

Summary
Possession in Excess of Daily Limit Vessel License
N.J.A.S. 23:2B-24

This document is a summary of the New Jersey Possession in Excess of Daily Limit Vessel License statute at the time of publication. It is not the full law. Consult the Division of Fish & Wildlife (Division) for further details. All persons are reminded that the statutes, codes, and regulations are the legal authorities. All laws and regulations relating to commercial fishing can be found in New Jersey Statutes Annotated, Titles 23 and 50, and New Jersey Administrative Code, Title 7, Subtitle E, Chapter 25 and 25A.

License

A Possession in Excess of Daily Limit Vessel License is required to possess on board a vessel, in New Jersey State waters, an amount of black sea bass or summer flounder exceeding the current New Jersey trip limit, for the purposes of unloading the additional fish in another state.

Valid dates

The License is valid January 1 through April 30 and September 1 through December 31 of the year issued. The license expires after December 31 annually and shall be renewed prior to annual deadline.

Fee

The fee for the license is \$200. Any license fees collected shall be deposited in “Marine Fisheries Program Support Account,” and shall be dedicated for the purposes of marine fisheries programs within the Department.

Other approvals

A person applying for a Possession in Excess of Daily Limit Vessel License shall:

- Hold all necessary licenses or permits for the taking of and unloading of black sea bass or summer flounder required by the respective state.
- Operate a vessel equipped with an operational Global Positioning System based vessel monitoring technology, approved by the National Marine Fisheries Service and the commissioner, which allows the tracking of a vessel’s location remotely.

Department notification:

Any person possessing more than the current New Jersey trip limit of black sea bass or summer flounder on a vessel transiting New Jersey waters shall hold a valid Possession in Excess Daily Limit Vessel License, and shall notify the Department accordingly, including the required notification information as a participant in the directed summer flounder and black sea bass fishery. Notification shall be provided to the Department by phone at (609) 748-2050 or email at njdfwcommercialnotify@dep.nj.gov prior to entering New Jersey State waters and at least six hours prior to unloading the vessel.

Such notification shall include the following information:

- Name of vessel
- Time and place of unloading
- Trip number for the week (if applicable)
- Species and quantity of fish to be unloaded
- Hailing weight and destination of each species to be sold outside the State

Unloading

Unloading shall occur only between the hours of 6:00 a.m. and 6:00 p.m.

A vessel shall unload and sell only the species and quantity of fish indicated in the notice provided to the Department. A vessel shall only be permitted to unload its entire indicated catch once and shall not transfer fish to or from any other vessel prior to or after the vessel's one-time unloading.

The holder of a Possession In Excess of Daily Limit Vessel License who retains black sea bass or summer flounder for further sale in another state after unloading in New Jersey may not land black sea bass or summer flounder again in New Jersey for seven days after the date on which the excess black sea bass or summer flounder is transferred to the buyer of the fish in another state.

After the declared species and quantity of fish is sold to the intended dealer in the State, no other fisheries products may be unloaded from the vessel without the prior approval of the Department or until the seven-day period has expired.

Documentation

Possession in Excess of Daily Limit Vessel License holders shall keep a valid license on board the vessel being used in the taking and possession of black sea bass or summer flounder in excess of the New Jersey daily limit at all times during the use of the vessel for that purpose, as well as the valid licenses and permits for the location where the vessel intends to land the remaining fish possessed on the vessel.

At the request of a conservation police officer, a vessel shall provide records documenting the sale of the excess summer flounder and black sea bass sold to dealers in other states.

Closed season

A vessel that lands during the closed season for any fishery shall not be permitted to unload a closed season fish if the season opens while the vessel is in port.

Penalties

Any person who violates the provisions of this law shall be subject to the penalties as provided by N.J.A.S. 23:2B-14, which may include the suspension or revocation of the Possession in Excess of Daily Limit Vessel License. If a vessel's New Jersey summer flounder or black sea bass license or permit is suspended or revoked, then the Possession in Excess of Daily Limit Vessel License shall also be suspended or revoked for the same period of time.