

CERTIFICATE OF OWNER/OPERATOR

I _____ certify that I am the primary
Name of owner/operator

owner of the fishing vessel _____
Vessel name if documented

_____ for the purpose of establishing
Registration or documentation number

vessel ownership under 12 MRSA §6431-E.

Signature of owner/operator

Date

Signature of co-owner

Notary Public

Date

RETURN TO:

LICENSING DIVISION
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA ME 04333-0021

In accordance with Maine Statute (§6341-E Vessel Limitation 1,2,3) only one individual may be designated as the owner of a vessel and will be considered the owner/operator in regard to lobster harvesting.

The copy of your: _____ Boat registration
 _____ Documented vessel
 _____ Corporation owned vessel

indicates more than one owner. Please complete and sign the enclosed form to certify who shall be designated as the owner of the vessel for purposes of vessel limitation (§6431-E). The following is from Maine Statute:

§6431-E. Vessel limitation

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. “Family member” means a spouse, brother, sister, son-in-law, daughter-in-law, parent by blood, parent by adoption, mother-in-law, father-in-law, child by blood, child by adoption, stepchild, stepparent, grandchild or grandparent.

B. “Owner” means:

- (1) An individual who is the owner of a vessel registered under chapter 935 or the owner of a vessel documented under 46 Code of Federal Regulations, Part 67;
- (2) The person who owns the highest percentage of a partnership, corporation or other entity that is the owner of a vessel registered under chapter 935 or a vessel documented under 46 Code of Federal Regulations, Part 67; or
- (3) When 2 or more people own in equal proportion the highest percentages of a partnership, corporation or other entity that owns a vessel registered under chapter 935 or a vessel documented under 46 Code of Federal Regulations, Part 67, one of the highest percentage owners as designated by the owners of that partnership, corporation or other entity.

C. “Qualifying period” means any 46 days during 3 consecutive months in one calendar year.

D. “Replacement vessel” means a vessel that is substituted for the use

of a vessel that is no longer utilized by an individual, partnership, corporation or other entity.

2. Owner or family member on board. This subsection applies to a person that holds a Class I, Class II or Class III lobster and crab fishing license issued under section 6421. Except as provided in subsection 3, a vessel may not be used to fish for or take lobsters unless that vessel is owned by a Class I, Class II or Class III lobster and crab fishing license holder and:

- A. The owner of that vessel is present on that vessel and has a that vessel named on the owner's Class I, Class II or Class III lobster and crab fishing license; or
- B. A family member of the vessel owner holds a Class I, Class II or Class III lobster and crab fishing license and is present on that vessel.

3. Exemptions; individuals. The commissioner may authorize a person to fish for or take lobsters from a vessel when an owner or family member is not on board pursuant to subsection 2 if that person holds a Class I, Class II or Class III lobster and crab fishing license and:

- A. The owner of that vessel holds a Class I, Class II or Class III lobster and crab fishing license, documents to the commissioner that an illness or disability temporarily prevents that owner from fishing for or taking lobsters from that vessel, and requests in writing to the commissioner that the commissioner authorize that person to use that vessel to fish for or take lobsters and tend the owner's traps pursuant to section 6434;
- B. Is the owner of a vessel that has become temporarily inoperable because of an accident or a mechanical failure and requests in writing permission from the commissioner to use that vessel to fish for or take lobsters.