

Tab H, No. 6

# Mississippi Recreational License Requirements

10/13/2006

**§ 49-15-313. Saltwater sports fishing license; separate annual license for charter boat fishing, party boat fishing, head boat and guide boat fishing; proof of random drug testing participation and of liability insurance required; exemptions from licensing requirements; disposition of fees; free fishing day.**

(1) Any resident between the ages of sixteen (16) and sixty-five (65) years, as defined in Section 49-7-3, fishing in the marine waters of the state, shall obtain a saltwater sports fishing license for a fee of Four Dollars (\$4.00). This license shall be valid in any waters south of Interstate 10. Any resident citizen who is blind, paraplegic or a multiple amputee, or who has been adjudged by the Veterans Administration as having a total service-connected disability, or has been adjudged totally disabled by the Social Security Administration shall not be required to purchase or have in his possession a saltwater sports fishing license while engaged in such activities. Any resident exempt under this section shall have on his person while fishing proof of residency and age or disability.

(2) The commission shall prescribe the forms, types and fees for nonresident saltwater sports fishing licenses except that the fee for a nonresident saltwater sports fishing license shall not be less than Twenty Dollars (\$20.00). The commission shall require a nonresident to purchase a nonresident freshwater fishing license and a nonresident saltwater sports fishing license if the nonresident's state requires both licenses for a nonresident to fish in its marine waters.

(3) All resident vessels engaged in charter boat fishing, party boat fishing, head boat and guide boat fishing shall be issued a separate annual license by the commission at a fee of Two Hundred Dollars (\$200.00). All nonresident vessels engaged in charter boat fishing, party boat fishing, head boat and guide boat fishing shall be issued a separate annual license by the commission. In addition to other requirements for charter license eligibility, captains must show proof of participation in a Department of Transportation approved random drug testing program and proof of liability insurance as a charter boat captain. Crew members and customers of the licensed vessels shall not be required to purchase an individual resident or nonresident saltwater fishing license while sponsored by the licensed vessels. An operator of a licensed vessel shall be required to report the number of customers to the department as required by the commission and the information shall be kept confidential and shall not be released, except to other fisheries management agencies or as statistical data. All nonresident vessels engaged in saltwater sport fishing tournaments, not to exceed an aggregate of twenty (20) days per calendar year, shall not be required to purchase an annual license as provided under this subsection.

(4) The saltwater sports fishing license is required for all recreational methods of finfish harvest.

§49-15-313 cont.

- (5) Any resident who purchases a lifetime sportsman's license, in accordance with Section 49-7-153, shall be entitled to fish in the marine salt waters of the state and shall be exempt from the purchase of a sport saltwater fishing license.
- (6) Any person authorized to issue a license may collect and retain, for each saltwater fishing license issued, the additional fee authorized under Section 49-7-17.
- (7) The fees collected from the sale of resident and nonresident saltwater sports fishing licenses shall be deposited into the Seafood Fund and shall be used solely for the management of marine resources.
- (8) Participants in the Very Special Fishing Olympics are exempt from this section.
- (9) July 4 of each year is designated as "Free Saltwater Sports Fishing Day." Any person may saltwater sport fish without a license on the "Free Saltwater Sports Fishing Day."
- (10) The department may exempt participants in an organized fishing event conducted by a qualified nonprofit charitable, governmental or civic organization from the requirements of this section for one (1) day per year if the organization files an exemption application with the department and the application is approved by the department.

**Sources:** Laws, 1994, ch. 578, § 8; Laws, 1995, ch. 454, § 1; Laws, 1998, ch. 348, § 1; Laws, 2000, ch. 602, § 1; Laws, 2003, ch. 426, § 1; Laws, 2004, ch. 431, § 1, eff from and after July 1, 2004.

