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SENATE BILL NO. 552

Senate Amendments in [] — January 23, 2018

A *BILL to amend the Code of Virginia by adding in Article 1 of Chapter 7 of Title 28.2 a section numbered 28.2-701.1, relating to crab pots and peeler pots; marine-biodegradable escape panels; penalty.*

Patron Prior to Engrossment—Senator Mason

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 7 of Title 28.2 a section numbered 28.2-701.1 as follows:

§ 28.2-701.1. Crab pots and peeler pots; biodegradability requirements.

A. For the purposes of this section, "marine-biodegradable escape panel" means an escape panel that:

1. Does not contain any type or combination of synthetic plastics known to bioaccumulate in marine organisms;

2. Is at least 80 percent composed by weight of materials that are (i) biopolymers demonstrated to biodegrade in a marine environment according to the standard ASTM D6691 tests, (ii) certified as biodegradable marine material by an organization accredited to inspect and certify biodegradable materials, or (iii) untreated cellulose-based natural products without additives that are one-eighth of an inch or less in width and diameter; and

3. Will degrade sufficiently within eight months of becoming derelict in the waters of the Commonwealth, such that any animal that can enter the derelict crab or peeler pot can also exit the crab or peeler pot.

B. Beginning [~~January~~ July] 1, 2019, any crab pot sold in the Commonwealth and any peeler pot regulated by the Commission or used or sold in the Commonwealth shall be equipped with at least two marine biodegradable escape panels.

C. Beginning July 1, 2020, any crab pot regulated by the Commission or used or sold in the Commonwealth shall be equipped with at least two marine-biodegradable escape panels.

D. Each marine-biodegradable escape panel shall be located on a different sidewall of the upper chamber of a crab pot or peeler pot, as applicable, and obstruct an opening that is a minimum width of five and one-half inches and a minimum height of three and one-half inches.

E. Any person who violates any provision of this section is guilty of the penalty provided by § 28.2-701.

ENGROSSED

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