

LICENSE (from page 48)

(c) "Fishing recreationally" means all forms of angling, as well as all forms of spearfishing, the purpose of which is to harvest, or attempt to harvest, finfish for non-commercial purposes.

(d) "Marine waters of Rhode Island" means all tidal and territorial waters of the state out to three (3) nautical miles from the coastline.

(e) "Permanently disabled" means an individual who is one hundred percent (100%) permanently disabled, as established by an authorized state or federal agency.

(f) "Resident" means an individual who has had his or her actual place of residence and has lived in the state of Rhode Island for a continuous period of not less than six (6) months.

(g) "Spearfishing" means to fish recreationally using a spear or a powerhead.

20-2.2-4. License required. – (a) It shall be unlawful for any person to fish recreationally in the marine waters of Rhode Island without:

(1) a recreational fishing license issued in accordance with the provisions of this chapter;

(2) a recreational fishing license or registration issued by any other exempted state; or

(3) a federal saltwater angler registration issued by the National Marine Fisheries Service.

(b) An individual will be considered to be fishing recreationally **if they are engaged in the process of angling or spearfishing, or if they possess equipment used for angling or spearfishing and are also in possession of finfish.**

20-2.2-5. Exemptions. — A license shall not be required for anyone who is:

(a) **under the age of sixteen (16);**

(b) **permanently disabled;**

(c) **on leave from active military duty;**

(d) a **passenger on a party or charter boat** holding a current and valid license issued by the department in accordance with § 20-2-27.1;

(e) fishing recreationally during a designated free-fishing day, which may be established by the director and occur on no more than one day per year; or

(f) fishing commercially in accordance with a current and valid commercial fishing license

20-2.2-6. Fees – Terms and conditions – Information required.–

(a) (1) **Resident - seven dollars (\$7.00);**

(2) No fee shall be charged for residents who are over the age of sixty-five (65) or in active military service;

(2) **Nonresident – ten dollars (\$10.00);**

(3) Licenses issued pursuant to this subsection shall **expire on December 31st of each year.**

(b) (1) Resident or non-resident **seven (7) day – five dollars (\$5.00);**

(2) This license shall entitle the holder to fish recreationally for seven (7) consecutive days, including the day of issuance.

(c) All license applicants shall be required to provide their name, address, phone number, and date of birth.

(d) Any lost or destroyed license shall be replaceable, during the calendar year in which it was issued, at no cost to the license holder.

(e) The director is authorized to determine a portion of the license fee, not to exceed any of the amounts set forth above in this section, that may be retained by the state-approved vendor and authorized licensing agents, as set forth below in § 20-2.2-7, as commission for services rendered.

20-2.2-7. License issuance. – The Director is authorized and directed to engage the contractual services of a state-approved vendor to develop and implement a web-based system that will serve as the sole means for obtaining licenses pursuant to this chapter. The vendor's responsibilities shall include, but not be limited to:

(a) development of the web-based application;

(b) set up and servicing of authorized licensing agents who will be able to vend licenses at their establishments;

(c) collection and transmittal of license fee revenues;

(d) storage and transmittal of license holder database.

20-2.2-8. Violations. – (a) Any person who violates any provision of this chapter shall be guilty of a civil violation and subject to a fine of one hundred dollars (\$100) for each offense.

(b) Jurisdiction over violations of this chapter shall be with the traffic tribunal.

20-2.2-9. Deposit of fees. — Appropriation and use of license fee revenue. – All moneys generated from license fees issued under this chapter, other than any commissions retained by the licensing vendor and licensing agents per subsection 20-2.2-6(e), shall be deposited with the general treasurer and appropriated to the department of environmental management. The state controller is authorized and directed to draw orders upon the general treasurer for payment of any sum or sums as may be necessary from time to time upon receipt by him or her of duly authenticated vouchers presented by the director of environmental management. In accordance with § 20-9-3 and in keeping with § 20-3.2-7(3), the **monies from license fees received under this section are to be used only for the following specific purposes:**

(a) **administering and enforcing the recreational saltwater fishing license program established by this chapter;**

(b) **managing Rhode Island's marine recreational fisheries, with particular reference to improving state-based recreational fishing assessments and stock assessments; and**

(c) **enhancing recreational fishing opportunities in the state.**

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