

**Purpose:** To define an abandoned and a detrimental unmarked trap and provide for their removal and disposal by the Department and its employed agent

**Action:** Add Section 50-5-557 (proposed).

(A) The department may employ agents to remove abandoned and detrimental traps in the saltwaters or on the bottoms of this State as defined in this section.

(B) For the purpose of this section an abandoned trap is a trap:

- (1) not attached to a buoy, vessel, or fixed structure, or
- (2) completely dry at any stage of the tide.

(C) For the purposes of this section a detrimental trap is a trap having:

- (1) an unmarked buoy,
- (2) a buoy made of plastic, metal, or glass,
- (3) a buoy not of a color as required by law, or
- (4) a floating line.

(D) A trap removed under authority of this section is contraband and must be:

- (1) transferred by the department to its agent as compensation for removal of the trap for use in shellfish cultivation as provided in Section 50-5-940(B) and (C),
- (2) utilized by the department, or
- (3) destroyed or disposed of by the department.