

CHAPTER 55: GEAR RESTRICTIONS

TITLE INDEX

- 55.01 Definitions
- 55.02 Pound Net and Fish Weir Fishing Provisions
- 55.03 Special Area Closures to Fishing
- 55.04 Gillnet Bait Fishing Regulations
- 55.05 Use of Purse, Drag or Stop Seines in Certain Waters Prohibited
- 55.06 Fish Passage Regulations
- 55.07 Seasonal Net Restrictions
- 55.08 Method of Mechanical Harvest Prohibited
- 55.14 Fishing in the Presumpscot River
- 55.15 Fishing in the Bagaduce River and its tributaries in Castine, Penobscot and Brooksville
- 55.30 Fishing in the Sheepscot River, Lincoln County
- 55.35 Use of Draggers in Sheepscot Bay, Lincoln County
- 55.40 Fishing for Cod and Other Groundfish in Sheepscot Bay, Lincoln County
- 55.50 Seining in Sasanoa River, Sagadahoc County
- 55.55 Fishing in Cathance and Abagadasset Rivers, Sagadahoc County
- 55.56 Fishing for Suckers in the Towns of Bowdoinham and Topsham
- 55.59 Penobscot River Tributaries Fishing Closures
- 55.60 Fishing in Narraguagus River, Washington County
- 55.70 Fishing in Dennys River, Washington County
- 55.75 York County; Otter Trawling in Spruce Creek
- 55.80 Fishing in Bond, Kennebec County
- 55.85 Fishing in the Damariscotta River
- 55.93 Fixed Gill Nets: Tending Requirements, Kennebec/Androscoggin Rivers
- 55.94 Use of Gill Nets in the Kennebec and Androscoggin Rivers
- 55.95 Fishing in Royal River, Yarmouth
- 55.96 Penobscot River Gear Restrictions
- 55.97 Fishing in the Kennebec River above the Gardiner/Randolph Bridge

55.98 Fishing in the Androscoggin River in Brunswick and Topsham

55.99 Fishing in the Saco River above the Route 9/Main Street Bridge between Saco and Biddeford

55.01 Definitions

1. **Bait gillnet.** A gillnet that has less than 3.5 inches diamond or square stretch mesh throughout the entire net, is suspended in the water column, and has a maximum length of 2,000 feet, as defined in Chapter 34.01.
2. **Fish weir.** Any fixed type of fishing equipment that consists of fences made of wooden stakes or out of other materials constructed in such a manner so as to intercept or attempt to intercept finfish. The fences form successive enclosures called the heart, pound and pocket into which the fish are directed by a prolonged fence known as a leader.
3. **Pound net or trap net.** A type of entrapment gear that consists of an arrangement of netting or wire supported upon stakes or piles and has the head ropes or lines above water or in a frame that is supported by floats and anchors. A pound net or trap net may consist of an enclosure known as the pound proper, crib or pocket which has a netting floor and section known as the heart from the entrance of which a straight wall known as the leader or runner extends outward. There may be several combinations of hearts, pounds or pockets. Finfish are voluntarily directed by the leader towards and into the heart and/or pound, and then into the crib or pocket where they are removed periodically by various devices and methods, such as dip nets that are solely operated by hand.

55.02 Pound Net and Fish Weir Fishing Provisions

1. It is unlawful to remove fish from a pound net or fish weir gear that is not permanently marked with a Commercial Pelagic and Anadromous or Commercial Menhaden License-holder's name and DMR landings number.
2. Pound net or fish weir gear markings must be legible and clearly visible for inspection at all times.
3. Pound net or fish weir gear used under a Commercial Menhaden License must be marked with a single license-holder's name and DMR landings number for the duration of the license year.
4. It is unlawful for a person, other than the license-holder whose name and DMR landings number is marked on the pound net for fish weir gear, to remove fish from the pound net or fish weir gear.
5. Pound nets shall be set in a manner whereas the net leader is at no time within the intertidal zone.
6. Pound nets and fish weirs shall be tended and any non-retainable bycatch released every 24 hours.

