§ 13-0355. Recreational marine fishing registration.

1. Definitions of registrations; privileges. A recreational marine fishing registration entitles the holder who is sixteen years of age or older to take fish from the waters of the marine and coastal district and to take migratory fish of the sea from all waters of the state, except as provided in sections 13-0333 and 13-0335 of this title. A recreational marine fishing registration is effective for one year from the date it was issued.

2. General provisions. a. The privileges of a recreational marine fishing registration may be exercised only at the times and places, and in the manner and to the extent, permitted by the fish and wildlife law and applicable regulations of the department.

b. Recreational marine fishing registrations are not transferable. No person shall alter, change, lend to another person or attempt to transfer to another person any recreational marine fishing registration.

c. A registration issued in lieu of a lost or destroyed registration is void if it is obtained: (i) by fraud; or (ii) by a person who is not authorized to hold it or who makes a false statement in applying for it.

d. No registration authorizes the holder (a) to trespass upon private lands or waters or to interfere with property belonging to another person; (b) to take fish or wildlife on an Indian reservation; (c) to enter upon, or to take or disturb fish or wildlife upon, state lands or waters posted by the department except in accordance with a written permit from the department or an order adopted by the department; (d) to take any fish or wildlife in any area closed to the taking of fish or wildlife, or to take any species of fish, wildlife or protected insect in an area closed to the taking of such species.

3. Failure to carry registration. a. The holder of a recreational marine fishing registration shall:

(i) at all times have such registration on the holder's person while exercising any privilege of that registration; and

(ii) shall exhibit such registration on demand to any police officer, peace officer, or owner, lessee or other person in control of the lands or waters or the designees of the owner, lessee or person in control of the lands or waters on which the registration holder is present and is exercising the privileges thereof.

b. Failure to have a recreational marine fishing registration on one's person while exercising any privilege of that registration is presumptive evidence that such person is fishing without holding the registration required by this section.

4. Fees. No applicant for a recreational marine fishing registration shall be required to pay a fee for such registration.

5. Exemption from requirement of recreational marine fishing registration. a. Minors under the age of sixteen may take fish as if they held a recreational marine fishing registration.

b. Recreational fishing passengers on a marine and coastal district party or charter boat licensed and registered pursuant to section 13-0336 of this title may take fish as if they held a recreational marine fishing registration.

6. Recreational marine fishing registration data. a. The department is authorized to collect data on holders of recreational marine fishing registrations, which shall include but not be limited to, a registrant's name, address and date of birth.

b. Registration holder data collected by the department or available to the department shall be confidential and shall not be disclosed except as required to comply with section 401(g) of the Magnuson-Stevens fisheries management and conservation act (16 U.S.C. 1881), as may be amended from time to time, or by court order, except that the department may release or make public any statistics in an aggregate or summary form which does not make it possible to identify any person who submits such data. The department may prescribe such procedures as may be necessary to preserve such confidentiality.

7. Reciprocity in boundary waters. If persons holding recreational marine fishing registrations issued under the New York fish and wildlife law are not required to have licenses or registrations issued by a state named in paragraph a, b or c of this subdivision when fishing in that part of the waters, specified in such paragraph, which lies within that state then, in such case, a person holding a similar license or registration issued by such state may, without a recreational marine fishing registration issued under the New York fish and wildlife law, take fish as provided in this title, from that part of such waters specified in paragraph a, b or c of this subdivision which lies within this state:

a. License or registration issued by Connecticut: those parts of Long Island Sound lying between New York and Connecticut.

b. License or registration issued by New Jersey: those parts of New York Harbor, Hudson River, Kill Van Kull, Arthur Kill, Raritan Bay and Atlantic Ocean lying between New York and New Jersey.

c. License or registration issued by Rhode Island: those parts of Long Island Sound, Block Island Sound and Atlantic Ocean lying between New York and Rhode Island.