

Commercial Fishing License Frequently-Asked Questions (FAQs)

This FAQ list is intended to summarize applicable rules and to assist fishermen. It is not a substitute for the rules.

General License Questions

Q. - Where can Division of Marine Fisheries licenses be purchased?

A. - All Division of Marine Fisheries' license offices can sell and renew all licenses. In addition to Division of Marine Fisheries' license offices, some Wildlife Resources Commission agents will sell the Recreational Commercial Gear License.

Q. - Will all Division of Marine Fisheries' license offices process license transfers?

A. - Any Division of Marine Fisheries' license office can process license transfers except for the License to Land Flounder from the Atlantic Ocean License. This license can only be transferred in the Morehead City office.

Q. - To be eligible for licenses within a certain deadline, do the licenses need to be received by the Division of Marine Fisheries or is the postmark date adequate?

A. - The postmark date will serve as the date for applying for licenses by a specified timeframe.

Q. - Who is considered the responsible party of a license?

A. - A person who coordinates, supervises or otherwise directs operations of a business, such as a corporate officer or executive level supervisor of business operations and the person responsible for use of the issued license in compliance with applicable laws and regulations. The responsible party of a business is referred to as the Business Agent.

Q. - How do I replace a lost commercial fishing license?

A. - You can apply for a replacement at any Division of Marine Fisheries' license office and you will be charged a replacement fee.

Standard or Retired Commercial Fishing License (Including Endorsements and Assignments)

Q. - Who is eligible to purchase a Standard or Retired Commercial Fishing License?

A. - Both residents and nonresidents who hold a valid Standard or Retired Commercial Fishing License

and renew their license(s) each year can retain this license. An applicant that completes an Eligibility Application and is approved by the Eligibility Board has a specified time-frame to purchase this license.

Q. - Who can be assigned the Standard Commercial Fishing License?

A. - The Standard Commercial Fishing License can be assigned to any eligible person who does not have any license suspensions or revocations.

Q. - Can a Retired Standard Commercial Fishing License be assigned?

A. - No.

Q. - Can the Shellfish Endorsement on the Standard Commercial Fishing License be assigned?

A. - Yes.

Q. - Can I assign my Standard Commercial Fishing License without assigning my endorsements?

A. - Yes, you can assign the Standard Commercial Fishing License but do not have to assign an endorsement. You cannot harvest shellfish with only the endorsement if you assigned the Standard Commercial Fishing License and retained the endorsement.

Q. - Will all Division of Marine Fisheries' license offices process Standard Commercial Fishing License assignments?

A. - Yes.

Q. - How does an assignment terminate?

A. - The assignment terminates:

1. When the date specified on the assignment form is reached; or
2. A licensee or assignee are determined ineligible for a license or assignment; or
3. The Division of Marine Fisheries receives a notarized statement from the current license holder stating a revised date for an earlier assignment termination; or
4. Upon the licensee or assignee's death; or
5. The Standard Commercial Fishing License expires.

Q. - When do assignments of the Standard Commercial Fishing License have to be reported to the Division of Marine Fisheries?

A. - All assignments have to be reported through the required procedures to the Division of Marine Fisheries' if the Division of Marine Fisheries has not received the assignment within 5 days (postmarked *or delivered*) from the start date of the assignment, it is not a valid assignment and is null and void. It must be returned to the Standard Commercial Fishing License holder.

Q. - What documents do I need to take with me when assigned a Standard Commercial Fishing License?

A. - When you are fishing with an assigned Standard Commercial Fishing License, you must have ready at hand for inspection the assigned Standard Commercial Fishing License and a copy of the assignment form *with any assigned endorsements*.

Q. - Can an individual be assigned more than one Standard Commercial Fishing License at one time?

A. - No.

Q. - Can a nonresident be assigned a resident Standard Commercial Fishing License?

A. - Yes.

Q. - Can an assignment be extended beyond the original assigned date?

A. - Yes, for an extension of time, a new assignment form must be completed and submitted to the Division of Marine Fisheries' license office.

Q. - Do you have to renew the Standard or Retired Commercial Fishing License, annually?

A. - Yes, you have one full license year (July - June) after your license expires to renew your license. If you do not renew in that year, your license will go into the eligibility pool. To receive a license after that year, you must apply to the eligibility pool.

Q. - Are spears considered commercial gear and do I need a license to fish with them?

A. - To commercially fish with a spear you must have a Standard or Retired Commercial Fishing License. To recreationally fish with a spear in North Carolina coastal waters (0 - 3 miles in the ocean), you must have a *Coastal Recreational Fishing License*.

Q. - Do I have to be retired to purchase the Retired Standard Commercial Fishing License?

A. - No, retirement is not a qualification for the license. You have to be 65 years old or older to purchase this license.

Q. - If I am 65 years old or older, do I have to purchase the Retired Standard Commercial Fishing License?

A. - No, you have the option. If you want the flexibility to assign your license, you can purchase the Standard Commercial Fishing License. The Retired Standard Commercial Fishing License does not allow assignments, but it is sold at a lower price.

Shellfish License Questions

Q. - Can anyone purchase the Shellfish License?

A. - No, only North Carolina residents can purchase a Shellfish License.

Q. - I am a commercial hand clammer. What license do I need?

A. - You can purchase the individual Shellfish License or as a North Carolina resident you can purchase the Standard or Retired Commercial Fishing License with the Shellfish Endorsement. If you use a vessel, the vessel must have a Commercial Fishing Vessel Registration.

