

certificate to avoid the payment of *the new tire fee* or the tire recycling fee.

E. A certificate does not relieve a tire dealer from paying *new tire fees* or tire recycling fees unless the certificate is accepted in good faith. A tire dealer who knows or should know that a buyer is not a tire wholesaler is required to pay the fees on tires sold to that buyer without regard to any certificate which that buyer may provide.

F. Buyers of tires who are not tire wholesalers do not have the option of buying tires free of *new tire fees* or tire recycling fees and paying the fees directly to the Comptroller.

.03 Records.

A.—C. (text unchanged)

D. If a seller of new tires in the State fails to keep the records required, the Comptroller may compute any *new tire fees* or tire recycling fees which are due by using a factor that the Comptroller develops by:

(1)—(3) (text unchanged)

E. If the seller of new tires in the State fails to keep the records required, the computation of *the new tire fee* and the tire recycling fee under § D of this regulation is presumptively correct.

.04 Returns.

A. Filing Requirements. A person who is responsible for paying *the new tire fee* or the tire recycling fee on tires sold during the course of a month shall file with the Comptroller a [report of] *return reporting* those sales, accompanied by payment of *the new tire fee* and the tire recycling fee, by the 21st day of the succeeding calendar month.

B. Filing Basis.

(1) If the Comptroller determines from an application for a *new tire fee account* or tire recycling fee account, previous reporting history, or through audit that a person subject to the tire recycling fee and *new tire fee* is expected to remit less than [\$100] \$750 per month in *total fees*, the Comptroller may assign that person a filing basis that is less frequent than monthly.

(2) A person assigned a filing basis which is other than monthly shall notify the Comptroller whenever that person has reason to believe that future *new tire fee* or tire recycling fee payment obligations will average more than [\$100] \$750 in *total fees* per month.

(3) A person assigned a filing basis which is less frequent than four times per year, shall file with the Comptroller a supplemental return for any month, other than the month or months for which scheduled returns are due, in which fees due for that month exceed [\$100] \$750. This return, which is due by the due date set forth in § A of this regulation, shall also encompass any previously unreported fees accrued since the person's most recently filed return. Filing of this return does not affect a person's liability to file the next scheduled return.

C. The Comptroller shall [mail] *make the tire [recycling] fee return available to* registrants, *either electronically or by mail*, [appropriate returns] well in advance of due dates. The failure to receive a return from the Comptroller does not, however, alter a person's obligation to file on time. A person who has not received a return from the Comptroller far enough in advance of the due date to avoid a late filing shall request an additional form from the Comptroller or file a signed schedule providing the information normally required on a return, together with the fees due, on or before the due date.

D. A person registered with the Comptroller for *the new tire fee* or the tire recycling fee shall file returns in accordance with that person's filing schedule, even if fees are not due.

E. (text unchanged)

BROOKE E. LIERMAN
Comptroller of the Treasury

Title 08

DEPARTMENT OF

NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.15 Striped Bass

Authority: Natural Resources Article, §4-215, Annotated Code of Maryland

Notice of Proposed Action

[25-302-P]

The Secretary of Natural Resources proposes to amend Regulation .04 under **COMAR 08.02.15 Striped Bass**.

Statement of Purpose

The purpose of this action is to increase the allocation cap in the Chesapeake Bay commercial striped bass fishery and modify the transfer rules for permits, allocation, and shares in both the Chesapeake Bay and Atlantic Ocean commercial striped bass fisheries.

The Chesapeake Bay Individual Transferrable Quota Fishery currently has maximum caps on the amount of the fishery that any participant may own permanently (share) or temporarily (annual allocation). For temporary transfers, a commercial tidal fish licensee may not receive an allocation transfer when the licensee possesses 1.5 percent or more of the total commercial quota for the Chesapeake Bay fisheries for that year. Due to permit consolidation over time and instances where a permit or share/allocation could not be transferred based on going over the cap, the Striped Bass Industry Advisory Workgroup requested the Department to consider changing the allocation cap. Based on feedback received during the scoping process, the proposed action increases the allocation cap to 2 percent. This would allow individuals to temporarily possess an additional 0.5 percent of the Chesapeake Bay commercial striped bass quota. The Striped Bass Industry Advisory Workgroup informed the Department that this change will provide a greater possibility of being able to harvest the annual quota. The annual quota is set by the Atlantic States Marine Fisheries Commission and is not impacted by this action. The proposed action also makes changes to the transfer rules for permits, allocation, and shares in both the Chesapeake Bay and Atlantic Ocean commercial striped bass fisheries. Currently, the license season (September to August) is different from the striped bass permit season (January to December). Given the differences in the two time periods and in conjunction with the transferring of licenses, permits, shares, and allocation, there are rare instances when a striped bass permit may be held by a commercially unlicensed individual for a short period of time. Striped bass permits held by commercially unlicensed individuals cannot be fished nor can permits or allocation held by a commercially unlicensed individual be transferred under current regulations. When a commercial license is temporarily transferred, the striped bass permit does not have to be transferred at the same time. In these instances, the permit is now held by an unlicensed individual since the permanent license holder has temporarily

