

## BY THE REGULATIONS SET FORTH ELSEWHERE IN THIS SUB-TITLE.

*Nothing in this section shall be construed to prevent or prohibit the Department of Research and Education and/or the Commission of Tidewater Fisheries from:*

*(a) establishing test areas CONDUCTING SCIENTIFIC INVESTIGATIONS OF ANY NATURE AT ANY TIME AND BY ANY MEANS in any of the waters of any County or the Chesapeake Bay, whether or not the same be in an otherwise prohibited area, for the purpose of conducting shellfish research therein;*

*(b) opening any area in the county waters of Talbot County or the waters of the Chesapeake Bay adjacent thereto elsewhere by this section prohibited, for the taking and catching of soft shell clams; provided that the taking and catching of soft shell clams in such opened area shall be under the direct supervision, direction, control and surveillance of the Commission of Tidewater Fisheries, as the Department of Research and Education and/or the Commission of Tidewater Fisheries may, from time to time, deem appropriate, proper and feasible.*

*714. Same—Penalties for Violation.*

*(a) Any person violating the provisions of Section 713 of this Article shall be deemed guilty of a misdemeanor and, unless otherwise specified, upon conviction thereof shall be fined not less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00).*

*(b) All violations of Section 713 involving the use of a clam dredge shall be tried by a Trial Magistrate in the County wherein the hydraulic or mechanical dredge or rig is licensed, but nothing contained in this sub-section shall deny to any defendant the right to waive the jurisdiction of such Court or the right of appeal to the Circuit Court of said County.*

*(c) Any licensed clam dealer, resident or nonresident, or any other person, who*

*(1) fails to pay the inspection tax in full*

*(2) transports or attempts to transport clams after suspension or revocation of any permit or license issued by the Maryland State Department of Health*

*(3) fails to comply with the rules and regulations of the Commission of Tidewater Fisheries, or to submit or exhibit to said Commission such reports and records as the Commission may from time to time require, or*

*(4) transport or attempts to transport clams without first obtaining such permits as the Commission of Tidewater Fisheries may require, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be fined not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) for each offense, or be imprisoned in the House of Correction for not less than three (3) months nor more than six (6) months for each offense, or be both fined and imprisoned at the discretion of the Court.*