55.03 Special Area Closures to Fishing

1. Except as provided by further regulation of the Commissioner, the following waters are closed to fishing:
 - A. Dams with fishways.
 - B. The area within 150 feet of any dam in which a fishway is located and/or 150 feet of any part of any fishway.

This regulation shall not apply to the taking of river herring under 12 M.R.S. §6131.

55.04 Gillnet Bait Fishing Regulations

1. **License requirement.** It shall be unlawful to gillnet bait fish without a Commercial Pelagic and Anadromous Fishing License or a Menhaden Fishing License from the Department of Marine Resources (DMR).
2. **Gear and marking requirements.** Except as further restricted in the Menhaden fishery (Chapter 41), it shall be unlawful to fish more than 2000 feet of bait gillnet in territorial waters. Bait gillnet shall have less than 3.5 inches diamond or square stretch mesh throughout the entire net. Bait gillnets must be clearly marked at each end with buoy sticks at least 4 feet in length. The license-holder's name, homeport and Commercial Pelagic and Anadromous Fishing License number or Menhaden Fishing License number must be clearly displayed on every marking buoy.
3. **Reporting.** See Chapter 8.20(13)(17)(18) Landings Program.
4. **New Meadows River restrictions.** It shall be unlawful to use a bait gillnet in any tidal waters north of a line drawn from the shore side end of the footbridge at Hopkins Island in Harpswell, thence following the bridge to the southern tip of Hopkins Island, thence east to the southern tip of Sheep Island, thence 90 degrees due east (true) to the Phippsburg shore south of the entrance to Basin Cove. The Western Boundary is the Gurnet Bridge on Rt. 24 in Harpswell.

Exception. Bait gillnets may be fished in these waters if the net is hauled back and tended at least once every four hours.

55.05 Use of purse, drag or stop seines in certain waters prohibited

In Kennebec River above a line drawn across said river from Fort Popham in the Town of Phippsburg to a point opposite at the lower end of Long Island in the Town of Georgetown.

55.06 Fish Passage Regulations

1. Any net or trap set in any tidal river, brook, stream or other watercourse must:
 - A. Not occupy more than two-thirds (2/3) of the watercourse measured at any time of tide;
 - B. Not exceed 30 feet in length, as measured from the opening of the net to the terminal portion of the end of the net;
 - C. Not be located within 50 feet of any part of another net or trap;
 - D. Not have a mesh size less than 1/8" diamond or square stretch mesh or greater than one inch;
 - E. Be tended and the contents removed at least once every 24 hours; and
 - F. Be clearly marked by a floating buoy or surface marker with the owner's commercial fishing or Commercial Pelagic and Anadromous Fishing license number and telephone number.

2. Exceptions

- A. The holder of a Commercial Pelagic and Anadromous Fishing License, fishing in accordance with the bait gillnet regulations in Chapter 55.04, may use a net exceeding 30 feet in length and a mesh size of less than 3.5 inches diamond or square stretch mesh in accordance with Chapters 55.04(2) and 34.10, provided that all the other gear restrictions in Chapter 55.06(1) are met.
- B. Persons fishing in accordance with river herring fishing rights granted pursuant to 12 M.R.S. §6131 are not subject to the gear limitations of Chapter 55.06(1).
- C. Persons issued an elver license in accordance with 12 M.R.S. §6505-A and fishing in accordance with applicable elver fishing laws and regulations are not subject to the gear limitations of Chapter 55.06(1).
- D. Persons issued an aquaculture lease pursuant to 12 M.R.S. §6072 or §6072-A, a limited-purpose aquaculture (LPA) license pursuant to 12 M.R.S. §6072-C are not subject to the gear limitations of Chapter 55.06(1).
- E. Persons engaged in the traditional stop seine fishery for Atlantic Sea Herring or Atlantic menhaden are not subject to the gear limitations of Chapter 55.06(1).

