

THIS IS A COURTESY COPY OF THIS RULE. ALL OF THE DEPARTMENT'S RULES ARE COMPILED IN TITLE 7 OF THE NEW JERSEY ADMINISTRATIVE CODE.

## **SUBCHAPTER 8. Clam Licenses**

### **7:25-8.1 Scope and authority**

This subchapter constitutes the rules governing the issuance and use of recreational resident and non-resident, juvenile and commercial clam licenses pursuant to the authority of N.J.S.A. 13:1D-9, 50:1-5, P.L. 1988 c.35, and N.J.S.A. 50:2-1 et seq.

### **7:25-8.2 Purpose**

The purpose of this subchapter is to establish the fees for recreational resident and non-resident, juvenile and commercial clam licenses, to provide necessary restrictions on the use of these licenses, and to establish the Shellfisheries Enforcement Fund, into which these fees shall be deposited.

### **7:25-8.3 Construction**

This subchapter shall be liberally construed to permit the Department to effectuate the purposes of N.J.S.A. 13:1D-9, 50:1-5, P.L. 1988 c.35, and N.J.S.A. 50:2-1 et seq.

### **7:25-8.4 Applicability**

This subchapter applies to the harvest of clams from any of the natural clam grounds in the waters of the State.

### **7:25-8.5 Licenses**

**(a)** Any person engaged in the harvest of clams from any of the natural clam grounds in the waters of the State shall first obtain the appropriate license, as set forth in (b)1 to 3 below, issued by the Division, Bureau of Shellfisheries, or its designated agents. Licenses to harvest clams shall only be available to natural persons and only licensees may harvest clams from the natural clam grounds of the State.

**(b)** The following licenses are available for the harvest of clams:

- 1.** Any person harvesting clams not in excess of 150 clams per day shall first obtain either a resident recreational clam license or a nonresident recreational clam license;
- 2.** Any person under 14 years of age harvesting clams not in excess of 150 clams per day shall obtain a juvenile recreational clam license; and
- 3.** Any person of any age harvesting more than 150 clams per day shall first obtain a commercial clam license.

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**(c)** Whenever a person in possession of a commercial clam license in any vessel or vehicle is engaged in any clamming activity, all other persons on or in that vessel or vehicle harvesting clams shall also possess a commercial clam license.

**(d)** Clams harvested by a person in possession of a recreational clam license shall not be commingled with clams harvested by a person in possession of a commercial clam license.

#### 7:25-8.6 License fees

**(a)** The license fees for the license described in N.J.A.C. 7:25-8.5 shall be as follows:

- |    |                                                                         |              |
|----|-------------------------------------------------------------------------|--------------|
| 1. | Resident recreational clam license,<br>persons under 62 years of age:   | \$ 10.00;    |
| 2. | Resident recreational clam license,<br>persons 62 or more years of age: | No Fee;      |
| 3. | Nonresident recreational clam license:                                  | \$ 20.00;    |
| 4. | Juvenile clam license:                                                  | \$ 2.00; and |
| 5. | Commercial clam license:                                                | \$ 50.00.    |

**(b)** All clam license fees collected pursuant to this subchapter shall be deposited into the Shellfisheries Law Enforcement Fund.