

REPORTING - Methods for Commercial and Charter

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What was proposed and why is it necessary?

The purpose of this action is to formalize the reporting methods for commercial and fishing guide licensees and require licensees to declare their method of reporting for each type of report they are required to submit. Reporting on paper is the only method of reporting described in regulation; however, there are electronic reporting systems that the Department has determined are capable of collecting the necessary harvest information. The proposed action clarifies the requirements for paper reporting and adds methods for electronic reporting without hailing and electronic reporting with hailing. Currently, electronic reporting is completed through the Standard Atlantic Fisheries Information System (SAFIS), an electronic vessel trip report (eVTR), or the Fishing Activity and Catch Tracking System (FACTS), but since systems can change, the names of the systems are not listed in the regulation.

Requiring harvesters to declare a reporting method is necessary for ensuring reporting compliance. If the Department does not know how an individual is going to report, it cannot conduct outreach to delinquent reporters. This declaration will inform the Department whether to expect a report via paper, SAFIS, or FACTS™. Currently, the Department receives only about one half of the required harvest reports each year, making declaration a critical tool as the Department works to increase reporting compliance.

Specifically, the proposal:

1. Makes it clear that anyone licensed under Natural Resources Article, §§4-210, 4-210.1, 4-701, 4-701.1, or 4-701.2, Annotated Code of Maryland, shall accurately record their harvest information.
2. Makes it clear that licensees are required to report:
 - (a) Oyster harvest, only if they have paid the oyster surcharge in accordance with Natural Resources Article, §4-701, Annotated Code of Maryland;
 - (b) Clam harvest, only if they have declared to harvest clams in accordance with COMAR 08.02.08.05; and
 - (c) Guided fishing activities, only if they provide services as a fishing guide.
3. Describes the methods of reporting and the requirements for each method. Adding all reporting methods and their rules to regulation will make it clear for commercial harvesters and charter captains how they need to report their harvest. This also formalizes electronic reporting as a reporting method, as the Department has gathered enough data to conclude the electronic reporting pilot project.
4. Requires a licensee to declare which reporting method they will use for each type of report they are required to complete at the time of license renewal or when receiving the license in a transfer. This will allow the Department to know how to expect the reports and follow up with the correct individual if a report is missing.
5. Provides a mechanism for a licensee to change their declaration up to two times per license year. Allowing a license holder to change that declaration twice per license year gives the licensee some flexibility while still allowing the Department to plan accordingly.
6. Describes exceptions to regulations if a licensee chooses to report with the electronic harvest reporting system with hailing.

Methods for Reporting

- Paper forms which are submitted via mail, fax, or email.
- Electronic reporting without hailing. Currently, this reporting is completed through the Standard Atlantic Fisheries Information System (SAFIS) or an electronic vessel trip report (eVTR), but since systems can change, the name of the systems is not listed in the regulation. Note: oysters and clams cannot be reported in the SAFIS system.
- Electronic reporting with hailing. Currently, this reporting is completed through the Fishing Activity and Catch Tracking System (FACTSTM), but since systems can change, the name of the system is not listed in the regulation. Exemptions for certain fisheries are available for choosing to electronically report with hailing. The regulation includes the exemptions for each fishery. Vessel Monitoring Systems (VMS) are not electronic reporting with hailing.

Rules for Paper Reporting

- Paper reports must be submitted by the 10th of every month.
- The reports required are listed by license type.
- The method of returning the report is detailed on each report.

Rules for Electronic Reporting without Hailing (i.e., SAFIS or eVTR)

- Electronic reports must be submitted by the 10th of each month, or in the timeframe required by the federal agency which requires the submission of the report.

