

08.02.13 Fishing Licenses—Point Assignment, License Revocation and Suspension Schedule and Criteria, and Hearing Procedure

Authority: Natural Resources Article, §§4-220, 4-701, 4-745, and 4-1201, Annotated Code of Maryland

Notice of Proposed Action

[25-042-P]

The Secretary of Natural Resources proposes to amend Regulations .03, .05, and .08 under COMAR 08.02.13 Fishing Licenses—Point Assignment, License Revocation and Suspension Schedule and Criteria, and Hearing Procedure.

Statement of Purpose

The purpose of this action is to update the Department’s recreational, commercial, and charter fishing penalty schedules. The Department maintains these administrative penalty schedules as a deterrent to breaking fisheries laws in addition to the fines that violators face in District Court.

The proposed action makes the following changes:

(1) Updates for Recreational Schedule

Create additional tiers for oyster catch limit violations. Current penalties are a 90 day suspension if someone exceeds the catch limit by less than 100 percent over the limit (less than double) and 180 day suspension if they exceed the catch limit by 100 percent or more over the limit (double or more). The action proposes adding an additional tier at 200 percent or more over the catch limit (in possession of triple the catch limit or more), which would result in a 1 year suspension. The addition of an additional tier to the penalty for exceeding the recreational oyster catch limit is necessary to deter significant violators. There is currently no incentive to limit overharvest to a smaller amount because the administrative penalty is the same if the individual harvested twice the legal limit or ten times the legal limit. The maximum penalty for exceeding the oyster catch limit only being 180 days is also not consistent with the rest of the recreational penalty schedule, which usually has a maximum penalty of at least 1 year.

Increase the penalty for non-projectile gear violations. The current penalty for a non-projectile gear violation (e.g., recreationally fishing with an illegal net) is 90 days. Based on continued violations with these types of gears, the action proposes increasing the penalty to 180 days to create a greater deterrent effect and a more significant consequence for breaking these rules. Increasing the penalty for recreational non-projectile gear violations is necessary because the Department continues to see these types of violations associated with other egregious violations such as undersized fish and over the limit of fish. Generally, these violations are use of illegal nets (i.e., use of cast nets in nontidal waters). Unfortunately, it is common for these cases to be settled in District Court by allowing the violator to plead guilty to one violation with the rest of the charges being dismissed. Furthermore, the illegal use of these types of gears is likely to lead to localized depletions of fish that law-abiding anglers target. By increasing the suspension these violations carry, it is more likely that a violator will be kept off the water for a longer period of time.

(2) Updates for Recreational, Charter, and Commercial Schedules

Create administrative penalties for exceeding longnose gar catch limit. In 2023, the Department created catch limits for longnose gar that apply to all sectors. The action is proposing creating the following suspension tiers for individuals who exceed these limits.

Recreational

- 1 over the catch limit: no suspension
- 2-4 over the catch limit: 90 day suspension
- 5-10: 180 day suspension
- 11 or more over catch limit: 1 year suspension

Charter and Commercial

- 1 over the catch limit: 5 points (no suspension)
- 2 over the catch limit: 10 points/30 day suspension
- 3 over the catch limit: 15 points/60 day suspension
- 4 over the catch limit: 20 points/90 day suspension
- 5 or more over the catch limit: 30 points/365 day suspension

It is necessary to establish administrative penalties for longnose gar in order to deter individuals from exceeding the recently established catch limit for these fish. Longnose gar were declared as in need of conservation in 2023, with a catch limit of 1 fish per day between April 15 and June 30 and 5 fish per day between July 1 and April 14. This catch limit applies to all fisheries sectors (recreational, charter, and commercial).

(3) Update for Charter and Commercial Schedules

Increase penalties on the charter and commercial penalty schedules for disturbing fishing gear owned by another person and clarify the penalty also applies to stealing fish and crabs out of gear owned by another person. The recreational penalty schedule already contains a 1-year penalty for removing fish, nets, or gear of another person. The current charter and commercial penalty schedules currently carry 15 points (60-day suspension) for this violation. The language used on the commercial penalty schedule is also not clear. The action proposes increasing the penalty in the charter and commercial schedules to 30 points (1-year suspension) and making clear that the penalty applies to both the destruction of gear and taking fish or crabs out of gear that is owned by another person. It is necessary to increase the administrative penalties for stealing fish and crabs from the gear of another and clarifying that the penalties apply to both stealing fish and crabs from gear and the destruction of gear in order to address the serious nature of these violations. Because gear is often left in the water unattended (such as crab pots or pound nets), it is essential to the functioning of the fishery that an individual be able to trust that their gear will remain unmolested when they are not present. The Department believes that increasing the potential penalty for these actions will result in a more appropriate result should an individual be found to have stolen fish or crabs from another person or destroyed the gear of another person.

