

**"PERTAINING TO LANDING LICENSES"****CHAPTER 4VAC20-920-10 ET SEQ.****PREAMBLE**

This chapter establishes a license for the landing of seafood for commercial purposes in Virginia. This chapter is promulgated pursuant to the authority contained in §§28.2-201 and 28.2-228.1 of the Code of Virginia. This chapter amends and re-adopts, as amended, 4 VAC 20-920-10 et seq., which was promulgated on November 23, 2010 and made effective on December 1, 2010. The effective date of this chapter, as amended, is September 1, 2020.

**4VAC20-920-10. Purpose.**

The purpose of this chapter is to establish a license for the landing of seafood for commercial purposes in Virginia.

**4VAC20-920-20. Definition.**

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Land" or "landing" means to (i) enter port with finfish, shellfish, crustaceans, or other marine seafood on board any boat or vessel; (ii) to begin offloading finfish, shellfish, crustaceans, or other marine seafood; or (iii) offload finfish, shellfish, crustaceans, or other marine seafood.

**4 VAC 20-920-30. License requirements and exemptions.**

- A. It shall be unlawful for any boat or vessel to land seafood in Virginia for commercial purposes without a Seafood Landing License provided from the Virginia Marine Resources Commission or its agent. The license shall be required of each boat or vessel used to land seafood for commercial purposes. Possession of any quantity of a marine seafood species which exceeds the recreational possession limit for that species shall be presumed to be for commercial purposes. Any boat or vessel so licensed shall display a Seafood Landing License decal provided by the Virginia Marine Resources Commission. The decals shall be displayed on both the port and starboard sides of the pilot house.
- B. It shall be unlawful for any buyer of seafood to receive any marine seafood from any boat or vessel which is not licensed for the landing of seafood unless that boat or vessel is exempt from the requirement to obtain a Seafood Landing License as described in this section.
- C. Any boat or vessel which is both owned and operated by a person who holds a valid Virginia Commercial Fisherman Registration License shall be exempt from the requirement to obtain a Seafood Landing License.

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- D. Any boat or vessel operated by a person harvesting and landing marine seafood from the Potomac River who holds a valid Potomac River Fisheries Commission commercial license shall be exempt from the requirement to obtain a Seafood Landing License.
- E. Any boat or vessel operated by a person harvesting and landing marine seafood from leased ground or reharvesting marine seafood as part of the shellfish relay process shall be exempt from the requirements to obtain a Seafood Landing License.

**4VAC20-920-40. (Repealed).**

**4VAC20-920-45. (Repealed).**

**4 VAC 20-920-50. Penalty.**

- A. As set forth in §28.2-228.1 of the Code of Virginia, the following shall constitute Class 3 misdemeanors: (i) landing seafood without the license required by this chapter and (ii) failure to produce or have available for inspection the license required by this chapter when requested by any officer. Failure to produce the license is prima facie evidence that the person is landing seafood without a license.
- B. Any person found guilty of violating any of the seafood laws or regulations of Virginia may have that person's Seafood Landing License revoked upon review by the commission as provided for in §28.2-232 of the Code of Virginia.

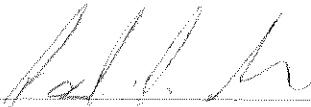
\* \* \* \* \*

This is to certify that the foregoing is a true and accurate copy of the chapter passed by the Marine Resources Commission, pursuant to authority vested in the Commission by §28.2-201 of the Code of Virginia, duly advertised according to statute, and recorded in the Commission's minute book, at meeting held in Hampton, Virginia on August 25, 2020.

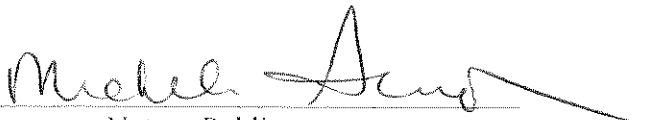
**COMMONWEALTH OF VIRGINIA  
MARINE RESOURCES COMMISSION**

"PERTAINING TO LANDING LICENSES"

CHAPTER 4VAC20-920-10 ET SEQ.

BY:   
For **Steven G. Bowman**  
Commissioner

Subscribed and sworn to before me this 31<sup>st</sup> day of August 2020.

  
Notary Public

