

South Carolina Department of Natural Resources Marine Resources Division

Summary of Charter Fishing Laws

2023-2024

This document should be kept on board all charter vessels as a legal reference, not to supersede knowledge of the pertinent laws. Complete laws can be found at www.scstatehouse.gov.

License Requirements: [Section 50-9-540 (D)]

License Type:	SC Resident Fee:	Nonresident Fee:
6 or Fewer Passengers	\$275.00	\$550.00
7-49 Passengers	\$450.00	\$900.00
More than 50 Passengers	\$650.00	\$1,300.00

*** USCG Credentials must be presented to obtain license ***

Definitions:

“Charter Fishing Vessel” means a vessel used to transport recreational saltwater fishermen for hire and includes charter, party and head boats. **[Section 50-5-15 (10)]**

Recreational saltwater fishing licenses; fees.

For the privilege of operating a charter fishing vessel in the salt waters of this State, the owner or operator must purchase an annual fiscal year charter vessel license for *each* vessel for the following fee to:

- (1) Carry six or fewer passengers, \$275 (SC Resident), \$550 (Nonresident)
- (2) Carry seven to 49 passengers, \$450 (SC Resident), \$900 (Nonresident)
- (3) Carry 50 or more passengers, \$650 (SC Resident), \$1,300 (Nonresident)

[Section 50-9-560 (C)]

Charter fishing vessel and public pier logs; penalties.

Charter fishing vessels shall maintain a log of the number of persons carried each trip, number of hours engaged in fishing, number of fish by species caught each day, and other information considered necessary by the Department. The logs must be submitted to the Department monthly by the tenth day of the following month.

A person licensed to operate a charter fishing vessel who fails to maintain or submit a log as required is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty-five dollars nor more than five hundred dollars, or imprisoned for not more than thirty days, and a subsequent charter fishing vessel license must not be issued until the requirements of this subsection are met. **[Section 50-5-1915 (A)]**

Federal law requires that any operator of a for-hire vessel must have a valid U.S. Coast Guard issued Captain’s License (appropriate for the specific number of passengers/tonnage). A copy of the captain’s United States Coast Guard credentials must be furnished to the Department for verification purposes.

Charter fishing vessels properly licensed under Section 50-5-1930 may not have aboard more than a total of twenty-five dozen live or dead shrimp while upon the waters of this State from December 16 through April 30. **[Section 50-5-1105(C)]**

* Licenses expire on June 30th following their effective date.

* If you no longer need your license, please be sure to surrender it to the Commercial License office in Charleston (PO Box 12559 Charleston, SC 29422). If you have questions about surrendering your license, please call (843) 953-9311.

Charter Vessel Logs

South Carolina Department of Natural Resources Reporting Requirements: [Section 50-5-1915]

- 1) All licensed charter vessels must submit trip level reports to the Marine Resources Division's Fisheries Statistics Section, P.O. Box 12559, Charleston, SC 29422-2559 on a **MONTHLY** basis for all trips taken during the month.
- 2) Reports must be received by the 10th of the following month regardless of whether or not fish were caught, or if trips were taken. If no trips were made during the month, a single report must be submitted with "No Business for the Month Of (month)" printed on the middle of a reportform.
- 3) Reports must be complete and accurate. This data is utilized by the Department for compiling federally mandated fishery compliance reports and serves as a data source used in the management of the State's marine resources.
- 4) Charterboat logbooks (with more detailed instructions) can be picked up from Room 215 in the Administrative Building at the Marine Resources Center on James Island, or can be mailed to license holders. For further information or questions, please call the Fisheries Statistics section at 843-953-9313.
- 5) Reporting of charterboat logbooks is now available online at www.vesldata.com. All licensed charter operators are automatically enrolled in the electronic reporting platform, VESL, and will receive an email prompt to finish setting up the account with a password. (Note: There can be a one- or two-day delay before the email is sent.) This electronic reporting tool will allow licensed charter vessel operators to report the required trip-level catch and effort data electronically in place of the current paper logbook. The electronic reporting tool collects the same data fields for catch and effort information as seen on the SCDNR paper logbook form. For further information or questions, please call the Recreational Data Coordinator at 843-953-0119.

Information or report by licensee or permittee to take saltwater fishery product for commercial or scientific purpose; confidentiality; penalties.