**§ 49-7-3. Issuance of resident hunting or fishing licenses; possession of license.**

- (1) Any resident of the State of Mississippi shall be entitled to receive a resident fishing license.
- (2) Any person domiciled within the State of Mississippi shall be entitled to receive a resident hunting license provided in Section 49-7-5. The domicile of a person is that person's principal or primary home or place of abode. A "principal or primary home or place of abode" is that home or place in which a person's habitation is fixed and to which he, whenever absent, has the present intention of returning after a departure of absence therefrom, regardless of the duration of the absence. The burden of proving domicile shall be on the person claiming such status. The following evidence or other reliable evidence may be considered in establishing, but is not necessarily determinative of, domicile: driver's license, residence for income or other tax purposes, homestead exemption receipt, or any other means prescribed by the department. In the case of minors, domicile of the parents shall be used as evidence of the minor's domicile.
- (3) A nondomiciliary of the state may be issued a resident hunting or fishing license or combination resident hunting/fishing license upon providing the following:
  - (a) A current identification card from a Mississippi college or university; or
  - (b) A current military identification card showing that the person is an active member of the United States Armed Forces (excluding Reserves and the National Guard) and proof that the person is stationed on a military base in Mississippi.
- (4) A nondomiciliary of the state may be issued a special Armed Forces fourteen-day hunting and fishing license with the same hunting and fishing privileges and at the same fee of a resident sportsman's license, if the nondomiciliary is an active member of the United States Armed Forces (excluding Reserves and the National Guard) and his application is approved by the department. The applicant must file his application for the special fourteen-day license in the office of the department. The department shall establish requirements for proof of active military status and any other requirements it deems desirable. The department shall not issue more than two (2) special fourteen-day licenses to the same applicant per license year.
- (5) A holder of a resident or nonresident license is required to carry the license on his person while engaged in hunting, trapping or fishing. Any penalty for not carrying a license while engaged in hunting, trapping or fishing shall be waived if the person can verify purchase of a license prior to the date of the violation.

**§49-7-3 Cont.**

(6) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

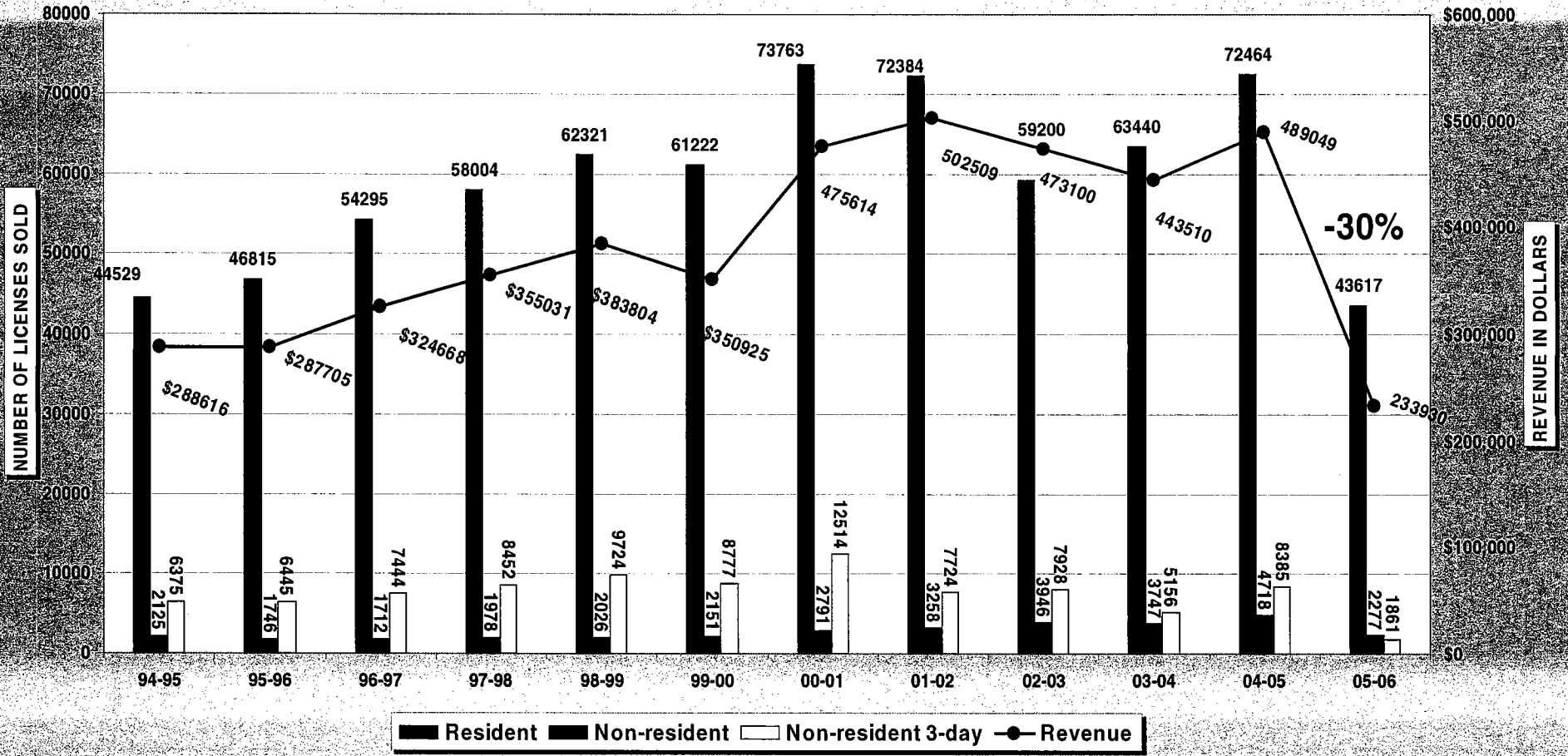
**Sources:** Codes, 1942, § 5870; Laws, 1932, ch. 123; Laws, 1942, ch. 250; Laws, 1950, ch. 218, §§ 1, 2; Laws, 1958, ch. 178; Laws, 1962, ch. 189, § 1; Laws, 1970, ch. 285, §§ 1, 2; Laws, 1971, ch. 371, § 1; Laws, 1989, ch. 416, § 1; Laws, 1991, ch. 563, § 1; Laws, 1994, ch. 408, § 3; Laws, 1995, ch. 580, § 1; Laws, 1997, ch. 588, § 18; Laws, 1999, ch. 397, § 1; Laws, 2004, ch. 587, § 1, eff from and after July 1, 2004.

