§ 13-0343-a. Fish pots and traps; restrictions.

1. No person shall utilize commercial fishing gear commonly known as "fish pots" or "fish traps" within five hundred feet of any artificial reef. The department may publish a list of artificial reef sites and locations where the placing of pots or traps is prohibited.

2. The department may regulate the use and design of "fish pots" and "fish traps", including, but not limited to, the following matters: design, including, but not limited to, identification and marking; configuration and material composition; requirements for escape panels and/or vents; restrictions on the total number of traps or pots that may be fished individually or collectively; and in addition to the restrictions contained in subdivision one of this section, those areas where such pots or traps may not be used.

3. The department may require those who hold licenses pursuant to section 13-0335 of this title to first obtain a permit from the department to set, operate, maintain or use "fish pots" or "fish traps". The department may restrict the number of permits issued pursuant to this section.

4. This section shall not apply to any "fish pot" or "fish trap" exempted under section 13-0335 of this title. Any rule or regulation proposed or adopted pursuant to this section shall be consistent with the provisions of section 13-0105 of this article. The commissioner is authorized to promulgate such rules or regulations as he deems necessary to implement this section.

5. No person shall return a fish pot or trap which contains fish to the water.