55.07 Seasonal Net Restriction

It shall be illegal to set or maintain any net in any tidal river, brook or stream or other watercourse or any territorial waters of the State of Maine between noon February 1st and noon March 22nd, both days inclusive.

Exceptions. Chapter 40.12(B) and rules established under Chapter 45.

55.08 Method of Mechanical Harvest Prohibited

It shall be unlawful to fish for, take or transport to the surface any marine organism by pump, vacuum, suction or any type of mechanical pumping.

Exceptions:

1. Atlantic Herring
2. Menhaden
3. Seaweed harvesting
4. Marine organisms raised on and removed from an aquaculture lease or license site pursuant to 12 M.R.S. 6072, 6072-A, 6072-B, and 6072-C.

55.14 Fishing in the Presumpscot River

It shall be unlawful to use purse, drag, or stop seines in the Presumpscot River upstream of the Interstate 295 bridge.

It shall be unlawful to use a gill net in the Presumpscot River upstream of the US Route 1 bridge between Martin Point in Portland and Mackworth Point in Falmouth.

55.15 Fishing in the Bagaduce River and its tributaries in Castine, Penobscot and Brooksville

1. No person shall use any weir, seine, trap or any other contrivance in catching, fishing for or taking fish in the Bagaduce River or any of its tributaries, in the Towns of Castine, Penobscot and Brooksville, Hancock County, except by the use of gill nets, and permanent weirs, with not less than 50 poles, constructed of laths, brush, wire or twine.
2. The trapping of eels in the Bagaduce River shall be lawful.
3. **Fishing in the Bagaduce River Upstream of the North Brooksville Sedgwick Bridge.** Notwithstanding the provisions of DMR Regulations 55.15(1) and (2), it is unlawful to fish for, take or possess fish from April 1st through November 30th of any year from the Bagaduce River or any of its tributaries upstream of the North Brooksville-Sedgwick Bridge in the towns of Penobscot, Brooksville and Sedgwick, except that this regulation shall not apply to fish taken by hook and line and baited eel pots.

55.30 Fishing in the Sheepscot River, Lincoln County

It shall be unlawful to use any type of net or seine in the Sheepscot River and its tributaries between the Wiscasset North Edgecomb Bridge and the so-called Headtide Dam at Alna. Exceptions:

1. The fishing of lamprey eels within these waters shall be under the direction of the Commissioner of Marine Resources who may issue permits to take lamprey eels at places and by means designated by him or her.
2. This section does not apply to the taking of river herring under any other law or regulation.
3. Elver fyke or dip nets may be fished in the Sheepscot River for the harvest of elvers only. Persons issued an elver license in accordance with 12 M.R.S. §6505-A or §6302-A and who fish in accordance with current elver laws and regulations are not in violation of this regulation.

55.35 Use of Draggers in Sheepscot Bay, Lincoln County

It shall be unlawful between the first day of November and the first day of the following February, to use a dragger or any other dragging apparatus, except standard scallop drags, for the taking of fish or lobsters from those parts of Sheepscot Bay, Sagadahoc and Lincoln Counties, in-shore from a line drawn from the southern end of Small Point to the southern end of Seguin Island; thence to the southern end of Pumpkin Island; thence to Ocean Point.

55.40 Fishing for Cod and Other Groundfish in Sheepscot Bay, Lincoln County

It shall be unlawful to fish for or to take, except with tub or line trawls or by ordinary hook and line, any cod or other ground fish from the waters of Sheepscot Bay that border on the Town of Georgetown, Sagadahoc County, and the Town of Southport, Lincoln County, from Griffith's Head in an easterly direction to lower Mark Island, thence in a southerly direction to the Cuckholds, thence in a northeasterly direction to Ocean Point.

55.50 Seining in Sasanoa River, Sagadahoc County

Fishing with the use of seines in the Sasanoa River below Bath from October 1st to April 1st is prohibited.

