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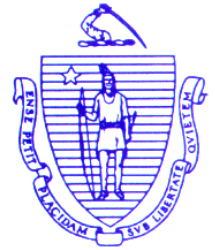
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Marine Fisheries Advisory

Increased Marine Fishery Fines and Penalties Take Effect

Effective November 7, 2018, new non-criminal, criminal and civil fines penalties for violating marine fishery laws and regulations are now in effect. The new modernized penalty schedule was enacted in 2018 as part of *An Act Promoting Climate Change Adaptation, Environmental and Natural Resource Protection and Investment in Recreational Assets and Opportunity*, and represents a necessary step to improve fisheries management and conservation.

The fine schedule for non-criminal tickets has been doubled. Previously, the fines were scaled at \$50, \$100 and \$200 depending on the violation; these fines are now \$100, \$200 and \$400. Enforcement officers also may now issue an additional \$10 fine on top of the base fine per non-compliant fish. The additional \$10 fine applies to all regulated marine fish species except for bi-valve shellfish.

The previously outdated and complicated criminal penalty schedule has been greatly simplified. Now, nearly all criminal violations will result in a \$400 to \$10,000 fine and up to 2.5 years in jail. However, longstanding criminal fines specific to lobsters, eels and shellfish remain on the books.

Lastly, the law establishes the authority for the Commonwealth to assess a civil penalty of up to \$10,000. This new enforcement tool will be reserved for the most egregious marine fishery violations that the Attorney General may decide does not warrant criminal prosecution but does require a more substantial economic penalty than that provided by a non-criminal citation. Such cases would be prosecuted by the Attorney General's office on behalf of the Division of Marine Fisheries (DMF) or the Environmental Police.

This new penalty schedule, coupled with DMF's increased efforts to sanction the commercial and recreational fishing permits for fisheries violations, will help curb the poaching of marine fish species in Massachusetts.

Please visit our website:

www.mass.gov/marinefisheries