

This is not an official copy of the laws or regulations in effect and should not be utilized or relied upon as such. It is the fisherman's responsibility to know the laws and regulations in effect at any given time.

**“Before any person, firm, or corporation engages in the taking, catching, transporting, or selling of live saltwater bait and the transporting of dead saltwater bait for commercial purposes, he or she shall have in his or her possession a live saltwater bait dealers license.”**

## **I. DEFINITIONS:**

**Live saltwater bait** is defined as any aquatic animal which is used or may be used as bait for any fishery within the jurisdiction of the Marine Resources Division as defined by Rule 220-2-.42. (Includes, but is not limited to fish, shrimp, and crabs).

**Place of business** is defined as:

a permanently erected building on land from which fishing bait and fishing supplies and tackle are sold to the public; or

a vessel that sells live or dead saltwater bait (**excluding shrimp**) to the public. Such vessel shall meet the requirements for a boat facility, shall provide a physical address where vessel will be docked or stored, shall not possess or attempt to possess or attempt to use a trawl, and shall make vessel immediately available for inspection. Such vessel shall have the words **“LIVE BAIT - NO SHRIMP”** in letters at least six (6) inches high on both sides of the vessel; or

a vessel that sells live or dead saltwater bait (**including shrimp**) from a designated location to the public. Marine Resources Division shall be notified of the GPS location of the designated location where live or dead saltwater bait will be sold. Marine Resources Division shall be notified ten (10) working days prior to utilizing or moving such location, shall designate only one location, shall only sell live or dead saltwater bait from the designated location shall meet all requirements for a shore facility and a boat facility, shall provide a physical address where vessel will be docked or stored, shall not possess or attempt to possess or attempt to use a trawl, shall make vessel immediately available for inspection. Such vessel shall have the words **“LIVE BAIT - FOR SALE”** in at least six (6) inch letters on both sides of the vessel.

Notwithstanding the provisions of immediately above, no vessel shall constitute a “place of business” hereunder if it is in violation of Rule 220-4-.08 of the Alabama Administrative Code.

**Live bait catcher boat** is defined as the boat(s) the licensee designates on his or her license to be used to catch live saltwater bait for his or her place of business.(Must have Alabama registration number.)

**Transport truck** is defined as the truck(s) the licensee designates on his or her license to be used to transport live or dead saltwater bait from the live bait catcher boat to the place of business, from the licensee's place of business to another live saltwater bait licensee's place of business, or to transport dead saltwater bait to outlets selling dead saltwater bait. (Must have Alabama license tag.)

**\* Live or dead saltwater bait cannot be sold directly to the customer from the live bait catcher boat or transport truck.**

**Exclusive bait area** is defined as a special area open each day from 4:00 a.m. until 10:00 p.m. to licensed recreational shrimp boats and licensed live saltwater bait dealers' live bait catcher boats (see attached map).

**Standard shrimp basket** is defined as a container measuring 17 inches in diameter at the top, 13.5 inches in diameter at the bottom, and 14 inches in height.

## **II. LICENSES:**

**Sell live saltwater bait (and properly packaged dead bait) from a place of business and operate one live bait catcher boat and one transport truck - \$51.00.**

**Sell live saltwater bait ( and properly packaged dead bait) from a place of business and operate two live bait catcher boats and two transport trucks - \$101.00 (limit two boats and two trucks per dealer).**

The original license must be maintained at the place of business and must be immediately available for inspection upon request by a conservation enforcement officer.

A copy of the license must be in the possession of the operator(s) of the live bait catcher boat(s) and the transport truck(s) and must be immediately available for inspection upon request by a conservation enforcement officer.

Dealer facilities and equipment must be inspected by a Marine Resources Division enforcement officer prior to obtaining a license. Inspections must be scheduled at least 48 hours in advance by contacting the Marine Resources Division office at Dauphin Island (334-861-2882) or Gulf Shores (334-968-7576).

**Live Saltwater Bait Dealer licenses expire on September 30th of each year and may be renewed or purchased from October 1 through December 31 at the Marine Resources Division's Dauphin Island office.**

From January 1 to September 30, inclusive, of each year, a newly established business may purchase a live saltwater bait dealers license which entitles the licensee to sell live and dead saltwater bait from a place of business, but the licensee cannot operate a catcher boat or transport truck until the license is renewed the following license year (October 1 through December 31). Live saltwater bait sold under this license must be purchased only from other live saltwater bait dealers.

## **III. PLACE OF BUSINESS (SHORE FACILITY) REQUIREMENTS:**

(a) A covered concrete, wooden, or fabricated tank(s) with a minimum capacity of 480 gallons.

(b) Tank must be aerated by one of the following:

1. Circulating water sprayed upon the surface which may be pumped from the bay, bayou, etc. or recirculated from the shrimp tank.
2. Any commercial fish aerator.

(c) Live and dead shrimp can be sold **for bait only**.

(d) Dead shrimp must be packaged with heads attached and sold in lots of no more than one

pound.

