

(2) IF THERE ARE NO PRIMARY CANDIDATE APPLICATIONS ON FILE THE DEPARTMENT SHALL ISSUE A LICENSE AUTHORIZING PARTICIPATION IN A PARTICULAR FISHING ACTIVITY TO THE FIRST PERSON ON THE SECONDARY CANDIDATE WAITING LIST FOR THAT FISHING ACTIVITY.

(1) (1) A LICENSE MAY BE TRANSFERRED ONLY UNDER THE PROVISIONS OF THIS SUBSECTION.

(2) A LICENSE MAY BE TRANSFERRED TO A PERSON WHO IS THE LICENSEE'S SPOUSE, DAUGHTER, SON, STEPCHILD, GRANDCHILD, PARENT, SISTER, BROTHER, GRANDPARENT, FATHER-IN-LAW, MOTHER-IN-LAW, SON-IN-LAW, OR DAUGHTER-IN-LAW, AND ONLY:

(1) IF THE PERSON IS CURRENTLY ON THE PRIMARY CANDIDATE WAITING LIST FOR THAT ACTIVITY AND THE LICENSEE MAKES APPLICATION TO THE DEPARTMENT REQUESTING TRANSFER; OR

(II) UPON DEATH OF THE LICENSEE, IF THE LICENSEE HAD INDICATED THAT PERSON'S NAME ON THE LICENSE APPLICATION ON FILE WITH THE DEPARTMENT.

~~(2)~~ (3) (1) ~~IF A LICENSEE IS UNABLE TO FISH~~ THE DEPARTMENT MAY APPROVE A TEMPORARY TRANSFER ~~OF THE LICENSE~~ FOR NOT LESS THAN 30 DAYS AND NOT MORE THAN 90 DAYS REGARDLESS OF WHETHER THE TRANSFEREE IS ON THE PRIMARY OR SECONDARY CANDIDATE WAITING LIST.

(II) A PERSON MAY NOT TRANSFER A LICENSE IN EXCHANGE FOR ANY TYPE OF REMUNERATION.

~~(2)~~ (4) (1) THE DEPARTMENT SHALL ESTABLISH BY REGULATION A PROCEDURE FOR A LICENSEE, EXCEPT A FISHING GUIDE LICENSEE OR A MASTER FISHING GUIDE LICENSEE, TO VOLUNTARILY REGISTER THE LICENSEE'S COMMERCIAL FISHING VESSEL NUMBER ON THE FACE OF THE LICENSE.

(II) IF A LICENSEE HAS VOLUNTARILY REGISTERED THE VESSEL NUMBER ON THE LICENSE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE LICENSEE MAY ALLOW ANOTHER PERSON TO USE THE VESSEL FOR THE COMMERCIAL ACTIVITIES AUTHORIZED ON THE LICENSE.

(III) IF A LICENSEE ALLOWS ANOTHER PERSON TO UTILIZE A VESSEL UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR PURPOSES OF THE LICENSE SUSPENSION CRITERIA IN SUBSECTION (K) OF THIS SECTION, THE LICENSEE SHALL BE HELD RESPONSIBLE FOR ANY VIOLATIONS COMMITTED BY THE PERSON USING THE VESSEL.

(5) (1) THIS PARAGRAPH APPLIES ONLY TO A PERSON WHO:

1. HOLDS A VALID TIDAL FISH LICENSE ISSUED UNDER THIS SECTION AND WHO HAS HELD VALID TIDAL FISH LICENSES IN EACH OF THE THREE IMMEDIATELY PRECEDING SEASONS; AND