

2025 -- H 6157

LC002170

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO FISH AND WILDLIFE -- COMMERCIAL FISHING LICENSES

Introduced By: Representatives Fogarty, Handy, Edwards, Knight, Shallcross Smith, and Ajello

Date Introduced: April 02, 2025

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 20-2.1-3 and 20-2.1-5 of the General Laws in Chapter 20-2.1 entitled
2 "Commercial Fishing Licenses" are hereby amended to read as follows:

3 **20-2.1-3. Definitions.**

4 For the purposes of this chapter the following terms shall mean:

- 5 (1) "Activity standard" means a level of fishing participation used to establish criteria for
6 the issuance of new licenses.
- 7 (2) "Commercial fisherman" means a natural person licensed to catch, harvest, or take
8 marine species from the marine waters for sale.
- 9 (3) "Council" means the marine fisheries council established by chapter 3 of this title.
- 10 (4) "Crustaceans" means lobsters, crabs, shrimp, and for purposes of this chapter it also
11 includes horseshoe crabs.
- 12 (5) "Director" means the director of the department of environmental management.
- 13 (6) "Family member" means a spouse, mother, father, brother, sister, child, or grandchild
14 of the holder or transferor of a commercial fishing license.
- 15 (7) "Finfish" means cold-blooded aquatic vertebrates with fins, including fish, sharks, rays,
16 skates, and eels and also includes, for the purposes of this chapter, squid.
- 17 (8) "Fisheries sectors" means and comprises crustaceans, finfish, and shellfish, as defined
18 in this section, each of which shall singularly be considered a fishery sector.
- 19 (9) "Fishery endorsement" means the authorization for a license holder to participate in a

1 designated fishery sector at a limited or unlimited level.

2 [\(10\) "Green crabs" \(European green crabs, Carcinus maenes\) means invasive shore crabs](#)
3 [native to Europe and North Africa.](#)

4 ~~(10)~~(11) "Grace period" means sixty (60) calendar days commencing the last day of
5 February and shall only apply to renewals of licenses from the immediately preceding year.

6 ~~(11)~~(12) "Medical hardship" means a significant medical condition that renders an active
7 licensed person unable to fish for a period in excess of fourteen (14) days, either as a result of the
8 physical loss of function or impairment of a body part or parts, or debilitating pain. Demonstration
9 of the medical hardship shall be in the form of a diagnosis and prognosis signed by a medical doctor
10 (M.D. or O.D.).

11 ~~(12)~~(13) "Medical incapacity" means death or injury that renders an active license holder
12 permanently unable to actively fish. Demonstration of medical incapacity shall be in the form of a
13 death certificate, or a diagnosis and prognosis signed by a medical doctor (M.D. or O.D.).

14 ~~(13)~~(14) "Other endorsement" means the authorization for a license holder or vessel to
15 participate in a designated activity.

16 ~~(14)~~(15) "Shellfish" means quahogs, clams, mussels, scallops, oysters, conches, and
17 mollusks in general other than squid.

18 ~~(15)~~(16) "Student commercial fisherman" means a resident twenty-three (23) years of age
19 or younger, licensed pursuant to this chapter, who is a full-time student.

20 **20-2.1-5. Resident licenses, endorsements, and fees.**

21 The director shall establish, as a minimum, the following types of licenses and
22 endorsements set forth in this section. In addition, the director may establish any other classes and
23 types of licenses and endorsements, consistent with the provisions of this chapter and with adopted
24 management plans that may be necessary to accomplish the purposes of this chapter:

25 **(1) Types of licenses.**

26 (i) **Standard resident commercial fishing license.** Rhode Island residents shall be eligible
27 to obtain a standard resident commercial fishing license; the license shall allow the holder to engage
28 in commercial fishing in fisheries sectors dictated by the fishery endorsement(s) associated with
29 the license. Fishery endorsements shall be established by the department consistent with fishery
30 management plans developed pursuant to this chapter.

31 (ii) **Multipurpose license.** All multipurpose purpose license holders as of December 31 of
32 the immediately preceding year shall be eligible to obtain a multipurpose license that shall allow
33 the holder to engage in commercial fishing in all fisheries sectors.