A person or entity licensed or permitted by the Department engaged in the take, distribution, or propagation of any saltwater fishery product for a commercial or scientific purpose must keep accurate records and may be required to provide accurate information and reports to the Department on forms and by methods required by the Department for the administration and enforcement of saltwater fishery laws and for fisheries management purposes. The Department has concurrent authority with the United States to collect or require the submission of pertinent data specified pursuant to the federal Fishery Conservation and Management Act of 1976, as amended. Any information which directly or indirectly discloses the identity of a licensee or permittee or income amounts or trade secrets or other specialized methodologies for growing or taking or marketing saltwater fisheries products is not public information. Information on fisheries furnished by any source which is required by a state or federal law to be kept confidential is not subject to disclosure except when required by order of a court of competent jurisdiction. **[Section 50-5-380 (A)]**

Noncommercial information provided voluntarily to the Department in support of a resource or management activity is likewise confidential. Nothing in this section may be construed as to limit the use of such information in enforcement of this chapter. **[Section 50-5-380 (B)]**

If you are convicted of an offense, there may be points assessed against your license or your privileges may be suspended if the statute requires it. Upon an accumulation of eighteen (18) or more points, the privileges of that license will be suspended for one year. Points and violations can be found in the SCDNR Rules and Regulations book or in the SC Code of Laws 50-5-2500(A).

If your license/ permit is suspended or revoked, you are entitled to an administrative appeal pursuant to the South Carolina Administrative Procedures Act. The review must be scheduled by the Administrative Law Court in accordance with the division's procedural rules. The scope of the hearing is limited to the issues set out by the Administrative Procedures Act and the division's procedural rules. Appeals must be filed and served within 30 days of suspension/ revocation notice with the Clerk of Court of Administrative Law Court 1205 Pendleton Street Suite 224 Columbia, SC 29201, telephone (803)734-0550.

Federal Permitting Requirements for Charter/Headboat Operators

Disclaimer: This document is for general informational purposes only. For specific permitting information, or to apply for a permit, contact the respective federal agency listed below.

State licensed charter vessels who fish for federally managed species in the Exclusive Economic Zone (EEZ; 3-200 nautical miles offshore) must obtain the appropriate permit(s) for the fishery or fisheries in which they are engaged. There are separate federal reporting requirements. If using the electronic reporting system (i.e., VESL) mentioned above, each report submitted will fulfill both state and federal reporting requirements under the Southeast For-Hire Integrated Electronic Reporting Program (SEFHIER). (Note: SEFHIER requires **weekly** reporting.) For more information on reporting, please visit the websites above.

Offices of the National Marine Fisheries Service:

SERO=National Marine Fisheries Service (NMFS) **Southeast Regional Office**, Authority for species from NC through east coast Florida.

NMFS Southeast Regional (SERO) Permit Office

1 (877) 376-4877

<https://www.fisheries.noaa.gov/southeast/resources-fishing/southeast-fisheries-permits>

HMS=NMFS **Highly Migratory Species** Division, Authority for Sharks, tunas, swordfish and all billfish

Highly Migratory Species (HMS) Permit Office

1 (888) 872-8862

<https://hmspermits.noaa.gov>

Key to Permit Requirements:

Species	SERO Permit Required?	HMS Permit Required?
Dolphin	X	
Wahoo	X	
Snapper/ Grouper Complex*	X	
King Mackerel	X	
Spanish Mackerel	X	
Sharks**		X
Tunas***		X
Swordfish		X
Billfish		X

*Includes snappers, groupers, amberjack, black sea bass (south), triggerfish, spadefish, etc. See www.safmc.net for a complete list of snapper/grouper complex species and fishing regulations. Please visit <https://safmc.net/documents/turtle-gear-fact-sheet-reg-42-v3/> to review required turtle release requirements.

** Includes shark species of Blacktip, Bull, Hammerhead, Great Hammerhead, Scalloped Hammerhead, Smooth, Lemon, Nurse, Spinner, Tiger, Atlantic Sharpnose, Blacknose, Bonnethead, Finetooth, Blue, Oceanic whitetip, Porbeagle, Shortfin mako, Thresher, Smooth dogfish, Florida smoothhound, and Gulf smoothhound. See <https://www.fisheries.noaa.gov/topic/atlantic-highly-migratory-species> for a complete list of HMS shark species.

Additionally, Federal Highly Migratory Species Permit with a Shark Endorsement is required in federal waters to recreationally fish for, retain, possess, or land sharks. All sharks must be landed with fins, head and tail naturally attached. Recreational anglers may only catch sharks using a rod & reel or handline. All other gears prohibited. Additionally, anglers fishing recreationally for sharks are required to use non-offset, non-stainless-steel circle hooks whenever they are fishing, except when fishing with flies or artificial lures. Check current federal regulations and find a shark identification guide by visiting <http://www.nmfs.noaa.gov/sfa/hms/compliance/regulations/index.html>.

*** Includes tuna species of albacore, yellowfin, bigeye, skipjack, and Bluefin tuna.