

returns to port. A fisher may not land more than a possession limit or trip limit in any one calendar day;

- (4) contrary to the provisions of any special regulations for such species;
- (5) contrary to any directive issued by the department pursuant to the provisions of this section;
- (6) except in accordance with this Part. Nothing in this Part shall be construed as authorizing any person to possess fish described in this Part except as permitted by these regulations;
- (7) any person who lands summer flounder, scup, black sea bass or striped bass for commercial purposes at anytime during the year, must complete a Fishing Vessel Trip Report for each commercial fishing trip, on forms prescribed by the department and submit such reports to the National Marine Fisheries Service, One Blackburn Drive, Gloucester, MA 01930-2298 within 15 days after the end of each month. Any person who is the holder of a Federal fishing permit and who currently files Fishing Vessel Trip Reports is exempt from this requirement. A Fishing Vessel Trip Report must be completed and filed at the end of each month, even if no fishing trips were made during that month; or
- (8) conviction for or civil settlement of a violation of any provision of this Part may result in permit revocation or disqualification from receiving future permits issued pursuant to this Part as prescribed in Part 175 of this Title.

(b) The transfer to any other vessel at sea of any species for which there is a possession or trip limit is prohibited.

(c) It is unlawful to take or possess scup, black sea bass, striped bass, summer flounder, tautog, weakfish, or winter flounder for commercial purposes on any charter vessel, or party boat or any other vessel while carrying passengers for hire. No person fishing on any charter vessel or party boat or any vessel, while such vessel or boat is carrying passengers for hire, including persons who hold a license pursuant to section 13-0335 of the Environmental Conservation Law, may take or possess more than the recreational possession limit for scup, black sea bass, striped bass, summer flounder, tautog, weakfish, or winter flounder nor take or possess any species of fish during any recreational closed season or in excess of any recreational possession limit or smaller than any recreational size limit (see Table A—Recreational Fishing).

(d) It is unlawful for the holder of a commercial foodfish license while exercising the privilege of such license to take or have in their possession or on board the same vessel any food fish in addition to what is allowed by any regulations affecting the commercial fishery.

(e) The holder of a commercial license issued pursuant to Environmental Conservation Law, section 13-0335 must carry on his or her person or must have posted on his or her vessel such license at all times when fishing for food fish. The holder of any permit issued pursuant to this section must carry on his or her person or post on his or her vessel such permit at all times when fishing under the authority of such permit.

(f) *Table A—Recreational fishing.*

<i>Species</i>	<i>Open season</i>	<i>Minimum length</i>	<i>Possession limit</i>
Striped bass (except the Hudson River north of the George Washington Bridge)	May 8 - Dec. 15	28" TL (total length)*	1
Red drum	All year	14" TL	2 per day greater than 32" TL
Tautog	All year	14" TL	1—June 1 to Oct. 6 10—Oct. 7 to May 31
American eel	All year	6" TL	no limit
Pollock	All year	19" TL	no limit
Summer flounder (fluke)	All year	15" TL	8

<i>Species</i>	<i>Open season</i>	<i>Minimum length</i>	<i>Possession limit</i>
Yellowtail flounder	All year	13" TL	no limit
Atlantic sturgeon	No possession allowed		
Spanish mackerel	All year	14" TL	10
King mackerel	All year	23" TL	3
Cobia	All year	37" TL	2
Monkfish (goosefish)	All year	17" TL	
		11" tail length#	no limit
Weakfish	All year	16" TL	6
		10" fillet length+	
		12" dressed length**	
Bluefish	All year	No minimum size limit	10
Winter flounder	Third Saturday in March to June 30 and Sept. 15 to Nov. 30	11" TL	15
Black sea bass	Aug. 30 to Aug. 14	10"	no limit
American shad	All year	No minimum size limit	6

* Total length is longest straight line measurement from the tip of the snout, with the mouth closed, to the longest lobe of the caudal fin (tail), with the lobes squeezed together, laid flat on the measuring device.

#The tail length is the longest straight line measurement from the tip of the caudal fin (tail) to the fourth cephalic dorsal spine (all dorsal spines must be intact), laid flat on the measuring device.

+ The fillet length is the longest straight line measurement from end to end of any fleshy side portion of the fish cut lengthwise away from the backbone, which must have the skin intact, laid flat on the measuring device.

** Dressed length is the longest straight line measurement from the most anterior portion of the fish, with the head removed, to the longest lobe of the caudal fin (tail), with the caudal fin intact and with the lobes squeezed together, laid flat on the measuring device.

(g) *Striped bass recreational fishing—special regulations.* (1) Except as provided in subparagraph (4)(v) of this subdivision, it is unlawful for any person to possess striped bass from which the head or tail has been removed or that have been otherwise cleaned, cut, filleted or skinned so that the total length or identity cannot be determined; except that it is unlawful if such fish is being prepared for immediate consumption or storage at a domicile or place of residence.

(2) No person shall take striped bass for recreational purposes other than by angling and spearing.

(3) During the closed recreational season for striped bass, catch and release fishing by angling only is permitted. *Catch and release fishing* is defined as a fishery where the fish are returned to the water. During the closed season all striped bass taken shall be returned to the water immediately without unnecessary injury.

(4) Striped bass party/charter boat permit. (i) Notwithstanding the possession limit for striped bass contained in Table A of subdivision (f) of this section, a party boat or charter boat owner or operator may apply to the department for a permit to cover a vessel named in the permit, to allow their customers to harvest and possess two striped bass of legal size and to fillet striped bass taken on the permitted vessel for their customers under the following conditions.

(ii) For the purposes of this section, *party boats* and *charter boats* are vessels that are available for daily hire for the purpose of recreational fishing and for which the owner or operator is licensed to carry passengers by the United States Coast Guard.

(iii) The striped bass party/charter boat permit will be issued to an eligible individual owner or operator and will be endorsed for use on a specific vessel, on which it will cover