

The Department is directed to adopt regulations which will insure that:

(1) *No person who holds a valid license to operate a hydraulic clam dredge shall be issued another such license. No person whose license to operate a hydraulic clam dredge has been revoked shall be issued another such license within the same calendar year.*

(2) *No hydraulic clam dredge may be operated by a person who does not have a valid license to operate a hydraulic clam dredge in his possession and available for inspection by any officer of the Department.*

(3) *No person licensed to operate a hydraulic clam dredge shall operate one which is owned by another person licensed under the provisions of this section or on which a lien is held by another person licensed under the provisions of this section, unless the person owning, or holding a lien on, that hydraulic clam dredge was the owner of such hydraulic clam dredge on 1 July 1970, as evidenced by records of the Department; except that the Department may provide for waiver of this requirement when in its judgment an emergency exists by virtue of the temporary incapacitation of a person licensed to operate a hydraulic clam dredge which he owns. No person licensed to operate a hydraulic clam dredge shall operate one which is owned by any person who owns or holds a lien on more than one such dredge, unless that person owned such dredge on 1 July 1970 as evidenced by records of the Department. THE PROVISIONS OF THIS SUBSECTION SHALL NOT APPLY IN TALBOT COUNTY.*

~~(4) THE PROVISIONS OF SUBSECTION 713(B)(3) SHALL NOT APPLY IN TALBOT COUNTY.~~

PROHIBITED AREAS GENERALLY

(c) *It is unlawful to take or attempt to take soft shell clams with a hydraulic clam dredge or any other gear except hand-held tools such as shovels and hoes:*

(1) *Within 150 feet of a natural oyster bar OR AREA LEASED UNDER THE PROVISIONS OF SECTION 708 OF THIS ARTICLE AND MARKED AS REQUIRED BY THAT SECTION;*

(2) *Within 1,000 feet of any occupied duck blind where decoys are set out during the legal waterfowl hunting season;*

(3) *Within 50 feet of the mean high watermark of any shore line, or of any bulkhead, structure, wharf, pier, or piling erected in, over, or under the waters of this State under a permit granted by the State or Federal governments;*

(4) *Within 300 feet of any private bathing beach running not more than 300 feet along the shore which is marked as required by regulation of the Department, or within 1,000 feet of any public bathing beach, during the period May 1—September 30; provided that the owner, lessee, or tenant of a single property may claim such protection for no more than one private bathing beach contiguous to that property.;*

(5) *WITHIN 50 FEET OF THE MEAN HIGH WATERMARK OF ANY SHORELINE IN CALVERT, QUEEN ANNE'S, TALBOT, AND SOMERSET COUNTIES; OR WITHIN 300 FEET IN ANNE*