# Reporting Requirements for Obtaining a Mississippi Recreational Fishing License

- Full Name
- Address
- Date of Birth
- Driver's License and State of Issuance

# MS RECREATIONAL SALTWATER FISHING LICENSES

## License Year July 1 - June 30



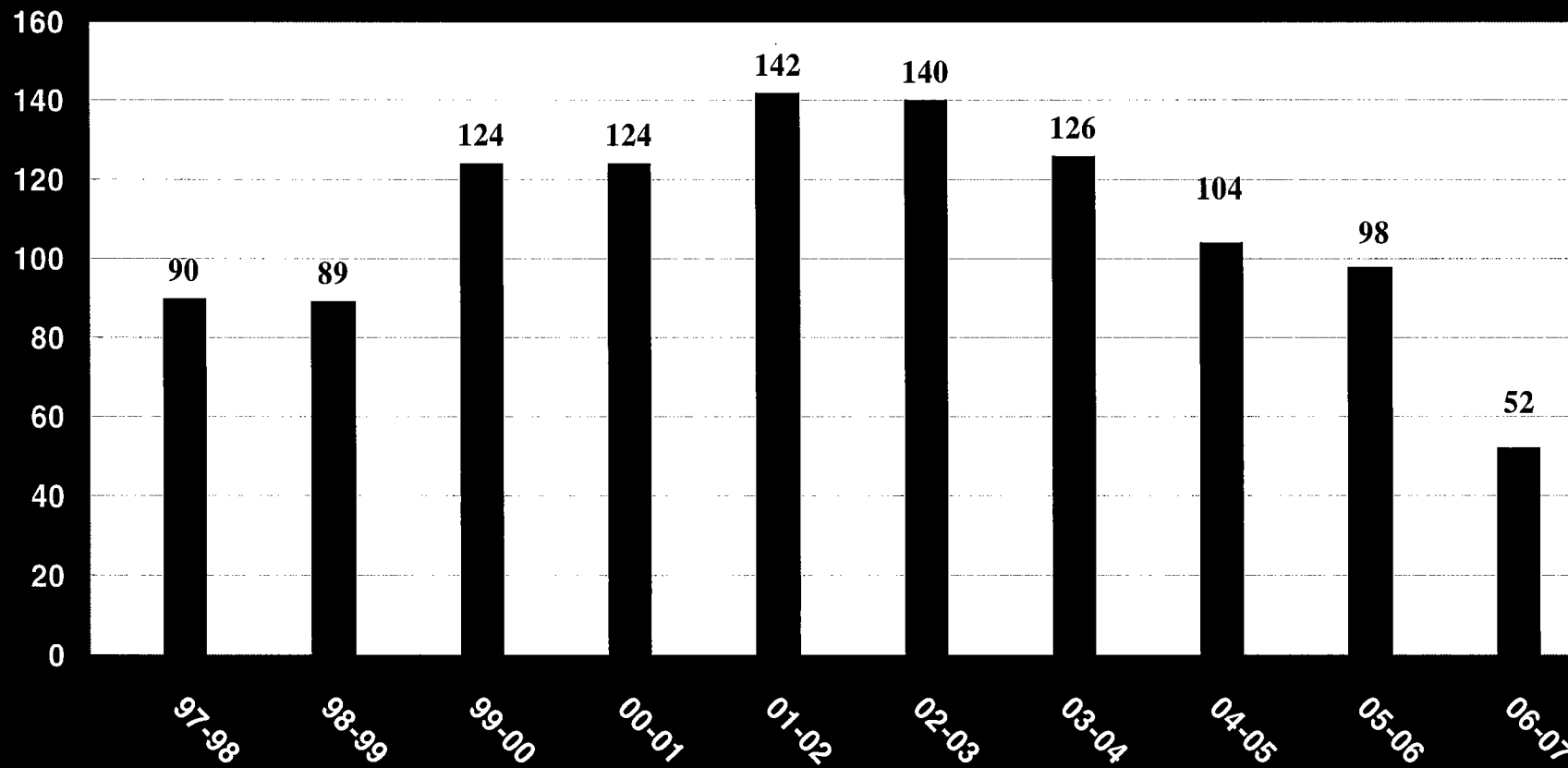
# Reporting Requirements for Obtaining a Mississippi Charter/Headboat License

