

Rule No	Rule Title	Latest Version	Effective Date
68B-44.002	Definitions		1/1/1998
68B-44.003	Bag Limit Applicable to State Waters, Gear Restriction		1/1/1998
68B-44.004	Practice of Finning Prohibited; Removal of Fins from Sharks Harvested in State Waters Prohibited; Compliance with Federal Requirements; Filleting Prohibited		10/15/2007
68B-44.005	Commercial Harvest of Sharks: Federal Permit Required		10/15/2007
68B-44.006	Commercial Season; Season Closure; Prohibition of Sale		7/1/2003
68B-44.008	Protected Species: Sawfishes, Basking Shark, Whale Shark, White Shark, Sand Tiger Shark, Bigeye Sand Tiger Shark, Spiny Dogfish, Manta Ray, and Spotted Eagle Ray; Prohibition of Harvest, Landing, and Sale		3/9/2006

Sharks and Rays

68B-44.002 Definitions.

As used in this rule chapter:

(1) “Harvest” means the catching or taking of a marine organism by any means whatsoever, followed by a reduction of such organism to possession. Marine organisms that are caught but immediately returned to the water free, alive, and unharmed are not harvested.

(2) “Harvest for commercial purposes” means the taking or harvest of a marine organism for purposes of sale or with intent to sell.

(3) “Finning” means removing the fins of a shark and returning the remainder of the shark to the water.

(4) “Land,” when used in connection with the harvest of marine organisms, means the physical act of bringing the harvested organism ashore.

(5) “Ray” means any species of the Order Rajiformes, or any part thereof.

(6) “Shark” means any of the following species or any part thereof (excluding fins unattached as authorized in this chapter):

(a) Large coastal species:

1. Great hammerhead – *Sphyrna mokarran*.
2. Scalloped hammerhead – *Sphyrna lewini*.
3. Smooth hammerhead – *Sphyrna zygaena*.
4. White shark – *Carcharodon carcharias*.
5. Nurse shark – *Ginglymostoma cirratum*.
6. Bignose shark – *Carcharhinus altimus*.
7. Blacktip shark – *Carcharhinus limbatus*.
8. Bull shark – *Carcharhinus leucas*.
9. Caribbean reef shark – *Carcharhinus perezii*.
10. Dusky shark – *Carcharhinus obscurus*.
11. Galapagos shark – *Carcharhinus galapagensis*.
12. Lemon shark – *Negaprion brevirostris*.
13. Narrowtooth shark – *Carcharhinus brachyurus*.
14. Night shark – *Carcharhinus signatus*.
15. Sandbar shark – *Carcharhinus plumbeus*.
16. Silky shark – *Carcharhinus falciformis*.
17. Spinner shark – *Carcharhinus brevipinna*.

18. Tiger shark – *Galeocerdo cuvieri*.
19. Bigeye sand tiger – *Odontaspis noronhai*.
20. Sand tiger shark – *Odontaspis taurus*.
- (b) Small coastal species:
 1. Atlantic angel shark – *Squatina dumerili*.
 2. Bonnethead – *Sphyrna tiburo*.
 3. Atlantic sharpnose shark – *Rhizoprionodon terraenovae*.
 4. Blacknose shark – *Carcharhinus acronotus*.
 5. Caribbean sharpnose shark – *Rhizoprionodon porosus*.
 6. Finetooth shark – *Carcharhinus isodon*.
 7. Smalltail shark – *Carcharhinus porosus*.
- (c) Pelagic species:
 1. Bigeye sixgill shark – *Hexanchus vitulus*.
 2. Sevengill shark – *Heptranchias perlo*.
 3. Sixgill shark – *Hexanchus griseus*.
 4. Longfin mako – *Isurus paucus*.
 5. Porbeagle shark – *Lamna nasus*.
 6. Shortfin mako – *Isurus oxyrinchus*.
 7. Blue shark – *Prionace glauca*.
 8. Oceanic whitetip shark – *Carcharhinus longimanus*.
 9. Bigeye thresher – *Alopias superciliosus*.
 10. Thresher shark – *Alopias vulpinus*.

(7) “Spearing” means the catching or taking of a fish by bow hunting, gigging, spearfishing, or by any device used to capture a fish by piercing the body. Spearing does not include the catching or taking of a fish by a hook with hook and line gear, or by snagging (snatch hooking).

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 4-8-92, Amended 1-1-98, Formerly 46-44.002.