55.55 Fishing in Cathance and Abagadasset Rivers, Sagadahoc County

It shall be unlawful to use any type of net, seine, or trap in the tidal waters of the Cathance or Abagadasset Rivers and their tributaries in Sagadahoc County, from sunrise Saturday to sunrise the following Sunday during the period from ice out to June 1st of each calendar year.

During the aforementioned period, any weirs located in the Cathance or Abagadasset Rivers and their tributaries shall be modified to prevent the catching of fish.

55.56 Fishing for Suckers in the Towns of Bowdoinham and Topsham

It shall be unlawful to use any type of gear to fish for or take suckers from March 15th to June 15th of any year in the following described coastal waters in the Towns of Bowdoinham and Topsham as illustrated in the chart attached (Appendix A):

1. **Abagedasset River.** All coastal waters upstream of a line located 100 feet south of the Maine Central Railroad Bridge;
2. **West Branch Cathance River.** All coastal waters upstream of a line located 100 feet south of the Maine Central Railroad Bridge;
3. **Shingleman's Creek.** All coastal waters upstream of a line located 1,000 feet east of the Maine Central Railroad crossing;
4. **All other Cathance River tributaries.** All coastal waters upstream of a line located 100 feet east of the Maine Central Railroad crossing; and
5. **Main stem of the Cathance River.** All coastal waters upstream of a line located 100 feet east of the Maine Central Railroad Bridge.

55.59 Penobscot River Tributaries Fishing Closures

To be closed to all fishing July 1st through September 30th, both days inclusive:

1. **Kenduskeag Stream.** From the downstream side of the Maine Central Railroad bridge in Bangor to the Harlow Street Bridge.
2. **Felts Brook.** From the head of tide in Brewer downstream to the Penobscot River, and that portion of the Penobscot River on the easterly side of straight line drawn from a red painted rock situated on the downriver side of the mouth of Felts Brook to a red painted marker on the Bangor Dam fishway situated on the upriver side of the mouth of Felts Brook.
3. **Meadow Brook.** In Bangor and the Penobscot River within a 250 foot radius of the Maine Central Railroad abutments at the mouth of Meadow Brook.
4. **Eaton Brook.** From the head of tide in Brewer to the Penobscot River, and the Penobscot River within 250 feet of a red painted marker situated on the downriver side of the mouth of Eaton Brook.

55.60 Fishing in Narraguagus River, Washington County

1. It shall be unlawful to use any type of net or seine in the Narraguagus River and its tributaries from May 1st to October 15th of each year in that portion of the river between the so-called Great Bridge in the Town of Milbridge and the bridge at U.S. Route 1 in Cherryfield.
2. This section does not apply to the taking of river herring under 12 M.R.S. §6131, nor to the taking of river herring under any other law.

55.70 Fishing in Dennys River, Washington County

It shall be unlawful to use seine or gill nets in the Dennys River above a line drawn from Hinckley Point in the Town of Dennysville due south to a red painted post in the Township of Edmunds. A hand dip net with a bow not more than 2 1/2 feet in the largest diameter may be used between this line and the No. 1 Highway at the Upper Bridge, so-called, for the purpose of catching river herring during the open season and under the conditions and restrictions provided by the general laws of the State.

55.75 York County; Otter trawling in Spruce Creek

It shall be unlawful to fish with or to use any otter trawl in the coastal waters and tributaries of Spruce Creek in the Town of Kittery, York County, northerly and upstream of the Kittery Point Bridge.

55.80 Fishing in Bond, Kennebec County

All tidal waters of Bond Brook, Augusta, shall be closed to all fishing from the head of mean high tide to the mouth of the brook where it meets the Kennebec River located 150 feet (more or less) southeast of the downstream side of the Route 104, Northern Avenue Bridge.

55.85 Fishing in the Damariscotta River

From March 15th through June 15th inclusive, it shall be illegal to fish within 150 feet downstream of either end of the Railroad Bridge located east of the Route 215 bridge in Damariscotta Mills. This closure extends westward to include all tidal waters.