IV. **LIVE BAIT CATCHER BOAT(S) REQUIREMENTS:**

- (a) Alabama boat registration number (entered on license at purchase).
- (b) Tank with a spray system operated by a pump or commercial fish aerator; or live well with forced water exchange.
- (c) Live bait catcher boat(s) shall display the words "LIVE BAIT" in letters no smaller than 6 inches high on each side of the boat.
- (d) One trawl per boat (trawl shall not exceed 16 feet as measured across the main top line when any area, other than permanently closed areas, is closed to commercial shrimping and in exclusive bait areas). No restrictions on mesh size.
- (e) Towing time (drags) shall not exceed 20 consecutive minutes before retrieving trawl and placing bait shrimp and other saltwater species of bait into the live tank.
- (f) licensed under vessel place of business (**excluding shrimp**) the catcher boats may not possess or take live or dead shrimp, or attempt to use a trawl to take bait. These catcher boats shall have in six (6) inch letters the words **"LIVE BAIT - NO SHRIMP"** on both sides of the vessel.

**Another live bait catcher boat may not be substituted for the original designated live bait catcher boat unless the substitute boat is inspected and approved by the Marine Resources Division.**

**A boat designated as a live bait catcher boat cannot thereafter be licensed as a commercial shrimp boat in the same license year.**

V. **TRANSPORT TRUCK(S) REQUIREMENTS:**

- (a) Alabama license tag (entered on license at purchase).
- (b) Wooden or fabricated tank with recirculating water or commercial fish aerator.
- (c) Transport truck(s) shall display the words "LIVE BAIT" in letters at least 6 inches high on each side of the truck.
- (d) Transport Trucks licensed under vessel place of business (**excluding shrimp**) shall not possess or transport live or dead shrimp. These Transport Trucks shall have in six (6) inch letters the words **"LIVE BAIT - NO SHRIMP"** on both sides.

**Another transport truck may not be substituted for the original designated transport truck unless the substitute truck has been inspected and approved by the Marine Resources Division.**

**VI. QUANTITY OF SHRIMP ALLOWED:**

- (a) On boat - one (1) standard shrimp basket of live or dead shrimp.**
- (b) On truck - one (1) standard shrimp basket of live or dead shrimp.**
- (c) In place of business - no more than three (3) standard shrimp baskets of live or dead shrimp.**

**VII. SEASON:**

Live saltwater bait catcher boats may, **except as otherwise provided by law or regulation**, catch bait shrimp of any size and other saltwater species of bait in waters open to commercial shrimping under the jurisdiction of the Marine Resources Division as defined by Rule 220-2-.42.

Prohibited in areas permanently closed to shrimping.

Licensed live bait dealers are reminded that the taking of live bait is prohibited north of a line beginning at the northern shore of East Fowl River running along the northern edge of the Fowl River Channel to Marker #2 in the Fowl River Channel then southeasterly to Middle Bay Light and then northeasterly to Great Point Clear if closed to commercial shrimping.

**VIII. EXCLUSIVE BAIT AREAS (see attached map/other areas may be established by regulation):**

**(a) Baldwin County:**

1. Wolf Bay - that area encompassing the water within the boundary from the south shore of Wolf Bay northward to Beacon #86 on the north side of the Gulf Intracoastal Waterway then westward along the north side of the Gulf Intracoastal Waterway to Beacon #94 then south across the Gulf Intracoastal Waterway to the south shore of Wolf Bay.
2. Oyster Bay - that area encompassing the waters of Oyster Bay except those waters north of the Gulf Intracoastal Waterway.
3. Blakely River - that area encompassing those waters in the mouth of the Blakely River between the I-10 bridge and the Highway 90 (old causeway) bridge.
4. Terry Cove.
5. Point Clear (January 1 through June 30 of each year) - beginning at a point on land due east of Point Clear Channel Marker #10, then west to Point Clear

Channel Marker #10, then westwardly along the southern edge of the Point Clear Channel to Point Clear Channel Marker #2, then southwestwardly to Point Clear Light #4, then running southeastwardly to the northernmost piling placed by the Marine Resources Division marking Zundel's Landing artificial reef then running eastwardly along the northern remnants of Zundel's Wharf to the shore.

(b) **Mobile County:**

1. Arlington Channel.
2. East Fowl River Channel from Beacon 5 and 6 to the mouth of the river.
3. Bayou La Batre Channel from Bayou La Batre Channel B.C. Beacon to the mouth of Bayou La Batre.
4. Dauphin Island Bay, Buchanan Bay, Confederate Pass, British Bay, Columbia Bay, Colon Bay (Colony Cove), Spanish Bay, Barcelona Bay.

**IX. RECORD KEEPING REQUIREMENTS:**

When a live saltwater bait dealer purchases dead shrimp from a seafood dealer, detailed records of the transaction shall be maintained at the seafood dealer's place of business and the live saltwater bait dealer's place of business. The records shall include the name and address of the seller, the date and time of purchase, the amount of purchase (by poundage of purchase), price paid per pound, and shrimp size. Transactions on sales of purchased shrimp shall be totaled daily by the live saltwater bait dealer. These records shall be immediately available for inspection by a conservation enforcement officer or other authorized agent of the Department of Conservation and Natural Resources. Such records shall be maintained for a minimum of 30 days.

**Fraudulent Record Keeping** is a Class A misdemeanor (up to \$2,000.00 fine and/or one year in jail).

**X. PENALTY:**

Violators of any of the provisions of ( 9-12-54.1 through ( 9-12-54.6, or any regulation promulgated pursuant to these sections, shall, upon conviction, be fined not less than \$250.00 nor more than \$500.00 for the first offense. For a subsequent offense occurring within 36 months of the first offense, the violator shall, upon conviction, be fined not less than \$500.00 nor more than \$1,000.00 and the live bait dealer's license shall be suspended by the Department of Conservation and Natural Resources for six months.