Rules for Electronic Reporting with Hailing (i.e., FACTS™)

- Daily reporting only when you plan to engage in harvest activity. Reports are not necessary on non-harvest days.
- Must send a start hail prior to the vessel being underway.
- Must send an end hail and harvest data within 30 minutes of completion of harvest activity and prior to landing harvest.
- Reporting in this manner allows individuals certain regulatory flexibilities in certain fisheries. See Frequently Asked Question #7 for specifics.
- All license holders using that vessel to harvest must report using electronic harvest reporting with hailing
- You must display letters on the vessel that specify which report you are submitting in this method (see below). These letters need to be removed from the vessel upon declaring to report harvest using paper or electronic reporting without hailing.
 - If you are submitting your Daily Record of Commercial Crabbing in this method, you must display the letters “EHRC”
 - If you are submitting your Maryland Monthly Oyster Report, Monthly Softshell/Razor Clam Report, or Monthly Hardshell Clam Report in this method, you must display the letters “EHRCS”
 - If you are submitting your Commercial Charter Boat Captain's Daily Log in this method, you must display the letters “EHRH”
 - If you are submitting your Daily Commercial Fisheries Catch Log in this method, you must display the letters “EHRF”
 - If you are submitting multiple reports in this method, the additional letters can be combined at the end (i.e., EHRCS)

What is the specific regulatory action?

Amend Regulation .06 under COMAR 08.02.13 Fishing Licenses — Point Assignment, License Revocation and Suspension Schedule and Criteria, and Hearing Procedure.

Who will this affect?

Commercial harvesters and the for-hire (charter) industry.

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

- This idea was scoped with the Sport Fisheries Advisory Commission and the Tidal Fisheries Advisory Commission at their meetings in January 2025. After discussing this with the Tidal Fisheries Advisory Commission the idea was modified from requiring harvesters to choose one method to report all harvest to allowing harvesters to choose how they report based on a particular fishery. This allows flexibility for harvesters and allows the Department to plan.
- This idea was scoped with the general public February 6-20, 2025.

What is the 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 September 5, 2025.
- A 30-day public comment period began on the day of publication. The comment period will close at 11:59 p.m. October 6, 2025.
- After review of the comments, the Department may adopt the changes.
- If the Department adopts the changes, they become effective after a notice is published in the Maryland Register that announces approval and the effective date.

DRAFT Version of the Declaration Form

Reports Required for Each License Type

	UTFL	FIN and HLI	CC and CAT	CB3/6/9 and LCC	CLM	OYH and ODB	CCTL	FGR, FGN, and FGM	L and NTT
Daily Commercial Fisheries Catch Log	X	X	X				X		
Maryland Monthly Oyster Report ¹	X					X			
Daily Record of Commercial Crabbing	X			X					
Maryland Monthly Clam Report ²	X				X				
Fishing Guide Daily Log	X ³							X ³	X
Crab Charter Report	X ³							X ³	

UTFL - Unlimited Tidal Fish License, FIN - Unlimited Finfish Harvester License, HLI - Finfish Hook & Line License, CC - Chesapeake Channa (Northern Snakehead) License, CAT - Blue and Flathead Catfish Finfish Trotline License, CB3/6/9 - Crab Harvester License - up to 300/600/900 Pots, LCC - Limited Crab Harvester License, CLM - Clam Harvester License, OYH - Oyster Harvester License, ODB - Oyster Dredge Boat License, CCTL - Conch, Cancer Crab, Turtles, and Lobster Harvester License, FGR - Fishing Guide (Resident) License, FGN - Fishing Guide (Nonresident) License, FGM - Master Fishing Guide License, NTT – Nontidal Tidal Fishing Guide License, L – Limited Fishing Guide License

¹Must declare method for submitting the oyster report if also pays oyster surcharge.

²Must declare method for submitting the clam report if also declares for either soft-shell or hard-shell clams.

³Must declare method for submitting the charter log/report if the licensee possesses a USCG Captain's License and will take clients on guided fishing or crabbing trips.

Declaration of Reporting Method

Daily Commercial Fisheries Catch Log (Finfish Report)

- Paper Reporting
- Electronic Reporting without Hailing (SAFIS or eVTR)
- Electronic Reporting with Hailing and Harvest Flexibilities (FACTS™)

Daily Record of Commercial Crabbing (Crab Report)

- Paper Reporting
- Electronic Reporting without Hailing (SAFIS or eVTR)
- Electronic Reporting with Hailing and Harvest Flexibilities (FACTS™)

Crab Charter Report

- Paper Reporting
- Electronic Reporting without Hailing (SAFIS or eVTR)
- Electronic Reporting with Hailing and Harvest Flexibilities (FACTS™)

Daily Record of Commercial Oystering (Maryland Monthly Oyster Report)