Exception. This closure shall not apply to the taking of river herring under 12 M.R.S. §6131.

55.93 Fixed Gill Nets: Tending Requirements, Kennebec/Androscoggin Rivers

A person may not use a gill net that is fixed or anchored to the bottom or shore in any tidal waters of the Kennebec River or the Androscoggin River or their tidal tributaries, including those tidal waters of Phippsburg, West Bath, Bath, Bowdoinham, Topsham, Dresden, Woolwich,

Arrowsic, and Georgetown that are connected to the Kennebec River upstream from Fort Popham, unless that fixed gill net is tended continuously, hauled back and emptied at least once every 2 hours and is affixed with a floating marker that includes the name and address of the owner of the net.

55.94 Use of Gill Nets in the Kennebec and Androscoggin Rivers

It is unlawful to use a gill net in the Androscoggin River, Merrymeeting Bay and its tributaries, and the Kennebec River upstream of a line across the Kennebec River from Fort Popham in the Town of Phippsburg to a point opposite on the lower end of Georgetown.

Exceptions. The use of gill nets which do not exceed a maximum stretch mesh measure of 3 1/2 inches for the taking of menhaden, river herring, blueback herring, sea herring, and mackerel is exempted from this rule.

55.95 Fishing in Royal River, Yarmouth

It shall be unlawful to obstruct in any way by any net, seine, weir or other contrivance for taking fish, more than 1/3 part of the channel of the Royal River at mean low water inside and westerly of a line drawn from the most northerly point of Parker Point to the most easterly point of Browns Point in Yarmouth, Cumberland County. Furthermore, it shall be unlawful to take finfish from the coastal waters of the Royal River above the downstream side of the I-295 bridge except by dip net or hook and line.

55.96 Penobscot River Gear Restrictions

1. From May 1st through November 15th, both days inclusive, it is unlawful to use a gill net in the waters of the Penobscot River and its tributaries upstream of a line drawn from the old fertilizer plant dock at Sandy Point, in the Town of Stockton Springs, to the southern-most point of Verona Island, due east to a red painted post on the eastern shore of the Penobscot River in the Town of Orland.
2. **Exceptions:**
 - A. Municipalities which harvest river herring in accordance with the provisions of 12 M.R.S. §6131.
 - B. The use of gill nets which do not exceed a maximum size stretch mesh measure of 3½" for the taking of menhaden and other bait fish in the Eastern Channel of the Penobscot River between Orland and Verona Island, upstream to a line drawn from the southern extremity of Gross Point in the Town of Orland, south- westerly to Verona Island. The taking of river herring from any part of the Orland River above its confluence with the Penobscot River shall require written permission from the Town of Orland.

55.97 Fishing in the Kennebec River above the Gardiner/Randolph Bridge

It shall be unlawful to use any type of net or seine in the tidal waters of the Kennebec River above the Gardiner/Randolph Bridge. This regulation shall not apply to the taking of smelts or elvers by hand dip net or hook and line in accordance with DMR regulations Chapter 40.

55.98 Fishing in the Androscoggin River in Brunswick and Topsham

It shall be unlawful to fish or to possess fish or fish parts on the waters of the Androscoggin River from the area downstream of the "Brunswick Hydroelectric Project", to a line drawn between a point on shore 150 feet downstream from the fishway in Brunswick, north to the northeastern corner of the Route #201 bridge in Topsham. No person may have in their possession any fish spawn, grapnel, spear, hook and line, trawl, weir, gaff, seine, gill net, net, trap, or set line on the waters of the Androscoggin River within these boundaries.

55.99 Fishing in the Saco River above the Route 9/Main Street bridge between Saco and Biddeford

It shall be unlawful to fish the waters of the Saco River upstream of the Route 9/Main Street bridge between Factory Island, Saco and Mechanics Park, Biddeford, to the head of tide, commonly known as the "Cataract Dam".

