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## Energy and Environmental Affairs

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### Lobster Gear Marking Bill

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With the commercial and recreational lobster season well underway, the Division of Marine Fisheries would like to remind lobster trap fishermen fishing in state waters that they are no longer required to brand their cars, traps and buoys with their permit numbers. In December 2011, an Act Relative to Lobster Buoys was signed into law, amending Massachusetts General Law c. 130 s. 38. The new law, which became effective March 7, 2012, requires lobster permit holders only mark, rather than brand, their lobster buoys, cars and traps with the applicable permit number.



Gear marking regulations at 322 CMR 3.07(1) still apply to both recreational and commercial fishermen. All lobster buoys, cars and traps must be permanently marked with the permit number assigned by the Director. Numbers on the buoys must be at least 1/2" in height by 1/8" in width. For recreational lobstermen, buoys markings must begin with the letter "N" followed by the four digit permit number a dash and a number 0 – 9 indicating the pot number in the series of ten recreational pots. For both recreational and commercial lobstermen traps must bear permit numbers by either affixing a marked wooden lathe or a synthetic plate to the trap; for commercial lobstermen trap tags are sufficient.

The original language was written and codified at a time when traps and buoys were wooden and branding was a simple means to identify the lobster gear. In recent years, wire traps and PVC buoys have become commonplace and branding has subsequently become an inadequate and burdensome means of marking gear. Recognizing that, the Massachusetts Legislature and the Governor, amended the law allowing lobster trap fishermen to choose their own method for marking their gear. The Act was sponsored by Representative Jim Cantwell (D-Marshfield) and Representative William Straus (D-Mattapoisett) and was written in response to above mentioned concerns.

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