34 (iii) **Student shellfish license.** A resident twenty-three (23) years or younger shall pay fifty

1 dollars (\$50.00) for a student commercial license to take shellfish upon provision of proof of full-
2 time student status. An individual qualified to obtain a license must submit an application to the
3 department of environmental management no later than June 30; a license application shall be
4 deemed valid if submitted to the department prior to the close of regular office hours on June 30 or
5 if postmarked by June 30.

6 (iv) **Over sixty-five (65) shellfish license.** A resident sixty-five (65) years of age and over
7 shall be eligible for a shellfish license to shellfish commercially and there shall be no fee for this
8 license.

9 (v) **Multipurpose vessel license.** Any multipurpose license holder shall be eligible to
10 obtain a multipurpose vessel license that shall allow the vessel owner to designate any operator to
11 engage in commercial fishing for all marine species aboard their owned vessel, provided the vessel
12 owner has consigned a multipurpose fishing license to the department. The department may then
13 re-issue the consigned multipurpose fishing license to the commercially declared fishing vessel as
14 a multipurpose vessel license. The director has the authority to limit the number of multipurpose
15 vessel licenses issued annually by rule. The fee for a multipurpose vessel license shall be one
16 thousand dollars (\$1,000).

17 [\(vi\) Green crab \(European green crabs, *Carcinus maenes*\) license. Rhode Island residents](#)
18 [shall be able to obtain a "green crab license" for a fee of twenty-five dollars \(\\$25.00\) per year.](#)

19 (2) **Fees.**

20 (i) **Standard resident commercial fishing license.**

21 (A) Standard resident commercial fishing license plus one limited fishery endorsement:
22 The fee shall be one hundred fifty dollars (\$150).

23 (B) Standard resident commercial fishing license plus two limited fishery endorsements:
24 The fee shall be two hundred dollars (\$200).

25 (C) Standard resident commercial fishing license plus three limited fishery endorsements:
26 The fee shall be two hundred fifty dollars (\$250).

27 (D) Standard resident commercial fishing license plus one unlimited fishery endorsement:
28 The fee shall be three hundred dollars (\$300).

29 (E) Standard resident commercial fishing license plus one unlimited fishery endorsement
30 and one limited fishery endorsement: The fee shall be three hundred fifty dollars (\$350).

31 (F) Standard resident commercial fishing license plus two unlimited fishery endorsements:
32 The fee shall be three hundred seventy-five dollars (\$375).

33 (G) Standard resident commercial fishing license plus one unlimited fishery endorsement
34 and two limited fishery endorsements: The fee shall be four hundred dollars (\$400).

1 (H) Standard resident commercial fishing license plus two unlimited fishery endorsements
2 and one limited fishery endorsement: The fee shall be four hundred twenty-five dollars (\$425).

3 (I) Standard resident commercial green crab license. The fee shall be twenty-five dollars
4 (\$25.00)

5 (ii) **Multipurpose license:** The fee shall be four hundred fifty dollars (\$450).

6 (3) **Vessel declaration and fees.**

7 (i) The department shall require the owner and/or the operator of a commercial fishing
8 vessel to declare the vessel on the owner/operator's commercial fishing license. The declaration
9 shall be made at the time of initial license issuance and each renewal, or prior to the vessel being
10 used for commercial fishing by the owner and/or operator if the first usage of the vessel for
11 commercial fishing occurs during the course of a year after the license has been issued or renewed.
12 If the declaration is for a vessel of less than twenty-five feet (25') in length, the declaration shall be
13 transferable to another vessel less than twenty-five feet (25') in length, provided the vessel is
14 identified as a commercial fishing vessel while it is being used for commercial fishing by displaying
15 a plate as provided in § 20-2.1-4.

