

**CHAPTER 68B-44**  
**SHARKS AND RAYS**  
**Florida Fish and Wildlife Conservation Commission Meeting**  
**July 17, 2019**  
**Consent Agenda Item 4**

68B-44.002	Definitions
68B-44.003	Size Limit; Landing in Whole Condition Requirement
68B-44.004	Bag and Vessel Limits Applicable to Florida Waters; Restrictions on Possession of Prohibited Species; Transit Through Florida Waters
68B-44.007	Sale and Purchase Requirements

**68B-44.002 Definitions.**

As used in this rule chapter:

- (1) No change.
- (2) “Shark” means any species of the orders Carcharhiniiformes, Lamniformes, Hexanchiformes, Orectolobiformes, Pristiophoriformes, Squaliformes, Squatiniformes, including but not limited to any of the following species or any part thereof:
  - (a) Large coastal species:
    1. Blacktip shark —(*Carcharhinus limbatus*).
    2. Bull shark —(*Carcharhinus leucas*).
    3. Nurse shark —(*Ginglymostoma cirratum*).
    4. Spinner shark —(*Carcharhinus brevipinna*).
  - (b) Small coastal species:
    1. Atlantic sharpnose shark —(*Rhizoprionodon terraenovae*).
    2. Blacknose shark —(*Carcharhinus acronotus*).
    3. Bonnethead —(*Sphyrna tiburo*).
    4. Finetooth shark —(*Carcharhinus isodon*).
  - (c) Pelagic species:
    1. Blue shark —(*Prionace glauca*).
    2. Oceanic whitetip shark —(*Carcharhinus longimanus*).
    3. Porbeagle shark —(*Lamna nasus*).
    4. Shortfin mako —(*Isurus oxyrinchus*).
    5. Thresher shark —(*Alopias vulpinus*).
  - (d) Smoothhound sharks:
    1. Smooth dogfish —(*Mustelus canis*).
    2. through 3. No change.
  - (e) through (ee) No change.
- (3) through (5) No change.

*Rulemaking 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, Amended 1-19-10, 3-21-10, 1-1-12, 7-1-19,\_\_\_\_\_.*

**68B-44.003 Size Limit; Landing in Whole Condition Requirement.**

(1) Size Limits –

(a) Shortfin mako –

1. A recreational harvester may not harvest or land from Florida Waters a shortfin mako that is less than 83 inches fork length. Except as provided in subparagraph (1)(a)2., a recreational harvester may not possess in or on Florida Waters a shortfin mako that is less than 83 inches fork length.

2. The possession limit established in subparagraph (1)(a)1. will not apply to shortfin makos lawfully harvested in federal waters by recreational harvesters when such sharks are transported directly through Florida Waters with gear appropriately stowed. Transit shall be direct and continuous from the place where lawful harvest occurred to the place where the vessel is regularly docked, moored, or otherwise stored.

(b) Except as provided in paragraph (1)(a), a person may not harvest or land from Florida Waters, or possess in or on Florida Waters, a shark that is less than 54 inches fork length, with the exception of the following species, for which there shall be no minimum size limit:

(a) through (f) renumbered as 1. through 6.

(2) through (3) No change.

(4) The size limits and landing in whole condition requirement of this rule will not apply to sharks lawfully harvested commercially in federal waters when such sharks are transported directly through Florida state Wwaters with gear appropriately stowed. Transit shall be direct, continuous and expeditious from the place where lawful harvest occurred to the place where the vessel is regularly docked, moored, or otherwise stored or to the place of the licensed wholesale dealer where the catch is to be sold. For the purpose of this section appropriately stowed means a longline may be left on the drum if all gangions and hooks are disconnected and stowed below deck. Hooks cannot be baited. All buoys must be disconnected from the gear; however, buoys may remain on deck. A rod and reel must be stowed securely. Terminal gear (i.e., hooks, leaders, sinkers, flashers, or baits) must be disconnected and stowed separately from the fishing apparatus. Sinkers must be disconnected from the down rigger and stowed separately. Gillnets must be rolled, folded, or otherwise properly and securely stowed in sealed containers or compartments so as to make their immediate use as fishing implements impracticable.

*Rulemaking 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, Amended 1-19-10, 7-1-19\_\_\_\_\_.*

**68B-44.004 Bag and Vessel Limits Applicable to Florida Waters; Restrictions on Possession of Prohibited Species; Transit Through Florida Waters.**

(1) through (2) No change.

(3) Prohibited Species –

(a) For the purposes of this rule, “prohibited species” shall include:

1. Atlantic angel shark.
2. Basking shark.
3. Bigeye sand tiger.
4. Bigeye sixgill shark.
5. Bigeye thresher.
6. Bignose shark.
7. Bluntnose sixgill shark.
8. Caribbean reef shark.
9. Caribbean sharpnose shark.
10. Dusky shark.
11. Galapagos shark.
12. Great hammerhead.
13. Lemon shark.
14. Longfin mako.
15. Narrowtooth shark.
16. Night shark.
17. Sandbar shark.
18. Sand tiger.
19. Scalloped hammerhead.
20. Sharpnose sevengill shark.
21. Shortfin mako, only when targeted or harvested for commercial purposes.

- ~~22.~~ Silky shark.
- ~~23.~~~~22.~~ Smalltail shark.
- ~~24.~~~~23.~~ Smooth hammerhead.
- ~~25.~~~~24.~~ Spiny dogfish.
- ~~26.~~~~25.~~ Tiger shark.
- ~~27.~~~~26.~~ Whale shark.
- ~~28.~~~~27.~~ White shark.
- ~~29.~~~~28.~~ Largetooth sawfish (*Pristis pristis*).
- ~~30.~~~~29.~~ Smalltooth sawfish (*Pristis pectinata*).
- ~~31.~~~~30.~~ Manta ray (species of the genera *Manta* and *Mobula*).
- ~~32.~~~~31.~~ Spotted eagle ray (*Aetobatus narinari*).

(b) A person may not harvest or land from Florida Waters any prohibited species or any part thereof. A person may not ~~or possess in or on or from Florida Waters or land in Florida~~ any prohibited species or any part thereof.

- (c) through (e) No change.
- (4) No change.

*Rulemaking 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, Amended 10-15-07, 1-19-10, 7-1-19\_\_\_\_\_.*

**68B-44.007 Sale and Purchase Requirements.**

- (1) through (3) No change.

(4) No person may purchase or sell a prohibited species specified in subsection 68B-44.004(3), F.A.C., or any an part thereof, unless possession and landing is authorized pursuant to subsection 68B-44.004(4), F.A.C.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-19-10, Amended 7-1-19,\_\_\_\_\_*