transferred their license. The proposed action allows a permanent license holder who holds a striped bass permit to be able to transfer their permit, share, or allocation, even during a time period when they have temporarily transferred their license away. Under current rules, that permit and any allocation or shares associated with that permit cannot be fished or transferred.

This action allows a permanent license holder to conduct striped bass permit, allocation, and share transfers even when the license has been temporarily transferred away, thereby increasing the efficiency of their business. The modifications to this language also allows an individual whose temporary license transfer has expired while they still have an active striped bass permit to temporarily transfer the permit and/or allocation to a currently-licensed individual. Under current rules, when a temporary license transfer expires prior to the expiration of a temporary striped bass permit transfer, because the individual is no longer licensed, the permit and any associated allocation can no longer be fished or transferred. Allowing the individual who properly obtained the temporary permit transfer to then transfer that permit, allocation, or both to a currently-licensed individual will allow the allocation to be harvested prior to the end of the permit year.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action could have a positive economic impact on commercial striped bass permittees by allowing additional business flexibilities.

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:		
Commercial Striped Bass Fishery (+) Participants		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(1). It is possible that by allowing individuals to possess more allocation during the management year that harvest will be conducted in a more efficient manner. This may lead to higher margins for striped bass permittees. It is also possible that by allowing permits, allocation, and shares to be transferred when an individual is no longer in possession of an active license, permittees will be better able to ensure the harvest of that allocation and manage their business.

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 action has an indeterminable positive impact on small businesses. Commercial watermen operating small businesses will have greater flexibility in their business operations and may realize a greater profit based on market conditions and increased

efficiencies. However, it is not possible to know the extent of these impacts due to the variability of the fishery and the wide variety of reasons that individuals within the fishery choose to transfer permits, allocation, or shares.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Commercial Striped Bass Transfer Rules, Regulatory Staff, Maryland Department of Natural Resources, Fishing and Boating Services, 580 Taylor Ave., Annapolis MD 21401, or call 410-260-8300, or email to complete the comment form at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#sbcaps>. Comments will be accepted through February 9, 2026. A public hearing has not been scheduled.

.04 Tidal Fish Licensee Intent to Fish.

A.—E. (text unchanged)

F. Temporary Transfers.

(1) (text unchanged)

(2) A [commercial tidal fish licensee] *properly registered striped bass permit or allocation associated with a properly registered striped bass permit may be temporarily [transfer a striped bass permit or allocation] transferred if:*

(a)—(b) (text unchanged)

(3) Except as provided in §G of this regulation, [a commercial tidal fish licensee may not transfer] shares *may not be transferred*.

(4) Chesapeake Bay Individual Transferrable Quota Fishery.

(a) Prior to the start of the quota year, during the period July 15 through September 15, or the next business day if September 15 falls on a weekend, *a properly registered striped bass permit for the next quota year or any part of its associated allocation may be temporarily transferred to a commercial tidal fish licensee*;

(i) May complete up to four transactions where a permit or a portion of their allocation is temporarily transferred from the permittee to another commercial tidal fish licensee; and

(ii) May receive any number of transfers].

(b) During the quota year, [a commercial tidal fish licensee may only temporarily transfer] *a properly registered striped bass permit or any associated allocation may be transferred only:*

(i)—(ii) (text unchanged)

(c) An individual without a [valid] *properly registered striped bass permit may not receive a transfer of allocation unless the individual also receives a [valid] properly registered striped bass permit in the transfer*.

(d) A commercial tidal fish licensee may not receive an allocation transfer when the licensee possesses [1.5] 2 percent or more of the total commercial quota for the Chesapeake Bay fisheries.