INDEX**STATUTORY AUTHORITY:**

12 M.R.S. §6171

EFFECTIVE DATE:

October 10, 1979 – Section 55.79

AMENDED

May 23, 198 – Recodification, added Section 55.02

May 27, 1983 – Section 55.15(C) (EMERGENCY)

November 7, 1983 – Section 55.85 (EMERGENCY)

December 7, 1983 – Section 55.86 (EMERGENCY)

April 20, 1984 – Section 55.56

April 22, 1984 – Section 55.15(C)

August 14, 1984 – Section 55.80

November 3, 1984 – Section 55.85

April 15, 1985 – Section 55.95

October 16, 1985 – Section 55.85

December 31, 1985 – Section 55.31

March 26, 1986 – Section 55.95
August 24, 1986 – Section 55.85 repealed
May 3, 1987 – Section 55.05(D)
June 26, 1987 – Section 55.96 (EMERGENCY)
July 21, 1987 – Section 55.96 (EMERGENCY)
April 3, 1988 – Section 55.96
April 25, 1988 – Section 55.97
April 25, 1988 – Section 55.98
May 25, 1989 – Section 55.99 (EMERGENCY)
September 19, 1989 – Section 55.02 repealed
July 26, 1993 – Section 55.94
July 26, 1993 – End of Section 55.03
July 26, 1993 – Section 55.14
October 24, 1993 – Section 55.32
July 14, 1995 – Section 55.80 (EMERGENCY)
May 14, 1996 – Section 55.85
August 19, 1996 – Section 55.80
August 20, 1996 – Section 55.93
May 12, 1997 – Section 55.85
August 31, 1997 – Section 55.59
July 1, 2000 – Section 55.58 (EMERGENCY)
September 23, 2000 – Section 55.58 (Maj. Substantive provisional adoption)
July 14, 2001 – Section 55.58 (Maj. Substantive [final] adoption)
November 25, 2001 – Section 55.25 repealed
November 25, 2001 – Section 55.65 repealed
November 25, 2001 – Section 55.70(B) repealed
February 9, 2002 – Section 55.04 added
May 9, 2002 – Section 55.15(D) added (EMERGENCY, Expires August 7, 2002)
June 24, 2002 – Section 55.15
December 17, 2003 – Section 55.04(C)
April 27, 2004 – Section 55.03
August 22, 2004 – Section 55.04(B)(1) added
March 11, 2005 – Section 55.61 added (EMERGENCY, Expires June 9, 2005)
June 27, 2006 – Section 55.04(D) (expires December 31, 2007)
January 24, 2007 – Section 55.58
March 4, 2007 – Sections 55.06(A,B); 55.30
February 25, 2008 – Section 55.04(D)
July 20, 2009 – Section 55.90 (Expires June 1, 2010)
December 21, 2009 – Sections 55.20, 55.60, 55.97
June 21, 2010 – Section 55.90
September 20, 2010 – Section 55.90, moved to Chapter 41.30
October 26, 2010 – Sections 55.04, 55.06
July 23, 2012 – Sections 55.01, 55.03 55.06, 55.10, 55.20, 55.45, 55.56, 55.60, 55.70, 55.85, 55.94, 55.95, 55.96, 55.98, 55.99
January 31, 2013 – Section 55.07 added (EMERGENCY, Expires May 2, 2013)
October 17, 2013 – Section 55.06(1)(D), 55.59 amended; Sections 55.07, 55.08 added; Section 55.30 deleted; Section 55.58 removed
March 21, 2014 – Section 55.07 amended (EMERGENCY, Expires June 18, 2014)

November 14, 2017 – Sections 55.30, 55.31, 55.32

March 15, 2020 – Section 55.05

June 10, 2023 – Section 55.99 (EMERGENCY, Expires September 8, 2023)

August 13, 2023 – Section 55.99

March 19, 2024 – Sections 55.01, 55.02 new; Sections 55.04, 55.05, 55.06 amended

April 22, 2025 – Section 55.01

August 19, 2026 – Section 55.98