

Indiana DNR Commercial Fishing License Regulations

[312 IAC 9-8-1](#) General requirements and definitions

Authority: [IC 14-10-2-4](#); [IC 14-22-2-6](#)

Affected: [IC 14-22-13](#)

Sec. 1. (a) This rule applies to a person who is issued a commercial fishing license by the department.

(b) The following definitions apply throughout this rule:

(1) "Caviar" means the processed, salted, nonfertilized roe.

(2) "Commercial fishing gear" means all equipment associated with commercial fishing, including, but not limited to, the boat, all parts of the nets, traps, seines, trotlines, live boxes, anchors, and lead ropes used to capture or hold fish.

(3) "Helper" means any individual who accompanies and assists a commercial fishing license holder or licensed roe harvester in the harvest, possession, transportation, or sale of fish.

(4) "Hoop net", also known as fyke net, trap net, or barrel net, means a barrel shaped net made of synthetic twine, cotton, linen, or nylon and supported by hoops. One (1) or more throats are attached inside the hoop structures to prevent escape of the fish. Hoops may be any shape and may be constructed of wood, metal, fiberglass, or plastic materials. Individual hoops must not be directly connected to or supported by other hoops with any rigid material, other than the mesh netting, so that the net has the ability to collapse. One (1) gear tag issued by the department must be attached.

(5) "Roe" means the internal egg mass in an ovary or the female gametes, but not caviar.

(6) "Roe-bearing species" means the following species:

(A) Shovelnose sturgeon.

(B) Paddlefish.

(C) Bowfin.

(7) "Roe dealer" means a person who possesses a valid roe dealer's license issued under section 8 of this rule to purchase, process, transport, and sell roe.

(8) "Roe harvester" means an individual who possesses a valid roe harvester's license issued under section 7 of this rule to harvest, possess, transport, begin processing, and sell, but not purchase, roe.

(9) "Screened eggs" means nonfertilized roe that has been screened and washed to remove fat and separate the eggs, but not salted.

(10) "Seine", for purposes of this rule, means a net in the water that is attended by individuals pulling it through the water for the entrapment of fish. A seine must have both float and lead lines and have wood, fiberglass, or metal poles attached to each end.

(11) "Slat trap", also known as basket trap or slat basket, means a commercial fishing device constructed entirely of wood or plastic, or both, slats in a boxlike or cylindrical shape. Slat traps may have no more than two (2) outside funnel openings. No wire or other mesh may be added to the trap. At least two (2) openings not less than one and one-fourth (1 1/4) inches wide must be located between the slats. These openings shall not be restricted by cross-bracings to a length shorter than eight (8) inches long. The trap shall be not larger than two (2) feet in diameter or square end measure. One (1) gear tag issued by the department must be attached to the open ring or square.

(c) A commercial fishing license holder, licensed roe harvester, or roe dealer who possesses or sells a fish described in this article must comply with [312 IAC 9-6-11](#). The bill of lading and the shipment must be made available upon request for inspection by a conservation officer.

(d) The department shall not issue a commercial fishing license, roe harvester's license, or roe dealer's license to an individual whose sport fishing, commercial fishing, roe dealer, or roe harvester license has been suspended or revoked, during the term of the suspension or revocation.

(e) A helper of a commercial fishing license holder or licensed roe harvester must:

- (1) be in the same boat as the license holder while participating in commercial fishing or the harvesting of roe-bearing species on waters open to commercial fishing;
- (2) only transport, carry, or ship lawfully harvested fish with a bill of lading in accordance with [312 IAC 9-6- 11\(a\)](#).

(f) A commercial fishing license holder or licensed roe harvester shall not allow an individual who has a sport fishing, commercial fishing, roe dealer, or roe harvester license suspended or revoked, either by a court or administrative process, in Indiana or any other jurisdiction, to serve as a helper during the term of the suspension or revocation.

(g) The cutting or mutilation of live roe-bearing species to check for eggs is prohibited except that a 10-gauge needle may be inserted into the abdomen between the pectoral and pelvic fins to determine the presence of eggs.

(h) A fish-holding basket, live box, live net, or any other structure in which aquatic life is contained or held and left unattended shall be plainly labeled with the name and address of the owner. This does not include live wells or other devices that hang over the side of a boat or are located within the boat.

(i) A person must not possess sport fishing gear, participate in any sport fishing activity (including, but not limited to, checking sport trotlines or poles), or possess fish caught with sport fishing gear while onboard a boat:

- (1) from which commercial fishing gear is actively being set, retrieved, or transported;
- (2) that is being transported to set or retrieve commercial fishing gear; or
- (3) that is transporting fish captured or held with commercial fishing gear.