Lastly, the Department will make housekeeping corrections to the penalty schedule to ensure that the proper authority is cited for each violation as regulations have been moved or updated.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action may have an economic impact on suspended or revoked licensees, but the extent of the impact is indeterminable.

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 | | |
| | Benefit (+) | | |
| | Cost (-) | | Magnitude |

D. On regulated industries or trade groups:

Licenses (-) Indeterminable

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

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

D. The proposed action may have a negative impact on individuals who are suspended or have their licenses revoked based on committing one of the listed offenses. However, it is not possible to determine the number of individuals who may violate the listed laws, nor is it possible to determine to what extent the suspension or revocation would economically impact the individual or individuals.

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 Penalty Regulations, Regulatory Staff, Fishing and Boating Services, Department of Natural Resources, 580 Taylor Ave E4, Annapolis MD 21401, or call 410-260-8300, or email to Complete form at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#penalysched>. Comments will be accepted through May 19, 2025. A public hearing has not been scheduled.

.03 Point Assignment Schedule.

A.—B. (text unchanged)

C. Tier I. The following violations are Tier I violations. A person who receives a conviction for a Tier I violation receives 5 points.

| | Statute or Regulation | Description |
|---------|---|---|
| 1—2 | (text unchanged) | |
| 3 | 4-1012, COMAR 08.02.04.08, COMAR 08.02.04.11, COMAR 08.02.04.12 | Dredging for Oysters in Prohibited Areas: less than 150 feet within an area |
| 4—15 | (text unchanged) | |
| [16] | COMAR 08.02.02.01A | Operating a Hydraulic Soft Shell Clam Dredge Without a License] |
| [17] 16 | COMAR [08.02.02.04D] 08.02.02.03 | Exceeding the Daily Catch Limit for Soft-Shell Clams: 2 containers or more over the limit |
| [18] 17 | COMAR [08.02.02.05] 08.02.02.03 | Minimum Size Limit for Soft-Shell Clams: 2 bushels or more with 15%—24% undersized clams |
| [19] 18 | [COMAR 08.02.02.06A] 08.02.02.03 | Catching or Landing Soft-Shell Clams on Sunday |
| [20] 19 | COMAR [08.02.02.06B] 08.02.02.03 | Violating Regulations Pertaining to the Time for Harvesting, Landing, or |

| | | |
|------------------|---|--|
| | | Delivering Soft Shell Clams by 60 Minutes or More |
| [21] 20 | COMAR [08.02.02.07] 08.02.02.05 | Failure to Protect Soft-Shell Clam from Contamination |
| [22] | 4-1036, COMAR 08.02.02.08, COMAR 08.02.02.09 | Unlawfully Selling Soft-Shell Clams] |
| [23] 21— [28] 26 | (text unchanged) | |
| 27 | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 1 fish over daily catch limit |
| [29] 28 | COMAR [08.02.03.14B] 08.02.03.14, 4-803, 4-215 | Violating Regulations Pertaining to Mature Female Crabs-Catch Limit: (a) LCC: 1 bushel over limit; (b) TFL/CB3: 2—3 bushels over limit; (c) CB6: 3—5 bushels over limit; (d) CB9: 4—7 bushels over limit |
| [30] 29 | (text unchanged) | |
| [31] 30 | COMAR 08.02.03.07, COMAR 08.02.03.11, COMAR 08.02.03.14 | Setting Crab Pots During Closed Season: 5—14 Pots |
| [32] 31 | (text unchanged) | |
| [33] 32 | COMAR [08.02.03.07E-H] 08.02.03.07, 4-803, 4-215 | Setting Crab Pots in a Restricted Area: 5—14 pots set in a restricted area |
| [34] | COMAR 08.02.03.07, COMAR 08.02.03.11 | Setting Crab Pots During Closed Season: 5—14 Pots] |
| [35] 33— [72] 70 | (text unchanged) | |

