

1501:31-3-03

Limited entry of commercial fishermen; commercial fishing licenses.

- (A) Only those persons previously issued a commercial fishing license by the chief or his authorized agent, or a commercial fishing license transferred by the chief or his authorized agent, or a license in reserve in the prior fishing season will be issued a commercial fishing license by the chief or his authorized agent, provided that they have made proper application and paid the required fees on or before the first day of the current season for the type of commercial gear sought to be licensed. In the case of a license transferred during the commercial fishing season the transferor and transferee must have made proper applications and paid the required fees before the transfer was effective; provided such persons have complied with the necessary provisions in Chapters 1531. and 1533. of the Revised Code and division of wildlife orders in previous fishing seasons.
- (1) Additional units of trap nets as provided for in section 1533.35 of the Revised Code will only be issued to persons who had a license for the additional units of trap nets, or held them in reserve pursuant to paragraph (A)(2) of this rule, in the previous fishing season.
 - (2) The chief may grant a written request to place a license or additional units of trap nets in reserve without payment for a maximum of five years. The five-year period will begin on the first day of a new season for the type of commercial gear for which a license had been issued during the prior fishing season; or, in the case of additional units of trap nets, the year in which such gear was last licensed. During such five-year period, no other person will be issued the license or additional units of trap nets held in reserve. A licensee shall not be permitted to take his license out of reserve in the same year that it is reserved. Licenses may be placed in reserve or taken out of reserve only during the closed commercial fishing season.
 - (3) Any license issued pursuant to paragraph (A) of this rule shall be for the same type and amount of gear that was licensed in the previous fishing season, except, a person, including those presently holding a license, may be issued a transferred license in the same manner as a new applicant.
 - (4) A person who held a license in the previous year but does not obtain or apply for the same type of license, or place it in reserve, on or before the first day of the commercial fishing season for such license will lose his right to renew such license and will have to apply as a new applicant.
 - (5) All licenses or additional units of trap nets not renewed or placed in reserve by previous licensees, and any licenses which have been denied or revoked, may be reissued to a new applicant.

- (B) This rule does not apply to trotline, and carp apron licenses. Applications for such licenses shall be made in accordance with requirements prescribed in Chapters 1531. and 1533. of the Revised Code.
- (C) All provisions in section 1533.342 of the Revised Code not mentioned in or modified by this rule shall be in effect.
- (D) A violation of this rule is a violation of section 1533.342 of the Revised Code.
- (E) All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.