

08.02.20.02

.02 Bait Finfish.

A. Bait. For the purpose of this subtitle, "bait" means an attractant to catch fish which includes:

- (1) The living or dead, whole body or part of body of an animal; or
- (2) A processed product from an animal or vegetative source.

B. Species. The only species of finfish that may be caught and sold for use as fishing bait by an individual who is not licensed in accordance with Natural Resources Article, §4-701, Annotated Code of Maryland, are:

- (1) Mummichog (*Fundulus heteroclitus*);
- (2) Striped killifish (*Fundulus majalis*);
- (3) Banded killifish (*Fundulus diaphanous*);
- (4) Spottail shiner (*Notropis hudsonius*);
- (5) Golden shiner (*Notemigonus crysoleucas*);
- (6) Rough silverside (*Membras martinica*);
- (7) Silverside (*Menidia* species);
- (8) Anchovy (*Anchoa* species); and
- (9) Silvery minnow (*Hybognathus nuchalis*).

C. Methods.

(1) An individual who is not licensed in accordance with Natural Resources Article, §4-701, Annotated Code of Maryland, may use only the following gear and methods, defined in COMAR 08.02.05, to catch bait finfish from the tidal waters of the State:

- (a) Cast net;
- (b) Dip net;
- (c) Minnow seine;
- (d) Hook and line; and

(e) Minnow trap.

(2) A cast net shall be thrown by hand and have a radius not greater than 10 feet.

(3) A dip net shall be operated by hand.

(4) A minnow seine may not be emptied on the shore or beach or in any water less than sufficient depth to enable the unwanted fish to return to the waters alive.

(5) A minnow trap shall:

(a) Be clearly labeled with the name, address, and telephone number of the registered user; and

(b) Be emptied at least once every 24-hour period.

D. Seasons and Limits.

(1) Season. There is no closed season.

(2) Daily Catch and Possession Limits. The daily catch and possession limit of bait finfish for an individual who is not licensed in accordance with Natural Resources Article, §4-701, Annotated Code of Maryland, is as follows:

(a) Mummichog (*Fundulus heteroclitus*): 10 gallons;

(b) Striped killifish (*Fundulus majalis*): 10 gallons;

(c) Banded killifish (*Fundulus diaphanous*): 10 gallons;

(d) Spottail shiner (*Notropis hudsonius*): 600 individuals;

(e) Golden shiner (*Notemigonus crysoleucas*): 600 individuals;

(f) Rough silverside (*Membras martinica*): 600 individuals;

(g) Silverside (*Menidia species*): 600 individuals;

(h) Anchovy (*Anchoa species*): 600 individuals; and

(i) Silvery minnow (*Hybognathus nuchalis*): 600 individuals.

E. Registration.

(1) Unless otherwise permitted by law, an individual may not catch and sell bait finfish from the tidal waters of the State without first registering with the Department on a form provided by the Department.

(2) An individual may cancel a registration by notifying the Department in writing.

(3) The Department may revoke the registration if the registrant violates the regulations in this chapter.