

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION:

(1) A PERSON MAY NOT TAKE OR POSSESS DIAMONDBACK TERRAPIN FOR COMMERCIAL PURPOSES; AND

(2) A PERSON MAY NOT POSSESS MORE THAN THREE DIAMONDBACK TERRAPIN FOR NONCOMMERCIAL PURPOSES.

(B) THIS SECTION DOES NOT PROHIBIT:

(1) THE INCIDENTAL CATCH OF DIAMONDBACK TERRAPIN, PROVIDED THE DIAMONDBACK TERRAPIN ARE RETURNED IMMEDIATELY TO THE WATER; ~~OR~~

(2) THE COLLECTION OR POSSESSION OF DIAMONDBACK TERRAPIN IN ACCORDANCE WITH THE TERMS OF A SCIENTIFIC OR EDUCATIONAL CERTIFICATE OR PERMIT ISSUED IN ACCORDANCE WITH § 4-212 OF THIS TITLE OR § 10-909 OF THIS ARTICLE; OR

(3) THE POSSESSION AND BREEDING OF DIAMONDBACK TERRAPIN BY A PERSON WHO HOLDS A VALID PERMIT ISSUED BY THE DEPARTMENT FOR:

(I) AQUACULTURE ACTIVITIES UNDER SUBTITLE 11A OF THIS TITLE; OR

(II) CAPTIVE WILDLIFE BREEDING UNDER TITLE 10, SUBTITLE 9 OF THIS ARTICLE.

(C) (1) THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND AQUACULTURE COORDINATING COUNCIL, SHALL ADOPT REGULATIONS FOR DIAMONDBACK TERRAPIN AQUACULTURE AND CAPTIVE BREEDING BEFORE ISSUING ANY ADDITIONAL PERMITS RELATING TO DIAMONDBACK TERRAPIN UNDER SUBTITLE 11A OF THIS TITLE OR TITLE 10, SUBTITLE 9 OF THIS ARTICLE.

(2) THE REGULATIONS ADOPTED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) VERIFIABLE SAFEGUARDS TO IDENTIFY LEGALLY OBTAINED DIAMONDBACK TERRAPIN;