

§6726. Ring size

1. Minimum size. The minimum ring size is 3 1/2 inches except as provided by rule. The commissioner shall establish by rule a minimum ring size that may not be smaller than 4 inches in diameter. A person may not use a drag to fish for or take scallops in the territorial waters with rings that measure less than the ring size provided pursuant to this subsection. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

A. [PL 1999, c. 94, §2 (RP).]

B. [PL 2007, c. 607, Pt. A, §8 (RP).]

C. [PL 2007, c. 607, Pt. A, §8 (RP).]

[PL 2007, c. 607, Pt. A, §8 (AMD).]

2. Measurement of rings. Ring size is determined by measuring the shortest straight line passing through the center of the ring from one inside edge to the opposite inside edge of the ring. The measurement may not include links or normal welds from ring manufacturing. The rings measured must be at least 5 rings away from the mouth and at least 2 rings away from other rigid portions of the drag.

[PL 1997, c. 281, §1 (NEW).]

3. Configuration of drag. The commissioner shall adopt rules that limit the mesh size of net material on the top of a scallop drag, prohibit chafing gear or cookies on the top of a scallop drag, establish ring link restrictions for a scallop drag and prohibit drag or net obstructions. Rules initially adopted pursuant to this subsection must be identical to federal regulations in the Atlantic sea scallop fishery in effect on March 25, 1997 that limit the mesh size of net material on the top of a scallop drag, prohibit chafing gear or cookies on the top of a scallop drag, establish ring link restrictions for a scallop drag and prohibit drag or net obstructions. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

[PL 1997, c. 281, §1 (NEW).]

4. Violations. Notwithstanding section 6174, subsection 3, a person who violates this section commits a civil violation for which the following penalties apply:

A. For the first offense, a mandatory fine of \$500 is imposed and all scallops on board may be seized; [PL 2007, c. 557, §7 (NEW).]

B. For the 2nd offense, a mandatory fine of \$750 is imposed and all scallops on board may be seized; and [PL 2007, c. 557, §7 (NEW).]

C. For the 3rd and subsequent offenses, a mandatory fine of \$750 is imposed and all scallops on board may be seized. The penalty imposed pursuant to this paragraph is in addition to the penalty imposed under section 6728-B. [PL 2007, c. 557, §7 (NEW).]

[PL 2007, c. 695, Pt. I, §8 (AMD).]

SECTION HISTORY

PL 1997, c. 281, §1 (NEW). PL 1999, c. 94, §2 (AMD). PL 2001, c. 272, §15 (AMD). PL 2007, c. 557, §7 (AMD). PL 2007, c. 607, Pt. A, §8 (AMD). PL 2007, c. 695, Pt. I, §8 (AMD).

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