D. Tier II. The following violations are Tier II violations. A person who receives a conviction for a Tier II violation receives 10 points.

| | Statute or Regulation | Description |
|-------|--|--|
| 1 | 4-1007, COMAR [08.02.04.16] 08.02.08.02, [COMAR 08.02.23.04F] 08.02.23.04E | Failure to Sell Oysters to a Buy Station |
| 2 | 4-1006(b)]] | Harvesting Oysters or Clams in a Polluted Area: 101—150 feet over the pollution line |
| [3] | 4-1013(a) | Power Dredging Without a Power Dredge Permit] |
| [4] 3 | [COMAR 08.02.04.03B-C.] 4-215, COMAR 08.02.04.03, COMAR 08.02.04.11 | Time for Taking Oysters: (a) more than 2 hours after sunset; (b) any time before sunrise; or (c) on a closed day |

PROPOSED ACTION ON REGULATIONS

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|-------------------|---|--|
| [5]4— [9]8 | (text unchanged) | |
| [10]9 | COMAR [08.02.02.05] 08.02.02.03 | Minimum Size Limit for Soft-Shell Clams: 2 bushels or more with 25% or more undersized clams |
| [11]10 | 4-1037(1), COMAR [08.02.02.12B] 08.02.02.07, COMAR [08.02.07.03C] 08.02.07.05 | Harvesting clams within 150 feet of a: (a) natural oyster bar; (b) leased area; (c) public shellfish fishery area; or (d) oyster sanctuary |
| [12]11— [13]12 | (text unchanged) | |
| [14]13 | COMAR [08.02.03.07E-H] 08.02.03.07, 4-803, 4-215 | Setting Crab Pots in a Restricted Area: 15 or More Pots Set in a Restricted Area |
| [15]14— [16]15 | (text unchanged) | |
| [17]16 | COMAR [08.02.03.14B] 08.02.03.14, 4-803, 4-215 | Violating Regulations Pertaining to Mature Female Crabs-Catch Limit: (a) LCC: 2 bushels over limit; (b) TFL/CB3: 4-5 bushels over limit; (c) CB6: 6-9 bushels over limit; (d) CB9: 8-12 bushels over limit |
| [18]17— [26]25 | (text unchanged) | |
| 26 | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 2 fish over daily catch limit |
| 27-31 | (text unchanged) | |

E. Tier III. The following violations are Tier III violations. A person who receives a conviction for a Tier III violation receives 15 points.

| | Statute or Regulation | Description |
|------|---|---|
| 1—5 | (text unchanged) | |
| 6 | 4-1012, COMAR 08.02.04.08, COMAR 08.02.04.11, COMAR 08.02.04.12 | [Power] Dredging in Prohibited Areas: 150 feet or more within an area |
| 7—11 | (text unchanged) | |
| 12 | 4-1037(1), COMAR [08.02.02.12B] 08.02.02.07, COMAR [08.02.07.03C] 08.02.07.05 | Using a Hydraulic Clam Dredge to Catch Soft Shell Clams on a: (a) Natural oyster bar; (b) Leased area; (c) Public shellfish fishery area; or |

| | | |
|-------------------|--|---|
| | | (d) Oyster sanctuary |
| 13—14 | (text unchanged) | |
| 15 | 4-803, 4-215, COMAR [08.02.03.14B] 08.02.03.14 | Violating Regulations Pertaining to Mature Female Crabs-Catch Limit: (a) LCC: 3 bushels over limit; (b) TFL/CB3: 6-9 bushels over limit; (c) CB6: 10-14 bushels over limit; (d) CB9: 13-19 bushels over limit |
| [16] | 4-803, 4-215, 4-505, COMAR 08.02.03.07D | Fishing A Crab Pot Licensed to Another Person] |
| [17]16— [26]25 | (text unchanged) | |
| 26 | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 3 fish over daily catch limit |
| 27—29 | (text unchanged) | |
| [30] | 4-505 | Fishing Gear Belonging to Another Person] |
| [31]30 | (text unchanged) | |

F. Tier IV. The following violations are Tier IV violations. A person who receives a conviction for a Tier IV violation receives 20 points.

