



Ohio Administrative Code Rule 1501:31-3-07 Marking of fishing devices.

Effective: March 1, 2015

Under authority of sections 1531.08 and 1533.44 of the Revised Code, the chief of the division of wildlife hereby orders that:

(A) It shall be unlawful for any person to use set or place in the Ohio waters of lake Erie any fyke or trap net without the name of the licensee branded or stamped on the left side of the top brail, top rear spreader or support bar in letters at least one inch high and legible at all times. Such name shall be listed on the owner's or user's fishing license application for each season. If a person acquired ownership or use of a fyke or trap net which already has a name in the left corner of the brail or top spreader bar, any new name shall be placed immediately to the right of the old name and any subsequent name shall be placed to the right of the previous name.

Each fyke net or trap net set singly, or the first and last net of any string of fyke or trap nets in the Ohio waters of lake Erie shall display one red flag on the inshore end, and two flags on the offshore end. The top offshore flag shall be red, the bottom offshore flag may be any color except orange. All flags shall be eighteen inches or more on a side and shall be displayed on a pole at least eight feet above the water on the offshore end and at least six feet above the water on the inshore end.

(B) Serially numbered tags issued by the division of wildlife shall be attached by the licensee within thirty-six inches of the uphaul buoy on the rope supporting the buoy. It shall be unlawful for any person to possess on the boat or use in fishing any trap net or fyke net without having a tag issued by the division of wildlife attached to the uphaul buoy rope.

(C) In the lake Erie fishing district it shall be unlawful for any person to lift, set, maintain, remove fish from or place a fyke net or trap net without manually entering the tag number issued by the chief of the division of wildlife into the electronic catch reporting system.

(D) Each net, or string of nets, marked contrary to this rule constitutes a separate offense and is a public nuisance. Such nets, or parts thereof, may be seized and held for evidence, or for forfeiture



proceedings as provided in section 1531.20 of the Revised Code.

(E) All provisions in sections 1533.44 and 1533.343 of the Revised Code not mentioned in or modified by this rule shall remain in effect.

(F) A violation of paragraph (B), (C) or (D) of this rule is a violation of section 1533.343 of the Revised Code. Violations of paragraphs other than (B), (C) or (D) of this rule is a violation of section 1533.44 of the Revised Code.

(G) All definitions set forth in rules 1501:31-1-02 and 1501:31-3-12 of the Administrative Code and section 1533.02 of the Revised Code shall apply to this rule.