- Paper Reporting
- Electronic Reporting with Hailing and Harvest Flexibilities (FACTS™)

Daily Record of Commercial Clamming (Maryland Monthly Clam Report)

- Paper Reporting
- Electronic Reporting with Hailing and Harvest Flexibilities (FACTS™)

Fishing Guide Daily Log (Charter and Fishing Guide Report)

- Paper Reporting
- Electronic Reporting without Hailing (SAFIS or eVTR)
- Electronic Reporting with Hailing and Harvest Flexibilities (FACTS™)

Frequently Asked Questions

- 1) Why do I need to declare my reporting method?
Requiring harvesters to declare a reporting method is necessary so the Department is able to determine which method harvesters will be using to submit their reports and better be able to conduct outreach for missing harvest reports.
- 2) How will I declare my reporting option?
During license renewal or during a license transfer, you will be given a form to fill out in which you will select your reporting method. Please see pages 5-6 for an example of the form that you would complete.
- 3) Am I able to choose multiple methods of reporting? Meaning, can I report differently for each fishery (shellfish, finfish, charter, etc.)?
Yes, you may select different reporting methods for each report type required by your license. For example, you may choose electronic reporting for blue crabs and paper reporting for oysters. Please see the example declaration on pages 5-6 of this document.
- 4) If I am working in two fisheries (e.g. oysters and crabs) do I have to select the same method for both?
No. Please see Question 3.
- 5) Can I change how I would like to report?
 - A licensee will declare their reporting method for each type of report required at license renewal or at the time they receive a license transfer.
 - A licensee may change each designation up to two times per license year.
- 6) Who is responsible for reporting if I temporarily transfer my license or permit authorization?
If a license or permit is transferred, the transferee is responsible for reporting during the time that they hold the license. The transferee will need to select a reporting option at the time of the transfer.
- 7) Who is responsible for reporting if I name an authorized user?
 - The license holder is responsible for reporting all harvest under the license. That includes harvest by the licensee and by the authorized user. The authorized user may submit a report for the licensee if the reporting method allows for it, but the license holder is ultimately responsible for the content of all reports.
 - The authorized user must report in the same manner as the licensee.
- 8) Can two or more licensees on one vessel use different reporting methods?
Yes, two licensed individuals on the same vessel can report using different methods. However, to use any of the regulatory exceptions with FACTS, both licensees must be using FACTS™.

9) What are the exceptions to regulations if a licensee chooses to report with the electronic reporting system with hailing?

If you (the licensee) report harvest electronically with hailing you will have the opportunity to take advantage of the exceptions to the regulations listed below:

- Blue Crabs
 - Flexible day off. While you still may not crab on more than six days during any crabbing week, except as otherwise specifically permitted by the Department for holidays, you will be able to take any day of the week off that you choose. The crabbing week is Wednesday through Tuesday.
 - You may set pots and remove crabs from crab pots in the Chesapeake Bay up to two hours before sunrise. If you start before the regular start time (listed in [COMAR 08.02.03.11](#)), you must cease removing crabs from pots six hours after sunrise.
 - On July 3 and July 4, you may set pots and remove crabs from crab pots in the Chesapeake Bay up to three hours before sunrise. If you start before the regular start time (listed in [COMAR 08.02.03.11](#)), you must cease removing crabs from your pots six hours after sunrise.
- Oysters, Soft-Shell Clams, and Hard-Shell Clams
 - You may designate a representative to take your harvest to dealers. You must designate the individual(s) in the electronic system. The representative must be a commercially licensed individual allowed to harvest shellfish (purchased the oyster surcharge, declared their intent to harvest soft-shell clams, or declared their intent to harvest hard-shell clams), and they must also have declared to report harvest using electronic reporting with hailing.
 - You may start harvesting up to ½ hour before sunrise, but must cease harvest ½ hour earlier than the stop times listed in [COMAR 08.02.04.03](#) (oysters), [COMAR 08.02.02.03](#) (soft-shell clams), and [COMAR 08.02.07.03](#) (hard-shell clams).
- Fishing Guides
 - Captain and one mate may each possess up to one striped bass per person per day, within the open recreational and charter boat summer and fall fishery.
 - **Please note:** [Draft Addendum III](#) to Amendment 7 to the Atlantic States Marine Fisheries Service Interstate Management Plan for Atlantic Striped Bass is currently being discussed. Depending on the outcome of the Addendum, this provision may change or be removed. Decisions are expected at the Atlantic States Marine Fisheries Commission [Annual Meeting in October 2025](#).
- Finfish
 - Striped Bass
 - You will no longer be issued a paper striped bass permit card. The electronic reporting system will be used to check in your catch and will update your remaining allocation in real-time.