| | Statute or Regulation | Description |
|------|--|--|
| 1—3 | (text unchanged) | |
| 4 | COMAR [08.02.04] 08.02.02.03 | Harvesting Clams 2 Hours After the Legal Time Period or 2 hours Before the Legal Start Time |
| 5 | (text unchanged) | |
| 6 | COMAR [08.02.03.14B] 08.02.03.14, 4-803, 4-215 | Violating Regulations Pertaining to Mature Female Crabs — Catch Limit: (a) LCC: 4 or more bushels over limit; (b) TFL/CB3: 10 or more bushels over limit; (c) CB6: 15 or more bushels over limit; (d) CB9: 20 or more bushels over the limit |
| 7—12 | (text unchanged) | |
| 13 | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 4 fish over daily catch limit |

| | | |
|-------------------|------------------|--|
| [13]14— [14]15 | (text unchanged) | |
|-------------------|------------------|--|

G. (text unchanged)

H. Tier VI. The following violations are Tier VI violations. A person who receives a conviction for a Tier VI violation receives 30 points.

| | Statute or Regulation | Description |
|-------------------|----------------------------------|---|
| 1—10 | (text unchanged) | |
| 11 | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 5 or more fish over daily catch limit |
| [11]12— [15]16 | (text unchanged) | |
| 17 | 4-505, 4-803, COMAR 08.02.03.07D | Molest, Disturb, Destroy, or Catch and Carry Away Fish or Crabs from Any Boat, Live Box, Crab Pot, Troline, or the Pocket or Crib of Any Pound Net or Enclosed or Gilled in Any Fish Net of Any Kind, or Take or Carry Away Any Net or Gear Belonging to Another Person Used in Catching Fish |

I.—K. (text unchanged)

.05 Recreational Fishing Suspension and Revocation.

A.—C. (text unchanged)

D. A person who receives one of the following violations may be suspended for up to 90 days.

| | Statute or Regulation | Description |
|---------------|---------------------------------------|---|
| (1)—(22) | (text unchanged) | |
| (23) | COMAR [08.02.05.10A and D]08.02.05.10 | Size Limits — Bluefish: 4—6 fish |
| (24) | COMAR [08.02.05.10A and D]08.02.05.10 | Daily Catch Limits — Bluefish: 4—6 fish over daily catch limit |
| (25) | COMAR 08.02.05.12A and F | Size Limits — Summer Flounder: 2—4 fish |
| (26) | COMAR 08.02.05.12A and F | Daily Catch Limits — Summer Flounder: 2—4 fish over daily catch limit |
| (27)— (43) | (text unchanged) | |
| (44) | COMAR 08.02.05.21A and F | Size Limits — Black Sea Bass: 4—6 fish |
| (45) | COMAR 08.02.05.21A and F | Catch Limits — Black Sea Bass: 4—6 fish over daily catch limit |
| (46) | COMAR 08.02.05.22A(1) and D | Size Limits — Scup: 4—6 fish |
| (47) | COMAR 08.02.05.22C(3) and D | Catch Limits — Scup: 4—6 fish over daily catch limit |
| (48)— (49) | (text unchanged) | |

| | | |
|---------------------------|-----------------------------|--|
| (50) | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 2—4 fish over daily catch limit |
| [(50)](51)— [(67)](68) | (text unchanged) | |
| [(68)] | COMAR 08.02.25.02A—E and G | Use of Illegal Gear in Nontidal Waters |
| (69) | COMAR 08.02.25.03 A—E and G | Use of Illegal Gear in Tidal Waters] |
| [(70)](69) | (text unchanged) | |

