

VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

CHAPTER 675

An Act to amend and reenact § 28.2-520 of the Code of Virginia, relating to authorizing the use of a handheld hydraulic device for harvesting cultured clams.

[H 1811]

Approved March 27, 2015

Be it enacted by the General Assembly of Virginia:

1. That § 28.2-520 of the Code of Virginia is amended and reenacted as follows:

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

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

B. The Commission may issue a permit authorizing the possession and use of a (i) hydraulic dredge for the purpose of (a) transiting state waters or (b) conducting legitimate aquaculture research *and (ii) handheld hydraulically operated device for harvesting cultured clams from leased grounds.*

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

D. The Commission and the Virginia Institute of Marine Science may possess and use hydraulic dredges to take and catch shellfish on an experimental basis.

E. Any person who violates this section is guilty of a Class 1 misdemeanor.