

§6432. Methods of fishing

1. Conventional traps. A person may not fish for or take lobster by any method other than conventional lobster traps, as defined in rule, or from any platform other than a vessel. A vessel does not include a dock.

[PL 2003, c. 520, §4 (AMD).]

2. Marking. A lobster or crab trap or trawl must be marked by a lobster buoy as described in subsections 3 and 4. The buoy must be visible at the surface. A person may not:

A. Set, raise, lift or transfer any lobster trap or buoy unless it is clearly marked with the owner's lobster and crab fishing license number or the owner's nonresident lobster and crab landing permit number; or [PL 2017, c. 197, §10 (NEW).]

B. Intentionally set or fish a lobster or crab trap or trawl in a manner that is designed to avoid detection that the trap or trawl has been set or fished. [PL 2017, c. 197, §10 (NEW).]
[PL 2017, c. 197, §10 (RPR).]

3. Color design. It is unlawful to set, raise, lift or transfer any lobster trap unless the color design of the attached buoy is the same as the color design that is on file with the license application and is displayed on the boat, or unless the person is duly licensed and possesses written permission from the rightful owner of the lobster trap or buoy. Prior notification of changes in buoy color design must be provided to the commissioner. The Bureau of Marine Patrol may require the alteration of an individual's lobster and crab fishing buoy color design if a marine patrol officer has determined that the buoy color design is not distinct and distinguishable from the buoy color designs of the individual's family members as defined by section 6431-E.

[PL 2011, c. 266, Pt. A, §12 (AMD).]

4. Design display. The buoy color design shall be displayed on the boat as follows:

A. On both sides of the hull or on a panel painted on both sides and attached to the boat's forward topside in a manner so as to be clearly visible on both sides of the boat. Each color shall appear as a solid color strip 4 inches high and 18 inches long abutting another color on its longest side to form a rectangle with a one-inch black border on all sides; or [PL 1977, c. 661, §5 (NEW).]

B. A buoy of at least 12 inches long, mounted in a manner so that the color design is clearly visible on both sides of the boat. [PL 1977, c. 661, §5 (NEW).]

[PL 1977, c. 661, §5 (NEW).]

5. Penalty for possession. Possession of lobsters other than caught by the method specified in subsection 1 is a Class D crime, except that in addition to any punishment that may be imposed under Title 17-A, Part 6, the court shall impose a fine of \$500 for each violation and, in addition, a fine of \$100 for each lobster involved, up to and including the first 5, and a fine of \$200 for each lobster in excess of 5, or, if the number of lobsters cannot be determined, a fine of not less than \$1,000 or more than \$5,000.

[PL 2019, c. 113, Pt. C, §11 (AMD).]

SECTION HISTORY

PL 1977, c. 661, §5 (NEW). PL 1989, c. 413, §1 (AMD). PL 1999, c. 82, §2 (AMD). PL 2003, c. 520, §4 (AMD). PL 2007, c. 201, §14 (AMD). PL 2009, c. 394, §9 (AMD). PL 2011, c. 266, Pt. A, §§11, 12 (AMD). PL 2013, c. 468, §18 (AMD). PL 2017, c. 197, §10 (AMD). PL 2019, c. 113, Pt. C, §11 (AMD).

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