E. A person who receives one of the following violations may be suspended for up to 180 days.

| | Statute or Regulation | Description |
|---------------------------|---------------------------------------|---|
| (1)—(7) | (text unchanged) | |
| (8) | COMAR 08.02.04.02, COMAR 08.02.04.11 | Oysters — Exceeding Daily Catch Limit by 100%—199% of the Daily Catch Limit [or More] |
| (9)—(14) | (text unchanged) | |
| (15) | COMAR [08.02.05.10A and D]08.02.05.10 | Size Limits — Bluefish: 7—10 fish |
| (16) | COMAR [08.02.05.10A and D]08.02.05.10 | Daily Catch Limits — Bluefish: 7—10 fish over daily catch limit |
| (17) | COMAR 08.02.05.12A and F | Size Limits — Summer Flounder: 5—10 fish |
| (18) | COMAR 08.02.05.12A and F | Daily Catch Limits — Summer Flounder: 5—10 fish over daily catch limit |
| (19)—(31) | (text unchanged) | |
| (32) | COMAR 08.02.05.21A and F | Size Limits — Black Sea Bass: 7—10 fish |
| (33) | COMAR 08.02.05.21A and F | Catch Limits — Black Sea Bass: 7—10 fish over daily catch limit |
| (34) | COMAR 08.02.05.22A(1) and D | Size Limits — Scup: 7—10 fish |
| (35) | COMAR 08.02.05.22C(3) and D | Catch Limits — Scup: 7—10 fish over daily catch limit |
| (36)—(37) | (text unchanged) | |
| (38) | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 5—10 fish over daily catch limit |
| [(38)](39)— [(65)](66) | (text unchanged) | |
| (67) | COMAR 08.02.25.02A—D and F | Use of Illegal Gear in Nontidal Waters |
| (68) | COMAR 08.02.25.03 A—G and I | Use of Illegal Gear in Tidal Waters |
| [(66)](69) | (text unchanged) | |

PROPOSED ACTION ON REGULATIONS

F. A person who receives one of the following violations may be suspended for up to 1 year.

| | Statute or Regulation | Description |
|-------------------------|---------------------------------------|--|
| (1)–(18) | (text unchanged) | |
| (19) | COMAR 08.02.04.02, COMAR 08.02.04.11 | Oysters — Exceeding Daily Catch Limit by 200% of the Daily Catch Limit or More |
| [(19)](20)–[(22)](23) | (text unchanged) | |
| [(23)](24) | COMAR [08.02.05.10A and D]08.02.05.10 | Size Limits — Bluefish: 11 or more fish |
| [(24)](25) | COMAR [08.02.05.10A and D]08.02.05.10 | Daily Catch Limits — Bluefish: 11 or more fish over daily catch limit |
| [(25)](26) | (text unchanged) | |
| [(26)](27) | COMAR 08.02.05.12A and F | Size Limits — Summer Flounder: 11 or more fish |
| [(27)](28) | COMAR 08.02.05.12A and F | Daily Catch Limits — Summer Flounder: 11 or more fish over daily catch limit |
| [(28)](29)–[(46)](47) | (text unchanged) | |
| [(47)](48) | COMAR 08.02.05.21A and F | Size Limits — Black Sea Bass: 11 or more fish |
| [(48)](49) | COMAR 08.02.05.21A and F | Catch Limit — Black Sea Bass: 11 or more fish over daily catch limit |
| [(49)](50) | COMAR 08.02.05.22A(1) and D | Size Limits — Scup: 11 or more fish |
| [(50)](51) | COMAR 08.02.05.22C(3) and D | Catch Limit — Scup: 11 or more fish over daily catch limit |
| [(51)](52)–[(75)](76) | (text unchanged) | |
| (77) | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 11 or more fish over daily catch limit |
| [(76)](78)–[(111)](113) | (text unchanged) | |
| [(112)](114) | COMAR [08.02.25.02F]08.02.25.02E | Projectile Gear Violation in Nontidal Waters |
| [(113)](115) | COMAR [08.02.25.03F]08.02.25.03H | Projectile Gear Violation in Tidal Waters |

G.—M. (text unchanged)

.08 Charter Boat/Fishing Guide Point Assignment Schedule.

A.—C. (text unchanged)

D. Tier I. The following violations are Tier I violations. A fishing guide who receives a conviction for a Tier I violation receives 5 points.

| | Statute Or Regulation | Description |
|-----|---|---|
| (1) | (text unchanged) | |
| (2) | COMAR [08.02.11.03L]08.02.11.01 | Zero Creel Limit Trout Fishing Areas — Violations |
| (3) | COMAR [08.02.11.04C(2)(a)(i)]08.02.11.01, COMAR 08.02.11.04 | Exceeding Trout Creel or |

