

**"PERTAINING TO PROHIBITING THE SALE OF BILLFISH"**

**REGULATION 4 VAC 20-350-10 ET. SEQ.**

**§ 4VAC20-350-10 Purpose.**

The purpose of this chapter is to provide for the conservation of the billfish resource off of the coast of Virginia by preventing the development of a commercial fishery through a prohibition of sale of billfish. The chapter supports the objectives of federal and interstate management measures for the Atlantic billfishes. The primary intent of these management measures is to optimize use of billfish by allowing harvest for recreational purposes only. Assessments that the billfish resource will not support added fishing pressure without causing stock declines.

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

Historical Notes

Derived from VR450-01-0046 §1; eff. November 5, 1987; amended, Virginia Register Volume 11, Issue 22, eff. July 1, 1995.

**§ 4VAC20-350-20 Definition.**

The following word and term, when used in this chapter, shall have the following meaning unless the context clearly indicates otherwise:

"Billfish" means any fish of the species *Istiophorus platypterus* (sailfish), *Tetrapturus albidus* (white marlin), *Makaira nigricans* (blue marlin), and *Tetrapturus pfluegeri* (longbill spearfish).

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

Historical Notes

Derived from VR450-01-0046 §2; eff. November 5, 1987; amended, Virginia Register Volume 11, Issue 22, eff. July 1, 1995.

**§ 4VAC20-350-30 Prohibition of sale.**

It shall be unlawful for any person to buy, sell, offer for sale, possess with intent to sell, barter, or exchange billfish.

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

Historical Notes

Derived from VR450-01-0046 §3; eff. November 5, 1987; amended, Virginia Register Volume 11, Issue 22, eff. July 1, 1995.

**"PERTAINING TO PROHIBITING THE SALE OF BILLFISH"**

**REGULATION 4 VAC 20-350-10 ET. SEQ.**

**§ 4VAC20-350-40 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 VR450-01-0046 §4; eff. November 5, 1987; amended, Virginia Register Volume 11, Issue 22, eff. July 1, 1995.

**"PERTAINING TO PROHIBITING THE SALE OF BILLFISH"****REGULATION 450-01-0046****PREAMBLE**

This regulation prohibits the sale of billfish in Virginia.

This regulation is promulgated pursuant to authority contained in §28.2-201 of the Code of Virginia. This regulation amends and re-adopts previous Regulation 450-01-0046, which was adopted November 5, 1987 and effective November 5, 1987. The effective date of this regulation is July 1, 1995.

**§1. PURPOSE:**

The purpose of this regulation is to provide for the conservation of the billfish resource off the coast of Virginia by preventing the development of a commercial fishery through a prohibition of sale of billfish. The regulation supports the objectives of federal and interstate management measures for the Atlantic billfishes. The primary intent of these management measures is to optimize use of billfish by allowing harvest for recreational purposes only. Assessments indicate that the billfish resource will not support added fishing pressure without causing stock declines.

**§2. DEFINITIONS:**

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise.

"Billfish" means any fish of the species *Istiophorus platypterus* (sailfish), *Tetrapturus albidus* (white marlin), *Makaira nigricans* (blue marlin), *Tetrapturus pfluegeri* (longbill spearfish).

**§3. PROHIBITION OF SALE:**

It shall be unlawful for any person to buy, sell, offer for sale, possess with intent to sell, barter, or exchange billfish.

"PERTAINING TO PROHIBITING THE SALE OF BILLFISH"

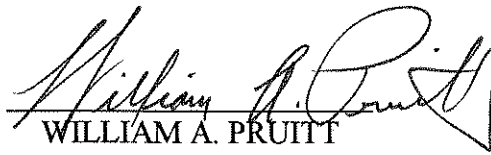
REGULATION 450-01-0046

§4. 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 the regulation passed by the Marine Resources Commission, pursuant to authority vested in the Commission by §28.2-201 of the Code of Virginia as amended, duly advertised according to statute, and recorded in the Commission's minute book, at its meeting held in Newport News, Virginia, on June 27, 1995.

COMMONWEALTH OF VIRGINIA  
MARINE RESOURCES COMMISSION

BY:   
WILLIAM A. PRUITT  
COMMISSIONER

Subscribed and sworn to before me this 27<sup>th</sup> day of June, 1995.

My Commission Expires 12/31/96.

  
NOTARY PUBLIC