Q. - Are there past requirements to purchase the Shellfish License?

A. - No, there are no past license requirements to be eligible.

Commercial Fishing Vessel Registration (CFVR) Questions

Q. - Who can purchase the Commercial Fishing Vessel Registration?

A. - Anyone can purchase the Commercial Fishing Vessel Registration for a vessel. There are no previous license requirements for someone to purchase this registration.

Q. - Is the Commercial Fishing Vessel Registration different from the North Carolina Wildlife Resources Commission's boat registration?

A. - Yes, you must have a Commercial Fishing Vessel Registration, in addition to the Wildlife Resources Commission's boat registration or U.S. Coast Guard documentation for the vessel to participate in commercial fishing operations in North Carolina.

Q. - Can anyone fish commercially on a vessel that has a Commercial Fishing Vessel Registration?

A. - Yes, anyone can fish if at least one individual on board has a Standard or Retired Commercial Fishing License on a vessel with a Commercial Fishing Vessel Registration. Only the individual with the license can sell the catch.

Q. -Are there any endorsements available for the Commercial Fishing Vessel Registration?

A. - Yes, if the vessel is intended to be used in a for-hire operation you may elect to obtain the For-Hire endorsement on the CFVR. This could be advantages if the vessel is used for both commercial fishing and for-hire fishing. The other options for for-hire vessels are blanket and non-blanket for-hire vessel licenses.

Q. - Do I have to remove my previous commercial vessel fishing license decal from my vessel?

A. - Yes, only a valid vessel decal can be displayed.

Q. - When does the Commercial Fishing Vessel Registration need to be purchased?

A. - It has to be purchased before the vessel is used in commercial fishing operations beginning July 1, *of each license year.*

Q. - What type of vessels need to have a Commercial Fishing Vessel Registration?

A. - Motorized vessels participating in commercial fishing activities need to have a Commercial Fishing Vessel Registration. Non-motorized vessels not used in conjunction with a vessel in commercial fishing operations with a Commercial Fishing Vessel Registration must have a Commercial Fishing Vessel Registration.

Q. - Do run, buy, or purse boats working in conjunction with commercial fishing operations need to have a Commercial Fishing Vessel Registration?

A. - Yes, if the vessel is motorized and operating in a commercial fishing operation, it needs to have a Commercial Fishing Vessel Registration.

Q. - How is the primary location status of a vessel determined for the Commercial Fishing Vessel Registration?

A. - The primary location status is determined in one of three ways. 1) From the state boat registration; 2) Certified state vessel title; or 3) U.S. Coast Guard documentation papers.

Q. - How is the homeport determined from the U.S. Coast Guard documentation?

A. - It is determined from the listed hailing port.

Q. - What documents do I need to present for the Commercial Fishing Vessel Registration if a transfer of the U.S. Coast Guard documentation has been requested?

A. - If an application for transfer of documentation is pending, a copy of the pending application and a notarized bill of sale may be submitted.

Fish Dealer License Questions

Q. - Who has to pay the new dealer fee?

A. - Anyone who was not a dealer during *the previous license year.*

Q. - What Fish Dealer License categories do I need to deal in bait?

A. - To deal in bait, you can purchase either the Shrimp or Finfish Fish Dealer License Category. The Shrimp Category is needed to deal in minnows and shrimp. The Finfish Category is needed to deal in minnows and live shrimp.

Q. - If I change the name of the business with the same responsible person on a Fish Dealer License, will I be charged a fee?

A. - Yes, you will be charged a replacement flat fee of \$12.50 to change the name of each Fish Dealer License.

Recreational Fishing Tournament License to Sell Fish Questions

Q. - Do all fishing tournaments need the Recreational Fishing Tournament License to Sell Fish License?

A. - No, only tournaments that plan to sell fish must have this license. Organizers of tournaments must apply 30 days before the tournament to get this license.

Q. - Do tournaments need to report the proceeds from the sale of fish?

A. - Yes, tournaments must report the proceeds from the sale of fish. The sale of fish must go through a licensed Fish Dealer. The proceeds from the sale of fish may be used only for charitable, religious, educational, civic, or conservation purposes and is not to be used to pay tournament expenses.

Q. - Can vessels fishing in tournaments with a Commercial Fishing Vessel Registration and an individual with a Standard or Retired Commercial Fishing License sell their catch instead of giving it to the tournament?

A. - No, vessels and fishermen participating in tournaments with a Recreational Fishing Tournament to Sell Fish License are not to engage in commercial fishing activities.

Q. - Does a tournament need a Recreational Fishing Tournament License to Sell Fish if the tournament is selling fish plates from fish caught in the tournament?

A. - Yes, the sale of fish plates, including free fish plates to participants, from fish caught during the tournament requires the tournament organizer to purchase a license. Additionally, the tournament must sell the fish through a Fish Dealer (the tournament organizer may wish to purchase a Fish Dealer License to meet this requirement).

License to Land Flounder from the Atlantic Ocean Questions

Q. - Do I have to notify the Division of Marine Fisheries when the master of the vessel on the License to Land Flounder from the Atlantic Ocean changes?

A. - Yes, you must notify by filing an application with the Division of Marine Fisheries within 5 days and you will receive a replacement license.

Q. - Can a License to Land Flounder from the Atlantic Ocean be transferred to another vessel?

A. - The license can be transferred. In doing this, the landings that qualified for the license are also transferred.

Land or Sell License

Q. -What is the Land or Sell License?

A. -The Land or Sell license is required for commercial fishermen who operate vessels that are registered/documented in another state and who fish in federal waters and wish to land and sell the product in North Carolina.

Q. -Are there any qualifying requirements to obtain a Land or Sell license?

A. -There are no qualifying requirements other than holding a commercial fishing license from another state or a federal agency.

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