- Striped Bass (continued)
 - Checking In Your Harvest:
 - You may check-in harvest on the day after you harvested it. A previous day's harvest can be checked in either by itself, or can be combined with the next day's harvest at the end of the second fishing day.
 - OR**
 - You may designate a representative in the electronic harvest reporting system to check harvest in under your license. The representative must check-in the catch the same day as fished.
 - Please note: You can choose to use either of these options, but you cannot use both options at the same time.
- Yellow Perch
 - You are allowed to use box tags in place of individual tags for your harvest. You must still follow Department tagging requirements. Currently, the Department provides the box tags free of charge.
 - You will no longer be issued a paper yellow perch permit card and you will no longer need to call in daily to the Yellow Perch Hotline. The electronic reporting system will be used to check in your catch and will update harvest in real-time.

10) May I participate in the regulatory exceptions available with the electronic reporting system with hailing if I am an authorized user?

No. Only licensees are eligible to participate in the regulatory exceptions.

11) Why do I need to put additional letters on my vessel if I am submitting reports through the electronic reporting system with hailing?

Putting EHRC, EHRS, EHRH, EHRF, or the required combination on your vessel alerts Natural Resources Police that you are reporting harvest daily using the electronic reporting system with hailing (FACTS™) and can choose to use the regulatory exceptions associated with it.

12) Do I need training for an electronic reporting method?

- Yes. The Department will provide training materials if you choose an electronic reporting method. You will be able to review these materials at your own pace.
- If you are new to electronic reporting, you will need about 1-2 weeks to complete the onboarding and training process. If you have previously used the electronic reporting method you are signing up for, the process will be much quicker.

13) What happens if I do not complete the required training for an electronic reporting method?

You will be required to submit reports via paper forms unless training is completed.

14) Am I able to choose an electronic reporting method if I have not submitted all of my past paper reports?

You will need to submit missing paper reports for any fisheries you are licensed for during the past two years prior to submitting electronically either with or without hailing.

- 15) Do I need to report every day of the season when I choose one of the electronic reporting options?
- With electronic reporting with hailing (FACTS™) you only need to use the system to report when you are engaged in harvest activity. If you do not hail the system will automatically report that day as “No Harvest” for you.
 - With electronic reporting without hailing (SAFIS or eVTR) a report must be submitted for each day of the month. This is either a trip report for each day with harvest activity or a “negative report” for those days that you did not go out to harvest.
- 16) What do I do if I have a problem while trying to use my FACTS™, SAFIS, or eVTR account? All of these programs have a 24-hour helpline to assist you if you have trouble using your account.

Additional Information about the Electronic Reporting System with Hailing (FACTS™)

- 1) Do I need to have a smartphone or computer to use the system?
No, you can call the program’s Call Center and speak with an operator who will enter your trip information.
- 2) I’ve heard there are people who might check my catch if I sign up for FACTS™. Who are they and what are they doing?
As required by the program’s grant, a small percentage of all FACTS™ trips will be met by a Roving Monitor at the dock. These independent verifiers are not law enforcement officers and are only there to count what is landed. It is a way for the program to determine whether or not the hailing system is being used accurately.
- 3) Besides the program’s regulatory exceptions, what other benefits are there for choosing to report with FACTS™?
- Since FACTS™ is a real-time system your harvest reports are never late. This is true even if you do not go out harvesting (no hail started) for a day, a week, a month, or the rest of the season (Finished for the Year).
 - There are customized business tools included in your FACTS™ account that let you:
 - See your complete harvest history (Harvest Report Summary),
 - Manage your striped bass quota (electronic allocation and share transfers and a Quota Ledger),
 - Manage your account preferences, and
 - Use a GPS feature that makes it easy to select the correct oyster bar or clamming area on a map during your hail.