

[(k)] (M) "Hydraulic clam dredge" means any device used for dredging clams which consists of a manifold through which water is forced under pressure for the purpose of digging clams and working them into the mouth of the dredge where the clams then are brought up to boat level by means of an escalator. "Hydraulic clam dredge" includes the vessel on which the dredge is carried.

[(l)] (N) "Marketable oyster" means any oyster measuring 3 inches or more from hinge to mouth.

[(m)] (O) "Natural oyster bar" means any submerged oyster bar, reef, rock, or area represented as an oyster bar on the charts of the Oyster Survey of 1906 to 1912, and its amendments, or any area declared by any circuit court to be a natural oyster bar, or any area on which the Department plants oysters or shells. A natural oyster bar also means any bar beneath the waters of the State where the natural growth of oysters abounds to the extent that the public has resorted to the bar for a livelihood, whether continuously or at intervals, during any oyster season within five years prior to the filing of any application for a lease of the area in question, or within five years prior to the making of a resurvey under the provisions of Subtitle 11. The actual conditions of the area in question at any time within the five-year period shall be considered in determining whether or not the area is a natural oyster bar.

[(n)] (P) "Packer" means any person having a fixed place of business and buying, selling, packing, shucking, or preparing oysters for sale, trade, barter, or shipment to any dealer, merchant, or retailer.

[(o)] (Q) "Patent tongs" means any pincers, nippers, tongs, or similar device used to catch oysters and clams raised with rope, cable, or other hoisting gear.

[(p)] (R) "Shinnecock rake" means a hand tool used to catch hard-shell clams or oysters. It usually consists of a tooth bar with projecting long, outwardly, and upwardly curving teeth which are progressively smaller towards the ends, form a basket, and are set transversely at the end of a long, usually wooden handle.

[(q)] (S) "Soft-shell clams" means mollusks of the species *Mya arenaria* and of the species Genus *Tagelus*.

[(r)] (T) (1) "Tong" means any pincers, nippers, tongs, or similar device used in catching oysters and clams and consisting of 2 shafts or handles and a metal body composed of 2 opposable and complementary baskets that:

(i) Are opened, closed, and emptied entirely by hand; and

(ii) 1. Are lifted by hand; or

2. May use power to assist lifting the tongs with a single lifting cable or rope attached at only a single point on 1 shaft of the tongs.

(2) "Tong" includes:

(i) Shaft tongs; and

(ii) Hand tongs.