- Last Name or Name of Business/First Name
- Address
- Date of Birth
- Telephone Number
- Document or Registration Number
- Vessel Length and Tons of Capacity
- Name of Vessel
- Captain's Name and Date of Birth
- Alternate Captain's Name and Date of Birth
- Gear Type Used
- Other Information
  - Name of Business
  - Related MS Tax License Number or Out of State License Number and State of Issuance
  - License Type Applied For

## To Purchase A Charter Boat License The Following Must Be Presented

- Boat Registration or Documentation
- Drivers License of the Boat Owner
- Captain's Certificate (from U. S. Coast Guard)
- Current Drug Test Card
- Proof of Liability Insurance

## NUMBER OF CHARTER/PARTY BOAT LICENSES SOLD IN MISSISSIPPI BY YEAR



# Mississippi Recreational Licensing Fees

## Resident

- Marine Recreational Fishing License \$5.85
- Charter Boat License \$200.00

## Non-Resident

- Annual Marine Recreational Fishing License \$33.85
- 3-Day Marine Recreational Fishing License \$17.85
- Annual Marine Recreational Fishing License (Louisiana) \$87.70 (Includes \$53.85 Freshwater Fishing License)
- Charter Boat License \$200.00
- Charter Boat License Louisiana
  - 6 passengers or less \$1000.00
  - Over 6 passengers \$2000.00
- Charter Boat License Alabama
  - 6 passengers or less \$200.00
  - 7-25 passengers \$300.00
  - 25 passengers or more \$500.00

# Recreational and For-Hire Data Reporting Requirements

## TITLE 22

### ORDINANCE 9.004

#### AN ORDINANCE TO REGULATE STATISTICAL REPORTING AND CONFIDENTIALITY OF STATISTICAL DATA

#### FOR MARINE FISHERIES IN THE STATE OF MISSISSIPPI

**Section 11. RECREATIONAL FISHERIES:** Persons engaged in recreational fishing in waters under the jurisdiction of the DMR or landing fish in Mississippi shall be required to furnish information pertaining to such fishing when requested by an information confidentiality officer. Charter boat or head boat captains operating in Mississippi waters will be required to complete questionnaires furnished by the DMR for each trip. Completed questionnaires will be furnished to an information confidentiality officer upon request.