§ 13-0331. Crabs; permit to take; prohibited acts.

* 1. No person shall take crabs, including horseshoe crabs (Limulus sp.) for commercial purposes without first obtaining a permit from the department. For purposes of this subdivision, a presumption of "commercial purposes" shall be made wherein one takes or lands more than fifty crabs in any one day or sells or barters or offers for sale or barter any crabs he or she has taken. Permits shall be issued to individuals only but may be endorsed for use on a vessel, in which case it shall cover all persons on board such vessel.

* NB Effective until January 1, 2029

* 1. No person shall take crabs for commercial purposes without first obtaining a permit from the department. For purposes of this subdivision, a presumption of "commercial purposes" shall be made wherein one takes or lands more than fifty crabs in any one day or sells or barters or offers for sale or barter any crabs such person has taken. Permits shall be issued to individuals only but may be endorsed for use on a vessel, in which case it shall cover all persons on board such vessel.

* NB Effective January 1, 2029

1-a. The department may, until December thirty-first, two thousand twenty-eight, fix by regulation the limit of Jonah crabs that may be taken for commercial purposes by commercial crab permit holders and by holders of New York commercial lobster licenses provided that such regulations shall be consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. section 1800 et seq.).

2. A person domiciled within the state may take crabs, for commercial purposes, from the waters of the state upon first obtaining a crabbing permit from the department.

a. The department shall prescribe and furnish forms for application for such permit.

b. The fee for such crabbing permit shall be thirty dollars.

3. A person not domiciled in the state who is domiciled in a state that provides reciprocal permits or licenses to persons domiciled in New York state may take crabs, for commercial purposes, upon first obtaining a crabbing permit from the department.

a. The department shall prescribe and furnish forms for application for such permit.

b. The fee for such crabbing permit shall be fifty dollars.

4. Permits are not transferable and shall expire on December 31 following the date of issue. If it appears in the public interest, the department may suspend or cancel such permits without prior notice.

5. Female crabs with eggs visible thereon, commonly called sponge crabs, or any female crabs from which the egg pouch or bunion has been removed, shall not be taken, possessed, transported or offered for sale at any time.

6. Crabs shall not be taken by dredging in the waters of Richmond county; Hempstead Bay and South Oyster Bay in the county of Nassau; or in the waters of Great South Bay west of Captree bridge in the county of Suffolk.

* 7. The department may, until December thirty-first, two thousand twenty-nine, fix by regulation measures for the management of crabs of any kind including horseshoe crabs (Limulus sp.), including minimum and maximum size limits, catch and possession limits, open and closed seasons including lunar closures, closed areas, restrictions on the manner of taking and landing including a prohibition on the harvest of crabs in amplexus, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance

requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

* NB Effective until January 1, 2029

* 7. The department may, until December thirty-first, two thousand twenty-nine, fix by regulation measures for the management of crabs of any kind, excluding horseshoe crabs (Limulus sp.), including minimum and maximum size limits, catch and possession limits, open and closed seasons including lunar closures, closed areas, restrictions on the manner of taking and landing including a prohibition on the harvest of crabs in amplexus, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

* NB Effective January 1, 2029

* 8. The department shall, when adopting regulation measures for the management of horseshoe crabs (Limulus sp.) pursuant to subdivision seven of this section, consult with any town, village or county that requests any municipal property be subject to a harvest closure.

* NB Effective until January 1, 2029

* 8. No person shall take horseshoe crabs (Limulus sp.), including for commercial or biomedical purposes, from the waters of this state. Provided however that this section shall not apply to the taking of horseshoe crabs (Limulus sp.) for bona fide scientific or educational purposes including, but not limited to, public or not-for-profit zoos and aquaria, as determined by the commissioner pursuant to rules and regulations.

* NB Effective January 1, 2029