

§6433. Escape vents

1. Vent required. It is unlawful to fish for or to take lobsters unless the lobster trap is equipped with unobstructed vents or gaps in the parlor section as follows:

A. A rectangular or oblong escape vent not less than 1 3/4 inches (44.5 mm.) by 5.75 inches (146 mm.) located next to the bottom edge or on the top if the escape vent is placed over the head of an end parlor section; [PL 1999, c. 142, §1 (AMD).]

B. Two circular escape vents not less than 2 1/4 inches (57.2 mm.) in diameter located next to the bottom edge or on the top if the escape vents are placed over the head of an end parlor section; [PL 1999, c. 274, §1 (AMD).]

C. A gap caused by raising, modifying or separating horizontal laths to comply with paragraph A or B; [PL 1979, c. 353, §1 (RPR).]

D. A gap caused by separating or modifying vertical laths to comply with paragraph A; [PL 1979, c. 353, §1 (RPR).]

E. A gap caused by separating both ends of 2 laths 1 3/4 inches (44.5 mm.) on the top of the parlor section next to the middle bow or supporting frame and over the parlor head; or [PL 1989, c. 217 (AMD).]

F. In a wire or plastic trap, by a gap created by cutting vents in the side or end to comply with paragraph A or B. [PL 1999, c. 142, §1 (AMD).]

[PL 1999, c. 142, §1 (AMD); PL 1999, c. 274, §1 (AMD).]

1-A. Adjustment. Notwithstanding subsection 1, the commissioner shall specify by rule the dimensions of vents in lobster traps, which must be appropriate for the minimum legal lobster size in effect pursuant to section 6431. The commissioner may adopt rules to set different dimensions of vents in lobster traps when necessary to comply with changes to the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for American Lobster. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The commissioner shall notify the joint standing committee of the Legislature having jurisdiction over marine resources matters when initiating rulemaking pursuant to this subsection.

[PL 2021, c. 512, §3 (AMD).]

2. Action prohibited. It shall be unlawful to set, raise, haul or transfer any lobster trap unless the trap is equipped with an escape vent as required in this section or has been exempted under subsection 3.

[PL 1977, c. 661, §5 (NEW).]

3. Exemption. The commissioner may exempt specific trap designs from the escape vent requirements of this section if it is proved to the commissioner's satisfaction that the specific trap design will only take crabs and is incapable of taking lobsters.

[RR 2021, c. 2, Pt. B, §54 (COR).]

4. Termination.

[PL 1979, c. 353, §2 (RP).]

SECTION HISTORY

PL 1977, c. 661, §5 (NEW). PL 1977, c. 713, §§4-A,4-B (AMD). PL 1979, c. 353, §§1,2 (AMD). PL 1985, c. 677, §§4,6,7 (AMD). PL 1987, c. 101 (AMD). PL 1989, c. 217 (AMD). PL 1999, c. 142, §1 (AMD). PL 1999, c. 274, §1 (AMD). PL 2021, c. 512, §3 (AMD). RR 2021, c. 2, Pt. B, §54 (COR).

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