16 (ii) The annual fee for each vessel declaration shall be twenty-five dollars (\$25.00) for the
17 first twenty-five feet (25') or under, plus fifty cents (\$0.50) per foot for each whole foot over
18 twenty-five feet (25'); this declaration fee shall entitle the holder to a decal. The holder of a valid
19 decal for twenty-five feet (25') in length or under may obtain a plate from the department for display
20 on a vessel twenty-five feet (25') in length that is being used temporarily for commercial fishing;
21 the annual fee for a plate shall be fifteen dollars (\$15.00).

22 (4) **Gear endorsements and fees.**

23 (i) **Gill net endorsements.** A person who holds a multipurpose license, or a vessel with a
24 multipurpose vessel license, is also eligible to apply for a commercial gill net endorsement in
25 accordance with the provisions of this section. The fee for a commercial gill net endorsement shall
26 be twenty dollars (\$20.00). Applicants who possessed a gill net endorsement as of the immediately
27 preceding year may obtain a gill net endorsement for the immediately following year. New gill net
28 endorsement opportunities shall be established by the department by rule, pursuant to applicable
29 management plans.

30 (ii) **Other endorsements.** The department may establish by rule any endorsements that
31 may be necessary or appropriate to effectuate the purposes of this chapter and facilitate
32 participation in a specific fishery; the fee for such endorsement shall not be greater than two
33 hundred dollars (\$200). This endorsement shall be issued only in a manner consistent with the
34 general requirements of this chapter, including specifically those governing residency.

1 (5) **New licenses.**

2 (i) **Eligibility.** For new standard resident commercial fishing and multipurpose licenses,
3 priority shall be given to applicants who have held a commercial fishing license for two (2) years
4 or more; applicants with military service; and applicants who have completed a department
5 authorized commercial fishing training program, with preference to family members and crew
6 members of a license holder who is retiring his or her license.

7 (ii) **Priority or preference applicants.** A new license shall be granted to
8 priority/preference applicants who have acquired a vessel and/or gear from a license holder who
9 has retired a license, provided, that as the result of any such transaction, for each license retired,
10 not more than one new license may be granted, nor may the nominal effort, including the total
11 number of licenses, in a fishery subject to effort controls or catch restrictions be increased.

12 (iii) **Availability of new or additional licenses.** New standard resident commercial fishing
13 and multipurpose licenses that increase the total number of licenses in the fishery may be made
14 available by rule consistent with management plan for issuance effective January 1, in any year,
15 based on status of resource and economic condition of fishery. Priority for new licenses shall be
16 given to Rhode Island residents.

17 (6) **Retirement of licenses.** Issuance of a commercial fishing license shall not be deemed
18 to create a property right such that the license can be sold or transferred by the license holder;
19 fishing licenses shall be surrendered to the state upon their nonrenewal, forfeiture, or revocation.

20 (7) **Issuance of temporary operator permits in cases of medical hardship.** The
21 department shall make available, as necessary, temporary operator permits to provide solely for the
22 continued operation of a fishing vessel upon the determination of medical hardship of a license
23 holder who has actively fished. Temporary operator permits shall be subject at a minimum to the
24 conditions and restrictions that applied to the license holder.

25 (8) **Issuance of new licenses to family members in cases of medical incapacity.** Upon
26 determination of medical incapacity, an actively fished license may be surrendered to the
27 department for the purpose of the concurrent issuance of a new license to a resident family member.

28 (9) **Issuance of new licenses upon the sale of a commercial fishing business.** Upon the
29 sale of a commercial fishing business, as defined by rule, a new license may be issued to the buyer
30 upon the surrender of the seller's license to the department for the purpose of the concurrent
31 issuance of a new license.

32 (10) **Transfer of vessels and gear.** Vessels and gear may be sold, transferred, or disposed
33 at the sole discretion of the owner; provided, however, that the subsequent level of use of the gear
34 may be restricted in Rhode Island waters in order to accomplish the purposes of a duly adopted

1 management plan or other duly adopted program to reduce effort.

2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO FISH AND WILDLIFE -- COMMERCIAL FISHING LICENSES

- 1 This act would create a new commercial fishing license for invasive green crabs for Rhode
- 2 Island residents for twenty-five dollars (\$25.00) annually.
- 3 This act would take effect upon passage.

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