

CHAPTER 159

AN ACT concerning penalties applicable under the State's saltwater fishing registry program, and amending P.L.2011, c.23.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.2011, c.23 (C.23:2B-22) is amended to read as follows:

C.23:2B-22 Registry program for saltwater recreational anglers; violations, penalties.

1. a. The commissioner, in consultation with the Marine Fisheries Council, shall establish and implement a registry program for saltwater recreational anglers, which program shall provide for:

(1) the registration, including the name, date of birth, address, telephone number, and other identification and contact information determined to be necessary by the department pursuant to federal requirements, of individuals who engage in recreational fishing:

- (a) in the Exclusive Economic Zone;
- (b) for anadromous species;
- (c) for Continental Shelf fishery resources beyond the Exclusive Economic Zone; or
- (d) in the tidal waters of the State; and

(2) the registration, including the ownership, operator, and identification of the vessel, or vessels used in such fishing.

b. (1) The registry program established pursuant to this section shall be fully consistent with the registry program to be established pursuant to section 201 of Title II of the "Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006," Pub.L.109-479 (16 U.S.C. s.1881).

(2) Upon establishment of the registry program pursuant to this section, the commissioner shall apply to the Secretary of the United States Department of Commerce to obtain State exemption from federal registry program requirements.

c. The department shall not charge a fee for the registration required pursuant to this section.

d. A person who is under 16 years of age or a customer fishing from a state-licensed or federally permitted for-hire vessel shall not be required to register pursuant to this section.

e. Any person who is required to register pursuant to paragraph (1) of subsection a. of this section, and who fails to register in accordance with established registry program requirements, shall be subject to a fine of \$25 for the first offense and \$50 for any subsequent offense. An owner or operator of a state-licensed or federally permitted for-hire vessel who is required to register pursuant to paragraph (2) of subsection a. of this section and who fails to register in accordance with the established registry program requirements shall be subject to a fine of \$100 for the first offense and \$200 for any subsequent offense. Any penalty imposed pursuant to this subsection shall be collected in the manner specified in paragraph (2) of subsection a. of section 73 of P.L.1979, c.199 (C.23:2B-14). However, no other provisions of section 73 of P.L.1979, c.199 (C.23:2B-14) shall be applicable in the event that a person fails to comply with the requirements established under this section.

f. In order to facilitate and promote increased awareness of, or compliance with, registry program requirements, the department shall: (1) post information about the registry program and its requirements in a conspicuous place on the department's Internet website; and (2) develop and disseminate informational materials, including, but not limited to, pamphlets and posters, which identify the program's requirements, any relevant compliance deadlines, the

available methods for attaining compliance, the penalties for non-compliance, and any other relevant program details.

In disseminating the materials developed pursuant to this subsection, the department shall provide informational pamphlets or other appropriate materials to the State's conservation officers, for distribution to individuals engaged in recreational fishing activities; and it shall provide informational posters, signs, pamphlets, and other appropriate materials to the State's bait and tackle shops, for display therein, and for distribution to bait and tackle consumers.

g. Any non-resident of New Jersey who is engaged in recreational fishing activities in this State shall be exempt from compliance with the State's registry program requirements if the person is registered under another state's registry program and the state in which the person is registered provides reciprocal exemption from its own registration requirements for persons who are registered under this State's registry program.

2. This act shall take effect immediately.

Approved January 5, 2012.