"PERTAINING TO THE USE OF CRAB TRAPS AND POUNDS"

REGULATION 4 VAC 20-460-10 ET. SEQ.

**§ 4VAC20-460-10 Purpose.**

The purpose of this chapter is to comply with the requirements of §28.2-701 of the Code of Virginia by establishing chapters that govern the use, placement, and maintenance of crab traps and pounds; to promote conservation of the blue crab resource; and to maintain navigable waterways.

Statutory Authority §§28.2-201 and 28.2-701 of the Code of Virginia.
Historical Notes
Derived from VR450-01-0060 §1; eff. July 1, 1990; amended, Virginia Register Volume 11, Issue 7, eff. January 1, 1995; Volume 11, Issue 14, eff. March 2, 1995.

**§ 4VAC20-460-20 Placement of crab traps and crab pounds.**

It shall be unlawful to place, set, or use crab traps or crab pounds within 100 yards of any other crab trap or crab pound without respect to whether or not the other crab trap or pound is owned by the same or some other person.

Statutory Authority §§28.2-201 and 28.2-701 of the Code of Virginia.
Historical Notes
Derived from VR450-01-0060 §2; eff. July 1, 1990; amended, Virginia Register Volume 11, Issue 7, eff. January 1, 1995; Volume 11, Issue 14, eff. March 2, 1995.

**§ 4VAC20-460-30 Removal of traps, leads, poles, gear.**

A. Every owner or user of a crab trap or crab pound shall completely remove traps, leads, wire, poles, and all other related gear from the water not later than December 31 of each year, except that they may leave two poles at each crab trap or crab pound site to facilitate relocation of the traps, lead and poles in the upcoming crab season, except as provided in subsection B below. If the trap site is not licensed and used in any subsequent year the trap owner shall be required to remove all poles from the site.

B. In the Tangier Island vicinity (from the southern tip of Tangier Island north to the Maryland line), it shall be lawful for every owner or user of a crab trap or crab pound to leave poles at crab trap or crab pound stands; provided such poles will be used at said location the following season and not be abandoned.

Statutory Authority §§28.2-201 and 28.2-701 of the Code of Virginia.
Historical Notes

Derived from VR450-01-0060 §3; eff. July 1, 1990; amended, Virginia Register Volume 11, Issue 7, eff. January 1, 1995; Volume 11, Issue 14, eff. March 2, 1995.

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**§ 4VAC20-460-40 Minimum mesh size.**

It shall be unlawful to use a crab trap or crab pound with a head or retention box with a mesh size of less than one inch.

Statutory Authority §§28.2-201 and 28.2-701 of the Code of Virginia.
Historical Notes
Derived from VR450-01-0060 §4; eff. July 1, 1990; amended, Virginia Register Volume 11, Issue 7, eff. January 1, 1995; Volume 11, Issue 14, eff. March 2, 1995.

**§ 4VAC20-460-50 Cull Rings.**

It shall be unlawful for any person to place, set or use any peeler of crab trap or pound that does not contain at least four unobstructed cull rings or at least 11/2 inches inside diameter. Two such rings shall be located under water at all times in the lower portion of each side panel that is perpendicular to the shoreline and on opposite sides of the head or retention box.

Statutory Authority §§28.2-201 and 28.2-701 of the Code of Virginia.
Historical Notes
Derived from VR450-01-0060 §5; eff. July 1, 1990; amended, Virginia Register Volume 11, Issue 7, eff. January 1, 1995; Volume 11, Issue 14, eff. March 2, 1995.

**§ 4VAC20-460-60 Penalty.**

A. As set forth in §28.2-701 of the Code of Virginia, any person violating any provision of this chapter shall be guilty of a Class 3 misdemeanor.

B. No licenses for crab traps or crab pounds for a subsequent year shall be issued to any person failing to accomplish such removal as stipulated in 4VAC20-460-30 until the same has been accomplished.

Statutory Authority §§28.2-201 and 28.2-701 of the Code of Virginia.
Historical Notes
Derived from VR450-01-0060 §6; eff. July 1, 1990; amended, Virginia Register Volume 11, Issue 7, eff. January 1, 1995; Volume 11, Issue 14, eff. March 2, 1995.

"PERTAINING TO THE USE OF CRAB TRAPS AND POUNDS"

REGULATION 450-01-0060

## PREAMBLE

This regulation establishes requirements regarding proximity to other crab traps or pounds, removal of gear and poles, mesh size, and cull rings. This regulation is promulgated pursuant to the authority contained in §§28.2-201 and 28.2-701 of the Code of Virginia. §28.2-701 specifies that the Virginia Marine Resources Commission shall promulgate regulations governing the use, placement, and maintenance of crab traps and crab pounds. This regulation amends previous Regulation 450-01-0060, "Pertaining to the Use of Crab Traps and Pounds," which was promulgated by the Marine Resources Commission and made effective January 1, 1995. The effective date of this regulation is March 2, 1995.

## §1. PURPOSE:

The purpose of this regulation is to comply with the requirements of §28.2-701 of the Code of Virginia by establishing regulations that govern the use, placement, and maintenance of crab traps and pounds; to promote conservation of the blue crab resource; and to maintain navigable waterways.

## §2. PLACEMENT OF CRAB TRAPS AND CRAB POUNDS:

It shall be unlawful to place, set, or use crab traps or crab pounds within 100 yards of any other crab trap or crab pound without respect to whether or not the other crab trap or pound is owned by the same or some other person.

## §3. REMOVAL OF TRAPS, LEADS, POLES, GEAR:

A. Every owner or user of a crab trap or crab pound shall completely remove traps, leads, wire, poles, and all other related gear from the water not later than December 31 of each year, except that they may leave two poles at each crab trap or crab pound site to facilitate relocation of the traps, lead and poles in the upcoming crab season, except as provided in Paragraph B of this Section. If the trap site is not licensed and used in any subsequent year the trap owner shall be required to remove all poles from the site.

B. In the Tangier Island vicinity, (from the southern tip of Tangier Island north to the Maryland line) it shall be lawful for every owner or user of a crab trap or crab pound to leave poles at crab trap or crab pound stands; provided, such poles will be used at said location the following season and not be abandoned.

**§4. MINIMUM MESH SIZE:**

It shall be unlawful to use a crab trap or crab pound with a head or retention box with a mesh size of less than one inch.

**§5. CULL RINGS:**

It shall be unlawful for any person to place, set or use any peeler crab trap or pound that does not contain at least four (4) unobstructed cull rings of at least one and one-half (1-1/2) inches inside diameter. Two (2) such rings shall be located under water at all times in the lower portion of both side panels that are perpendicular to the shoreline and on opposite sides of the head or retention box.

**§6. PENALTY:**

A. As set forth in §28.2-701 of the Code of Virginia, any person, firm, or corporation violating any provision of this regulation shall be guilty of a Class 3 misdemeanor.

B. No licenses for crab traps or crab pounds for a subsequent year shall be issued to any person failing to accomplish such removal as stipulated in §3 above until the same has been accomplished.

* * * * * * * *

This is to certify that the foregoing is a true and accurate copy of Regulations passed by the Marine Resources Commission, pursuant to authority vested in the Commission by §§28.2-201 and 28.2-701 of the Code of Virginia, duly advertised according to

"PERTAINING TO THE USE OF CRAB TRAPS AND POUNDS"

REGULATION 450-01-0060

statute, and recorded in the Commission's minute book, at it's meeting held in Newport News, Virginia on February 28, 1995.

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

BY: _____

Subscribed and sworn to before me this 19th day of April, 1995.

My Commission expires December 31, 1996.

Deborah K. McCalester

NOTARY