

"PERTAINING TO THE USE OF FIREARMS TO TAKE FISH"

REGULATION 4 VAC 20-570-10 ET. SEQ.

§ 4VAC20-570-10 Purpose.

The purpose of this chapter is to conserve the stocks of finfish, eliminate a dangerous method of harvest, and confine harvest methods to traditional fishing gears.

Statutory Authority §28.2-201 of the Code of Virginia.

Historical Notes

Derived from VR450-01-0074 §1; eff. October 1, 1991; amended, Virginia Register Volume 11, Issue 22, eff. July 1, 1995.

§ 4VAC20-570-20 Use of firearms and sale of fish prohibited; exceptions.

- A. It shall be unlawful for any person to take, catch, or kill any fish with the use of a firearm.
- B. It shall be unlawful for any person to possess or sell any fish taken or killed by the use of a firearm.
- C. Nothing in this section shall prohibit the killing by firearm of a shark which has been brought to boatside by legal fishing methods.
- D. Nothing in this section shall prohibit the use of underwater fishing devices, known as "bang sticks," which are attached to spears or are hand held and discharge a blank charge or projectile.

Statutory Authority §28.2-201 of the Code of Virginia.

Historical Notes

Derived from VR450-01-0074 §2; eff. October 1, 1991; amended, Virginia Register Volume 11, Issue 22, eff. July 1, 1995.

§ 4VAC20-570-30 Penalty.

As set forth in §28.2-903 of the Code of Virginia, any person violating any provision of this chapter shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this chapter committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

Statutory Authority §28.2-201 of the Code of Virginia.

Historical Notes

Derived from VR450-01-0074 §3; eff. October 1, 1991; amended, Virginia Register Volume 11, Issue 22, eff. July 1, 1995.

"PERTAINING TO THE USE OF FIREARMS TO TAKE FISH"

REGULATION 450-01-0074

PREAMBLE

This regulation prohibits the taking or killing of any fish by use of a firearm. It further prohibits the possession and sale of any fish taken by firearm.

This regulation is promulgated pursuant to authority contained on §28.2-201 of the Code of Virginia. This regulation amends and re-adopts prior Regulation 450-01-0074 which was adopted by the Marine Resources Commission on September 24, 1991 and was effective October 1, 1991. The effective date of this regulation is July 1, 1995.

§1. PURPOSE:

The purpose of this regulation is to conserve the stocks of finfish, eliminate a dangerous method of harvest, and confine harvest methods to traditional fishing gears.

§2. USE OF FIREARMS AND SALE OF FISH PROHIBITED; EXCEPTIONS:

- A. It shall be unlawful for any person to take, catch, or kill any fish with the use of a firearm.
- B. It shall be unlawful for any person to possess or sell any fish taken or killed by the use of a firearm.
- C. Nothing in this section shall prohibit the killing by firearm of a shark which has been brought to boatside by legal fishing methods.
- D. Nothing in this section shall prohibit the use of underwater fishing devices, known as "bang sticks", which are attached to spears or are hand held and discharge a blank charge or projectile.

§3. PENALTY:

As set forth in §28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within twelve months of a prior violation is a Class 1 misdemeanor.

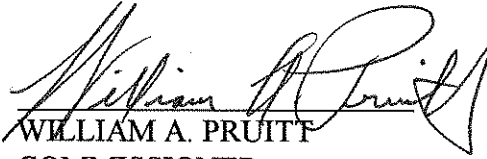
This is to certify that the foregoing is a true and accurate copy of regulation passed by the Marine Resources Commission, pursuant to authority vested in the Commission by §28.2-201 of the Code of Virginia, and recorded in the Commission's minute book, at the meeting held in Newport News, Virginia on June 27, 1995.

"PERTAINING TO THE USE OF FIREARMS TO TAKE FISH"

REGULATION 450-01-0074

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

BY:


WILLIAM A. PRUITT

COMMISSIONER

SUBSCRIBED AND SWORN TO BEFORE ME THIS

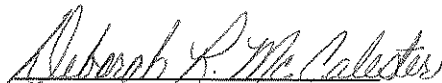
27th

DAY OF

June

1995.

MY COMMISSION EXPIRES December 31, 1995.



NOTARY PUBLIC