*Carcharhinus longimanus*);]

[(16)] (14) — [(19)](17) (text unchanged)

B. Season Closure. A recreational angler may not harvest, possess, or transport the species listed in §A(6)—(11) and [(17)—(19)] (15)—(17) of this regulation from May 15 through July 15, inclusive, regardless of where the shark was caught.

C. Size Limits.

(1) (text unchanged)

(2) The minimum fork length is 4.5 feet (54 inches) for the species listed in §A(4)—[(16)](14) of this regulation.

(3) The minimum fork length is 78 inches for the species listed in [§A(17)—(19)]§A(15)—(17) of this regulation.

D. Catch Limits.

(1) (text unchanged)

(2) Shore-Angler Catch Limits. Each calendar day, a recreational shore-angler may harvest:

(a) Only one shark, regardless of the species, from the species listed in §A(2)—[(19)](17) of this regulation;

(b)—(c) (text unchanged)

(3) Vessel-Fishing Catch Limits.

(a) A recreational fishing vessel may not harvest more than one shark, per trip, from the list in §A(2)—[(19)](17) of this regulation, regardless of the:

(i)—(ii) (text unchanged)

(b) (text unchanged)

E. (text unchanged)

[F. Tags and Reporting.

(1) An individual shall obtain tags and catch information forms from a reporting station designated by the Department.

(2) Before removing a landed shark from a boat or removing a boat containing a shark from the water, a person shall:

(a) Affix a tail tag, provided by the reporting station, to the shark; and

(b) Complete a catch information form provided by the reporting station.

(3) Before removing a landed shark from the point of landing if caught on shore, a person shall:

(a) Affix a tail tag, provided by the reporting station, to the shark; and

(b) Complete a catch information form provided by the reporting station.

(4) Upon landing a shark, an individual shall immediately return the catch information form to a reporting station designated by the Department.]

PROPOSED ACTION ON REGULATIONS

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[G.] F. (text unchanged)

.03 Commercial Fishery.

A.—B. (text unchanged)

C. Catch Limits.

(1) An individual who has been issued a federal shark permit issued under 50 CFR §635 may not harvest, possess, or land more sharks than authorized by the individual's federal shark permit.

(2) The commercial catch limit for oceanic whitetip is zero.

(3) The commercial catch limit for shortfin mako is zero.

D.—E. (text unchanged)

JOSH KURTZ
Secretary of Natural Resources

Subtitle 03 WILDLIFE

08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals

Authority: Natural Resources Article, §10-410, Annotated Code of Maryland

Notice of Proposed Action

[25-219-P]

The Secretary of Natural Resources proposes to amend Regulation .01 under COMAR 08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals.

Statement of Purpose

The purpose of this action is to add Fishing Bay Wildlife Management Area, LeCompte Wildlife Management Area, Linkwood Wildlife Management Area, and Taylor's Island Wildlife Management Area in Dorchester County to the list of public lands in Maryland open to hunting wild turkey.

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 Brian Eyler, Wildlife and Heritage Service, Maryland Department of Natural Resources, 4038 Blairs Valley Road, Clear Spring, MD 21722, or call 301-842-0332, or email to brian.eyler@maryland.gov. Comments will be accepted through November 17, 2025. A public hearing has not been scheduled.

.01 Bag Limits and Possession Limits.

A.—F. (text unchanged)

G. The Natural Heritage Areas, Wildlife Management Areas, Cooperative Wildlife Management Areas, State Forests, Fishery Management Areas, and other public hunting areas designated for Sunday hunting in accordance with §D of this regulation are as follows:

(1)—(8) (text unchanged)

(9) Fishing Bay WMA;

[(9)](10)—[(15)](16) (text unchanged)

(17) LeCompte WMA;

(18) Linkwood WMA;

[(16)](19)—[(28)](31) (text unchanged)

(32) Taylor's Island WMA;

[(29)](33)—[(30)](34) (text unchanged)

JOSH KURTZ
Secretary of Natural Resources

Title 09

MARYLAND DEPARTMENT OF LABOR

Subtitle 22 BOARD OF COSMETOLOGISTS

Notice of Proposed Action

[25-020-R-1]

The Board of Cosmetologists proposes to amend:

(1) Regulations .04 and .15 under COMAR 09.22.01 General Regulations, and

(2) Regulations .03 and .05 under COMAR 09.22.02 Beauty Salons.

This action was considered at a public meeting of the Board of Cosmetologists on June 2, 2025. Because substantive changes have been made to the original proposal as published in 52:6 Md. R. 273—274 (March 21, 2025), and as repropoed in 52:16 Md. R. 851—852. This action is being repropoed a second time.

Statement of Purpose

The purpose of this action is to implement the expanded definition of esthetic services enacted by the General Assembly in SB1044 in April 2024 by defining specific esthetic services authorized by the legislation.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small businesses. An analysis of this economic impact follows:

The proposed amendments will benefit businesses by allowing beauty salons to provide additional services, which may result in additional revenue.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Nicole Fletcher, Executive Director, Board of Cosmetologists, 100 S. Charles St., Tower I, Baltimore, MD 21201, or call 410-230-6190, or email to barbers.cos@maryland.gov. Comments will be accepted through August 25, 2025. A public hearing has not been scheduled.

Ed. Note: Pursuant to State Government Article, §10-113, Annotated Code of Maryland, if a promulgating agency