| | | |
|-----------------------|---|---|
| (1)–(7) | (text unchanged) | |
| (8) | COMAR [08.02.05.10A]08.02.05.10 | Size Limits — Bluefish: 1—2 fish under minimum size limit |
| (9) | COMAR [08.02.05.10B]08.02.05.10 | Daily Catch Limits — Bluefish: 1—2 fish over daily catch limit |
| (10) | COMAR [08.02.05.12A(1)]08.02.05.12A and F | Size Limits — Summer Flounder: 1 fish under minimum size limit |
| (11) | COMAR [08.02.05.12A(2)]08.02.05.12A and F | Daily Catch Limits — Summer Flounder: 1 fish over daily catch limit |
| (12)–(26) | (text unchanged) | |
| (27) | COMAR [08.02.05.21A(1)]08.02.05.21A and F | Size Limits — Black Sea Bass: 3 fish under minimum size limit |
| (28) | COMAR [08.02.05.21A(2)]08.02.05.21A and F | Catch Limits — Black Sea Bass: 3 fish over daily catch limit |
| (29) | COMAR 08.02.05.22A(1) and D | Size Limits — Scup: 5 fish under minimum size limit |
| (30) | COMAR 08.02.05.22C(3) and D | Catch Limit — Scup: 5 fish over daily catch limit |
| (31)–(32) | (text unchanged) | |
| (33) | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 1 fish over daily catch limit |
| [(33)](34)–[(43)](44) | (text unchanged) | |

E. Tier II. The following violations are Tier II violations. A fishing guide who receives a conviction for a Tier II violation receives 10 points.

| | Statute Or Regulation | Description |
|-----|---|---|
| (1) | (text unchanged) | |
| (2) | COMAR [08.02.11.03L]08.02.11.01 | Zero Creel Limit Trout Fishing Areas — Violations |
| (3) | COMAR [08.02.11.04C(2)(a)(i)]08.02.11.01, COMAR 08.02.11.04 | Exceeding Trout Creel or |

| | | |
|-----------|--|---|
| | | Possession Limits in Put and Take Areas |
| (4) | COMAR [08.02.11.04C(2)(a)(ii)] 08.02.11.01, 08.02.11.04, COMAR 08.02.11.06 | Exceeding Trout Creel or Possession Limits in Other Areas |
| (5) | COMAR [08.02.11.04C(2)(i)] 08.02.11.04, COMAR 08.02.11.06 | Exceeding Creel or Possession Limits — Nontidal Waters |
| (6)—(23) | (text unchanged) | |
| (24) | COMAR [08.02.05.10A] 08.02.05.10 | Size Limits — Bluefish: 3 fish under minimum size limit |
| (25) | COMAR [08.02.05.10B] 08.02.05.10 | Daily Catch Limits — Bluefish: 3 fish over daily catch limit |
| (26) | COMAR 08.02.05.12A and F | Size Limits — Summer Flounder: 2 fish under minimum size limit |
| (27) | COMAR 08.02.05.12A and F | Daily Catch Limits — Summer Flounder: 2 fish over daily catch limit |
| (28)—(42) | (text unchanged) | |
| (43) | COMAR 08.02.05.21A and F | Size Limits — Black Sea Bass: 4—6 fish under minimum size limit |
| (44) | COMAR 08.02.05.21A and F | Catch Limits — Black Sea Bass: 4—6 fish over daily catch limit |
| (45) | COMAR 08.02.05.22A(1) and D | Size Limits — Scup: 6—9 fish under minimum size limit |
| (46) | COMAR 08.02.05.22C(3) and D | Catch Limit — Scup: 6—9 fish over daily catch limit |

| | | |
|---------------------------|-------------------|--|
| (47)—(48) | (text unchanged) | |
| (49) | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 2 fish over daily catch limit |
| [(49)](50)— [(50)](51) | (text unchanged) | |

F. Tier III. The following violations are Tier III violations. A fishing guide who receives a conviction for a Tier III violation receives 15 points.

| | Statute Or Regulation | Description |
|-------------------------------|-------------------------------------|---|
| (1) | (text unchanged) | |
| [(2)] | 4-505 | Removing Fish, Nets or Gear of Another] |
| [(3)](2)— [(15)](14) | (text unchanged) | |
| [(16)](15) | COMAR [08.02.05.10A] 08.02.05.10 | Size Limits — Bluefish: 4 fish under minimum size limit |
| [(17)](16) | COMAR [08.02.05.10B] 08.02.05.10 | Daily Catch Limits — Bluefish: 4 fish over daily catch limit |
| [(18)](17) — [(32)](31) | | |
| [(33)](32) | COMAR 08.02.05.12A and F | Size Limits — Summer Flounder: 3 fish under minimum size limit |
| [(34)](33) | COMAR 08.02.05.12A and F | Daily Catch Limits — Summer Flounder: 3 fish over daily catch limit |
| [(35)](34) — [(51)](50) | (text unchanged) | |
| [(52)](51) | COMAR 08.02.05.21A and F | Size Limits — Black Sea Bass: 7—10 fish under minimum size limit |
| [(53)](52) | COMAR 08.02.05.21A and F | Catch Limit — Black Sea Bass: 7—10 fish over daily catch limit |
| [(54)](53) | COMAR 08.02.05.22A(1) and D | Size Limits — Scup: 10 or more fish under minimum size limit |