68B-44.003 Bag Limit Applicable to State Waters, Gear Restriction.

- (1) No person shall harvest in or from the waters of the state more than one shark per day; provided, however, that the possession of more than two sharks harvested from state waters aboard any vessel with two or more persons is prohibited.
- (2) The harvest or attempted harvest of any shark in or from state waters by spearing is prohibited.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 4-8-92, Amended 1-1-98, Formerly 46-44.003.

68B-44.004 Practice of Finning Prohibited; Removal of Fins from Sharks Harvested in State Waters Prohibited; Compliance with Federal Requirements; Filleting Prohibited.

- (1) No person shall engage in the practice of finning.
- (2) No person shall remove any fin of any shark harvested in state waters while in or on such waters or prior to the shark being landed.
- (3) Persons returning from federal Exclusive Economic Zone (EEZ) waters adjacent to state waters with sharks or shark fins harvested there shall not stop in state waters to fish and shall land any shark or shark fins in the proportion specified in 50 C.F.R. § 678.21(a)(2).
- (4) No person shall fillet any shark while in or on state waters. The possession while in or on state waters of any shark that has been sliced, divided, filleted, ground, skinned, scaled, or deboned, is prohibited. Mere evisceration or “gutting” of such fish, mere removal of gills, or removal of the heads and tails, is not prohibited.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 4-8-92, Amended 2-14-94, 1-1-98, Formerly 46-44.004.

68B-44.005 Commercial Harvest of Sharks: Federal Permit Required.

No person shall harvest sharks in or from the waters of the state for commercial purposes or sell any shark harvested from such waters unless such person is in possession of a valid federal annual vessel permit for sharks issued pursuant to 50 C.F.R. § 678.4 or written authorization of such harvest or sale from the Regional Director of the National Marine Fisheries Service pursuant to 50 C.F.R. § 678.27.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 4-8-92, Amended 2-14-94, Formerly 46-44.005.

68B-44.006 Commercial Season; Season Closure; Prohibition of Sale.

(1) All persons harvesting sharks for commercial purposes shall have a season that begins on July 1 of each year and continues through June 30 of the following year, unless closed earlier pursuant to subsection (2).

(2)(a) If at any time the harvest of any species of large or small coastal sharks for commercial purposes in waters of the federal Exclusive Economic Zone (EEZ) adjacent to Florida waters is closed, corresponding state waters shall be closed to commercial harvest of the species affected by the federal closure, from the date of such closure until federal waters are reopened to the commercial harvest of such species.

(b) During the period of any state waters closure pursuant to paragraph (a), the harvest, possession, or landing for commercial purposes, or the sale, purchase, or exchange, of any species to which the closure applies, is prohibited. These prohibitions shall not apply to trade in shark carcasses or fins that were harvested, offloaded, and purchased, sold, or exchanged prior to the closure.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 4-8-92, Amended 2-14-94, 1-1-98, Formerly 46-44.006, Amended 7-1-03.

68B-44.008 Prohibited Species; Prohibition of Harvest, Landing, and Sale.

No person shall harvest, possess, land, purchase, sell, or exchange any smalltooth sawfish (*Pristis pectinata*), largetooth sawfish (*Pristis pristis*), basking shark (*Cetorhinus maximus*), whale shark (*Rhincodon typus*), white shark (*Carcharodon carcharias*), sand tiger shark (*Carcharias taurus*), bigeye sand tiger (*Odontaspis noronhai*), Atlantic angel shark (*Squatina dumeril*), bigeye sixgill shark (*Hexanchus nakamurai*), bigeye thresher shark (*Alopias superciliosus*), bignose shark (*Carcharhinus altimus*), Caribbean reef shark (*Carcharhinus perezii*), dusky shark (*Carcharhinus obscurus*), Galapagos shark (*Carcharhinus galapagensis*), longfin mako shark (*Isurus paucus*), narrowtooth shark (*Carcharhinus brachyurus*), night shark (*Carcharhinus signatus*), sevengill shark (*Heptranchias perlo*), sixgill shark (*Hexanchus griseus*), and smalltail shark (*Carcharhinus porosus*), spiny dogfish (*Squalus acanthias*), manta ray (species of the genus *Manta* and *Mobula*), or spotted eagle ray (*Aetobatus narinari*), or any part of any of these species.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 4-8-92, Amended 1-1-98, Formerly 46-44.008, Amended 7-1-03, 3-9-06.