

LIEN HOLDER IS TEMPORARILY INCAPACITATED AND CANNOT OPERATE A HYDRAULIC CLAM DREDGE. IN ANY EVENT, A HYDRAULIC CLAM DREDGE LICENSEE MAY NOT OPERATE A HYDRAULIC CLAM DREDGE OWNED BY A PERSON WHO OWNS OR HOLDS A LIEN ON MORE THAN ONE HYDRAULIC CLAM DREDGE. THE PROVISIONS OF THIS SUBSECTION DO NOT APPLY TO TALBOT COUNTY.

(E) DEALERS AND SHIPPERS OF SOFT-SHELL CLAMS. -

(1) THE DEPARTMENT SHALL ADOPT RULES AND REGULATIONS GOVERNING LICENSING OF PERSONS BUYING, SELLING, SHIPPING, TRANSPORTING, OR OTHERWISE DEALING IN SOFT-SHELL CLAMS, AND THE METHODS BY WHICH THEY MAY DO SO. HOWEVER, A LICENSEE MAY NOT BE REQUIRED TO SELL OR DISPOSE OF CLAMS IN ANY RETAIL MARKET, RESTAURANT, OR OTHER ESTABLISHMENT WHERE CLAMS ARE SOLD OR SERVED FOR IMMEDIATE USE OR CONSUMPTION, WHEN THE CLAMS ARE PURCHASED FROM A PERSON POSSESSING A DEALER'S OR SHIPPER'S LICENSE. THE FEE FOR THIS LICENSE MAY NOT EXCEED \$25 FOR A PERSON WHO HAS RESIDED IN THE STATE FOR ONE YEAR IMMEDIATELY PRECEDING HIS APPLICATION FOR A LICENSE, OR \$100 FOR A NON-RESIDENT.

(2) THE DEPARTMENT SHALL REQUIRE ANY PERSON LICENSED TO DREDGE FOR SOFT-SHELL CLAMS OR LICENSED PURSUANT TO THE PROVISIONS OF THIS SUBSECTION TO MAINTAIN AND SUBMIT RECORDS TO THE DEPARTMENT.

(C) REGULATIONS GENERALLY. - THE DEPARTMENT MAY PROMULGATE RULES AND REGULATIONS RELATING TO ANY ASPECT OF THE SOFT-SHELL CLAM FISHERY AND SHALL ADOPT RULES AND REGULATIONS GOVERNING:

(1) MEASUREMENT AND STRUCTURAL DETAILS OF A HYDRAULIC CLAM DREDGE,

(2) THE NUMBER OF HYDRAULIC CLAM DREDGES WHICH MAY BE CARRIED ON A VESSEL,

(3) THE USE OF MUFFLERS ON MOTORS OR ENGINES ON HYDRAULIC CLAM DREDGES OR ON BOARD BOATS CARRYING HYDRAULIC CLAM DREDGES,

(4) THE ESTABLISHMENT OF LIMITS ON THE NUMBER OF BUSHELS WHICH MAY BE CAUGHT BY A HYDRAULIC CLAM DREDGE, OR BY A BOAT CARRYING A HYDRAULIC CLAM DREDGE,

(5) THE MINIMUM SIZE OF SOFT-SHELL CLAMS,