

Department of Land and Natural Resources (DLNR)
Division of Aquatic Resources
State of Hawaii

Commercial License & Permit
Specific Terms and Conditions

The *licensee* refers to any person issued a commercial marine license (§ 189-2, Hawaii Revised Statutes (HRS); § 13-74-20, Hawaii Administrative Rules (HAR)). The commercial marine license allows the licensee to take marine life for commercial purposes.

I understand that:

1. Licenses issued to individuals are non-transferable and cannot be used by anyone else.
2. It is illegal to take fish or marine life with intent to sell without a valid commercial marine license. I must be a U.S. citizen, or be legally admitted into the United States of America, or be in compliance with U.S. Customs and Border Protection, Dept. of Homeland Security landing permit requirements in order to qualify for the license.
3. Although the Federal Privacy Act of 1974 was amended to allow disclosure of Social Security Number for federal and state Child Support Enforcement investigation, DLNR has not amended the Hawaii Administrative Rules to require disclosure for licensing purposes. I may, however, voluntarily provide this information.
4. I must pay an individual resident license fee of \$100.00 for resident or non-resident.
5. Unless exempted from the report requirement, I must complete and submit fishing reports to DLNR until my license expires.
 - a. Submit fishing reports on all fishing activities except for bottomfish fishing trips (refer to “b”) during a month by the tenth day of the following month, for example, the May fishing report must be submitted by June 10th.
 - b. Submit the ‘MHI “Deep 7” Bottomfish Fishing Trip Report’ within 5 days after the end of any fishing trip where a Deep 7 bottomfish species (Opakapaka, Onaga, Ehu, Kalekale, Gindai, Lehi, and Hapuupuu) was landed, released or lost to predation.
6. Submit the “Did Not Fish” report postcard to DLNR by the tenth day of the following month, if you did not fish during a month.
7. It is illegal and a violation of this commercial marine license to:
 - a. take marine life for commercial aquarium purposes,
 - b. possess marine life that has been taken for commercial aquarium purposes, or
 - c. possess aquarium collecting gear in state marine waters, without first completing the required environmental review process under the Hawai‘i Environmental Policy Act (HEPA), HRS Chapter 343.

Definitions

For purposes of these Specific Terms and Conditions for commercial marine licenses,

1. “‘Marine life’ means any type or species of saltwater fish, shellfish, mollusks, crustaceans, coral, or other marine animals, including any part, product, egg, or offspring thereof; or seaweeds or other marine plants, including any part, product, seed, or root thereof,” HRS § 187A-1, HAR § 13-71-1;

2. “‘Commercial purpose’ means the taking of marine life for profit or gain or as a means of livelihood where the marine life is taken in or outside of the State, or where the marine life is sold, offered for sale, landed, or transported for sale anywhere in the state,” HRS § 187A-1, HAR § 13-71-1;
3. “‘Aquarium collecting gear’ means any equipment or gear adapted, designed, or commonly used to collect, capture or maintain aquatic life alive in a state of captivity, including but not limited to hand nets, fence or barrier nets, fiberglass, plastic, wood or metal ‘tickle sticks’ (including spears or similar implements used to manipulate the movement of aquarium fish or animals), catch buckets, keeps, baskets, or venting needles,” HAR § 13-60-4.3;
4. “‘Aquarium purpose’ means to hold aquatic life alive in a state of captivity as pets, for scientific study, or for public exhibition or display, or for sale for these purposes,” HRS § 188-31; and
5. “‘Commercial aquarium purpose’ means the taking or possession of aquatic life for aquarium purposes for profit or gain or as a means of livelihood where the aquatic life is taken in or outside of the State, or where the aquatic life is sold, offered for sale, landed, or transported for sale anywhere in the State.

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