

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 28.2-520 of the Code of Virginia, relating to the use of hydraulic*  
3 *dredges; penalty.*

4 [H 2417]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 28.2-520 of the Code of Virginia is amended and reenacted as follows:**

8 § 28.2-520. Use of hydraulic dredges prohibited; penalty.

9 A. It shall be unlawful for any person, *unless he has been issued a permit by the Commission*  
10 *pursuant to subsection B*, to (i) take or catch ~~hard-shell~~ clams through the use of a hydraulic dredge or  
11 (ii) have on board his boat a hydraulic dredge designed for harvesting seafood.

12 B. The Commission may issue a permit authorizing the possession and use of a hydraulic dredge for  
13 the purpose of (a) transiting state waters or (b) conducting legitimate aquaculture research.

14 C. Notwithstanding the provisions of clause (ii) of subsection A, a person may have on board his  
15 boat a hydraulic dredge designed for harvesting seafood when traveling to or from docks for  
16 maintenance or repair of the boat or equipment, or when off-loading catches made in federal waters.

17 D. The Commission and the Virginia Institute of Marine Science may possess and use hydraulic  
18 dredges to take and catch ~~hard-shell clams~~ shellfish on an experimental basis. ~~However, a permit to take~~  
19 ~~and catch hard-shell clams through the use of hydraulic dredges shall not be issued to any other person.~~

20 B. E. Any person who takes or catches ~~hard-shell clams~~ using a hydraulic dredge violates this section  
21 is guilty of a Class 1 misdemeanor.

ENROLLED

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