

South Carolina Department of Natural Resources Marine Resources Division

Summary of Charter Fishing Laws

2018-2019

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)]

6 or Fewer Passengers	\$150.00
7-49 Passengers	\$250.00
More than 50 Passengers	\$350.00

*** 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, \$150
- (2) Carry seven to 49 passengers, \$250
- (3) Carry 50 or more passengers, \$350

[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 daily trip 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. 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 report form.
- 3) Reports should 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 Program at 843-953-9313.
- 5) Charterboat logbooks are now available online. 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, the website is www.vesldata.com. For further information or questions, please call the Charterboat Logbook Coordinator at 843-953-0119.

Charter Vessel Licenses

State licensed charter vessels who fish for federally managed species in the EEZ must obtain the appropriate permit for the fishery or fisheries in which they are engaged.

For HMS (Sharks, Billfish, Tuna) charter/headboat permits contact NMFS Permit shop at (888) 872-8862 or <https://hmspermits.noaa.gov>.

For Dolphin Wahoo, Snapper Grouper, or Coastal Migratory Pelagics charter/headboat permits contact NMFS Southeast Regional Permit Office at (877) 376-4877 or <http://sero.nmfs.noaa.gov>.

If you are convicted for 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 SC DNR Rules and Regulations book or 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)734-0660.

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.

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
(727) 824-5326 or (877) 376-4877
<https://sero.nmfs.noaa.gov/permits>

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

Office (888) 872-8862
<https://hmspermits.noaa.gov>

Key to Permit Requirements:

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

*Includes snappers, groupers, amberjack, black sea bass (south), triggerfish, etc. See www.safmc.net for a complete list of snapper/grouper complex species

** 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 are 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 aboard federally permitted vessels 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.