(5) Atlantic Fishery.

(a) Prior to the start of the quota year, during the period July 15 through September 15, or the next business day if September 15 falls on a weekend, *a properly registered striped bass permit for the next quota year or any part of its associated allocation may be temporarily transferred to a commercial tidal fish licensee [may temporarily transfer:*

(i) Allocation to another striped bass permittee;

(ii) A permit or permits to a commercial tidal fish licensee; or

(iii) Both allocation and a permit or permits to a commercial tidal fish licensee].

(b) During the quota year, a [commercial tidal fish licensee may only temporarily transfer a] *properly registered* striped bass permit or *any associated allocation may be transferred only*:

(i)—(ii) (text unchanged)

(c) An individual without a [valid] *properly registered* striped bass permit may not receive a transfer of allocation unless the individual also receives a [valid] *properly registered* striped bass permit in the transfer.

(d)—(e) (text unchanged)

(6)—(8) (text unchanged)

G. Permanent Transfers.

(1) A [commercial tidal fish licensee] *properly registered striped bass permit* may be permanently [transfer a striped bass permit] *transferred by the owner of the permit* if:

(a) The [commercial tidal fish licensee] *owner* makes application to the Department requesting transfer;

[(b) The transferor is authorized to harvest striped bass in the current quota year;]

[(c)](b)—[(e)](d) (text unchanged)

(2) [A commercial tidal fish licensee] *The owner of a properly registered striped bass permit* may permanently transfer:

(a) A striped bass permit without transferring the [licensee's] *owner's* tidal fish license;

(b) The [licensee's] *owner's* share, or any portion of that share, without transferring the [licensee's] *owner's* tidal fish license or striped bass permit;

(c) A striped bass permit and a portion of the [licensee's] *owner's* share without transferring the [licensee's] *owner's* tidal fish license, so long as the [licensee] *owner* retains at least one striped bass permit; or

(d) The [licensee's] *owner's* share and all striped bass permits, along with the [licensee's] *owner's* tidal fish license.

(3) Prior to the quota year, a permanent transfer of a [licensee's] share or any portion of that share may only be completed from July 15 through September 15, or the next business day if September 15 falls on a weekend.

(4) (text unchanged)

(5) During the quota year, a permanent transfer of a [licensee's] share or any portion of that share may be completed only:

(a)—(b) (text unchanged)

(6)—(7) (text unchanged)

(8) A *commercial* tidal fish licensee registered in the Atlantic Ocean fishery may not receive a share in a permanent transfer that would result in the transferee possessing more than 5 percent of the commercial quota for the Atlantic Ocean fishery.

(9)—(13) (text unchanged)

H. (text unchanged)

JOSH KURTZ
Secretary of Natural Resources

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 04 BOATING

08.04.03 Certificate of Boat Number

Authority: Natural Resources Article, §§[8-704(c)] 8-704, 8-710.2, 8-712, and 8-712.1, Annotated Code of Maryland

Notice of Proposed Action

[25-291-P]

The Secretary of Natural Resources proposes to amend Regulations .05—.08 under **COMAR 08.04.03 Certificate of Boat Number**.

Statement of Purpose

The purpose of this action is to establish the ability for the Department to revoke a certificate of number that has been issued to a vessel that has been modified in such a way that it is no longer a vessel. The Department has the ability to revoke licenses in other contexts, such as hunting and fishing licenses. By creating the ability to revoke a certificate of number for a vessel, the Department will be aligning these abilities in its various regulatory contexts. If the Department revokes a certificate of number, the Department will follow the same procedures it currently follows in the hunting and fishing license context. This means that the Department will provide notice to the individual of the Departmental action through a Notice of Agency Action and the individual will have an opportunity to appear at a hearing conducted in accordance with the contested case procedures set forth in State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland, and COMAR 08.01.04. The Department would then have to show a hearing officer that its actions were appropriate and lawful. If the hearing officer agreed that the action was appropriate and lawful, the Department would be able to revoke the certificate of number. If the individual instead were to show the hearing officer that the Department was incorrect in its action, the Department would not revoke the certificate of number.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action could have a negative economic impact on the Department of Natural Resources.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
	Benefit (+) Cost (-)	
A. On issuing agency:		
Maryland Department of Natural Resources	(E+)	Indeterminable
B. On other State agencies:	NONE	
C. On local governments:	NONE	
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	