PROPOSED ACTION ON REGULATIONS

| | | |
|-------------------------------|--|---|
| [(55)](54) | COMAR 08.02.05.22C(3) and D | Catch Limit — Scup: 10 or more fish over daily catch limit |
| [(56)](55) — [(74)](73) | (text unchanged) | |
| (74) | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 3 fish over daily catch limit |
| (75) | (text unchanged) | |
| (76) | COMAR [08.02.11.03A(2)(a)(i)]08.02.11.01 | Possession of Trout While Fishing in a Catch and Return Area |
| (77) | COMAR [08.02.11.03F]08.02.11.01 | Using or Possessing Illegal Gear in a Delayed Harvest Areas |
| (78) | COMAR [08.02.11.03K]08.02.11.03 | Keeping Black Bass Caught in a Catch-and-Return Black Bass Area |
| (79) | COMAR [08.02.11.04C(1)(d)—(e)]08.02.11.04, COMAR 08.02.11.06 | Taking/Possessing Bass During Closed Season |
| (80) | COMAR [08.02.11.04C(1)(a)—(n)]08.02.11.04, COMAR 08.02.11.06 | Season Violations — Nontidal Waters |
| (81)—(89) | (text unchanged) | |

G. Tier IV. The following violations are Tier IV violations. A fishing guide who receives a conviction for a Tier IV violation receives 20 points.

| | Statute Or Regulation | Description |
|-----------|---------------------------------|---|
| (1)—(7) | (text unchanged) | |
| (8) | COMAR [08.02.05.10A]08.02.05.10 | Size Limits — Bluefish: 5 fish under minimum size limit |
| (9) | COMAR [08.02.05.10B]08.02.05.10 | Daily Catch Limits — Bluefish: 5 fish over daily catch limit |
| (10) | COMAR 08.02.05.12A and F | Size Limits — Summer Flounder: 4 fish under minimum size limit |
| (11) | COMAR 08.02.05.12A and F | Daily Catch Limits — Summer Flounder: 4 fish over daily catch limit |
| (12)—(28) | (text unchanged) | |

| | | |
|---------------------------|--------------------------|--|
| (29) | COMAR 08.02.05.21A and F | Size Limits — Black Sea Bass: 11 or more fish under minimum size limit |
| (30) | COMAR 08.02.05.21A and F | Catch Limit — Black Sea Bass: 11 or more fish over daily catch limit |
| (31) | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 4 fish over daily catch limit |
| [(31)](32)— [(33)](34) | (text unchanged) | |

H. (text unchanged)

I. Tier VI. The following violations are Tier VI violations. A fishing guide who receives a conviction for a Tier VI violation receives 30 points.

| | Statute Or Regulation | Description |
|---------------------------|----------------------------------|--|
| (1)—(4) | (text unchanged) | |
| (5) | 4-505, 4-803, COMAR 08.02.03.07D | Molest, Disturb, Destroy, or Catch and Carry Away Fish or Crabs from Any Boat, Live Box, Crab Pot, Trotline, or the Pocket or Crib of Any Pound Net or Enclosed or Gilled in Any Fish Net of Any Kind, or Take or Carry Away Any Net or Gear Belonging to Another Person Used in Catching Fish |
| [(5)](6)— [(14)](15) | (text unchanged) | |
| [(15)](16) | COMAR [08.02.05.10A]08.02.05.10 | Size Limits — Bluefish: 6 or more fish under minimum size limit |
| [(16)](17) | COMAR [08.02.05.10B]08.02.05.10 | Daily Catch Limits - Bluefish: 6 or more fish over daily catch limit |
| [(17)](18) | (text unchanged) | |
| [(18)](19) | COMAR 08.02.05.12A and F | Size Limits — Summer Flounder: 5 or more fish under minimum size limit |
| [(19)](20) | COMAR 08.02.05.12A and F | Daily Catch Limits — Summer Flounder: 5 or more fish over daily catch limit |
| [(20)](21)— [(40)](41) | (text unchanged) | |
| (42) | COMAR 08.02.05.31 | Catch Limits — Longnose Gar: 5 or more fish over daily catch limit |

| | | |
|--------------|------------------|--|
| [(41)](43) — | (text unchanged) | |
| [(73)](75) | | |

J.—K. (text unchanged)

JOSH KURTZ
Secretary of Natural Resources

Title 09
MARYLAND DEPARTMENT
OF LABOR
Subtitle 30 HOUSEHOLD GOODS
MOVERS

09.30.01 General Regulations

Authority: Business Regulation Article, §§8.5-103, 8.5-104, 8.5-105.1, 8.5-105, 8.5-106, and 8.5-107, Annotated Code of Maryland

Notice of Proposed Action
[25-051-P]

The Maryland Department of Labor proposes to adopt new Regulations **.01—.10** under a new chapter, **COMAR 09.30.01 General Regulations** under a new subtitle, **Subtitle 30 Household Goods Movers**.

At this time, the Maryland Department of Labor is withdrawing the proposal to adopt new Regulations **.01—.10** under a new chapter, **COMAR 09.30.01 General Regulations** under a new subtitle, **Subtitle 30 Household Goods Movers**, which was published in 51:24 Md. R. 1084—1086 (December 2, 2024).

Statement of Purpose

The purpose of this action is to establish application requirements for a Household Goods Mover registration, the fee therefore, and generally relating to the administration of the Household Goods Movers Registration program.

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 Todd Blackstone, Executive Director, Maryland Department of Labor, 100 South Charles Street, Tower 1 Suite 3300, Baltimore, MD 21201, or call 410-230-6165, or email to todd.blackstone@maryland.gov. Comments will be accepted through May 19, 2025. A public hearing has not been scheduled.

.01 Purpose.

This chapter sets out the requirements and procedures for the registration of household goods movers.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) “Consumer” means the person who entered into a written contract with a household goods mover for loading, packing, moving, transporting, or storing household goods.

(2) “Department” means the Maryland Department of Labor.

(3) “Household goods” means personal property of the consumer used for personal, family, or household purposes.

(4) “Household goods movers” means a person who provides household goods moving services.

(5) Household Goods Moving Services.

(a) “Household goods moving services” means the loading, packing, moving, transporting, storing while in transit, unloading, or otherwise taking possession or control from a consumer of household goods for the purpose of moving them to another location at the direction of the consumer for a fee.

(b) “Household goods moving services” does not include moving household goods for disposal or destruction.

(6) “Registration fee” means the annual fee paid by an applicant or registrant, as applicable, in connection with the issuance or renewal of a registration.

(7) “Secretary” means the Secretary of the Department, or the Secretary’s designee.

(8) “State” means the State of Maryland.

.03 Application.

A. A person who intends to provide household goods moving services shall submit an application for registration on the form approved by the Department.

B. The form shall include at least the following information:

(1) The applicant’s name and all trade names under which the applicant intends to provide household goods moving services in the State;

(2) The applicant’s physical address, telephone number, and e-mail address;

(3) The name of all persons with at least 25 percent ownership in the applicant’s business;

(4) Previous applications:

(a) For those identified under §B(3) of this regulation if that person has previously applied for registration for another entity; and

(b) Identification of that person and the disposition of the application for the other entity;

(4) The applicant’s Federal Employee Identification Number;

(5) The name of the applicant’s resident agent in the State, if any;

(6) The applicant’s U.S. Department of Transportation or State Department of Transportation number, as applicable;

(7) Insurance carrier and policy number showing liability and cargo coverage with the minimum standards in 49 C.F.R. Part 387.303;

(8) Proof of workers’ compensation coverage for all covered employees;

(9) A certificate of status, issued by the Maryland Department of Assessment and Taxation, or its equivalent, indicating the business is in good standing and dated not earlier than 30 days before the date of the application; and

(10) Other information that may be required by the Department.

C. An application for registration shall be accompanied by an application fee in the amount provided in Regulation .07 of this chapter.