[312 IAC 9-8-2](#) Commercial fishing except on the Ohio River; general provisions

Authority: [IC 14-10-2-4](#); [IC 14-22-2-6](#)

Affected: [IC 14-22-13](#); [IC 14-22-14](#)

Sec. 2. (a) This section applies to license holders engaged in commercial fishing on inland water.

(b) For purposes of this section, "license holder" means an individual licensed under [IC 14-22-13](#) to use in, and to possess for use in, the water, seines, nets, or other commercial fishing gear authorized in this rule.

(c) A license holder may take and sell fish that are taken with:

- (1) commercial fishing gear; and
- (2) a valid commercial fishing license issued under this rule and [312 IAC 9-6-11](#).

(d) A license holder may take fish with the aid of illumination of:

- (1) a spotlight;
- (2) a searchlight; or
- (3) an artificial light;

where lawfully engaged in commercial fishing.

(e) A license holder subject to this rule must not possess trout or salmon.

(f) A license holder must not possess or sell any of the following taken from the waters described in subsection (a):

- (1) Chubs.
- (2) Northern pike.
- (3) Chain pickerel.
- (4) Muskellunge.
- (5) Tiger muskellunge.
- (6) White bass.
- (7) Yellow bass.
- (8) Striped bass.
- (9) Hybrid striped bass.
- (10) Walleye.
- (11) Sauger.
- (12) Saugeye.
- (13) Smallmouth bass.
- (14) Largemouth bass.
- (15) Spotted bass.
- (16) Bluegill.
- (17) Redear sunfish.
- (18) Rock bass.
- (19) Crappie.
- (20) American eel.
- (21) Paddlefish.
- (22) Lake sturgeon.
- (23) Lake herring.
- (24) Blue catfish less than thirteen (13) inches long.
- (25) Channel catfish less than thirteen (13) inches long.
- (26) Flathead catfish less than thirteen (13) inches long.
- (27) Lake whitefish less than eighteen (18) inches long.
- (28) Yellow perch.

(g) A license holder may take and sell shovelnose sturgeon that are at least twenty-five (25) inches measured in accordance with [312 IAC 9-6-2\(b\)](#) only from October 1 through May 31 and only with a valid inland water roe harvester's license.

(h) A license holder may take no more than one (1) each per day of a:

- (1) channel catfish that is at least twenty-eight (28) inches long;
- (2) blue catfish that is at least thirty-five (35) inches long; and
- (3) flathead catfish that is at least thirty-five (35) inches long.

(i) A license holder must do the following:

- (1) Keep true and accurate daily records on a departmental form ~~of~~ in ink and include the following:
 - (A) The pounds by live weight of each species of fish harvested.
 - (B) The number of pieces of each type of gear fished by date.
 - (C) The county and river fished.
- (2) Submit to the department the completed form required under subdivision (1) by the fifteenth day of each month for the preceding month whether the license holder fished or not unless the license holder has submitted an inactive license form to signify that no commercial fishing will take place on inland water for the remainder of the calendar year. The inactive license form shall be submitted to the division of fish and wildlife before the fifteenth day of the month following the month the license is deemed inactive.
- (3) Allow onboard and dockside inspections of the gear and catch at any time by a conservation officer or other authorized representative of the department.

(j) A license holder must do the following:

- (1) Tend each piece of fishing gear at least once every forty-eight (48) hours and remove all fish taken by the gear at that time.
- (2) Remove each item of gear immediately upon the completion of fishing.

(k) This subsection applies to commercial fishing conducted on the part of the Wabash River that forms the boundary between Illinois and Indiana as follows:

- (1) A license holder under this subsection may only use hoop nets or slat traps. A license holder must not use the following:
 - (A) Wings or leads.
 - (B) Entanglement gear of any kind, including, but not limited to, gill nets or trammel nets.
 - (C) A net having stretch mesh less than two (2) inches or bar mesh less than one (1) inch.
 - (D) A net that obstructs more than one-half (1/2) of the width of the river.
- (2) A license holder may use a seine that has at least one (1) seine tag issued by the department attached to each seine. A license holder must not use a seine:
 - (A) that exceeds one hundred (100) yards in length;
 - (B) having stretch mesh less than five (5) inches; or
 - (C) that obstructs more than one-half (1/2) of the width of the river.
- (3) Commercial fishing gear may not be used within a tributary of the Wabash River (with the exception of the White River and Patoka River) as denoted by a line drawn from point to point across the mouth of the tributary at the existing water level or the ordinary high water mark, whichever is lower.

(l) This subsection applies to commercial fishing on inland water of Indiana except for the part of the Wabash River that forms the boundary between Illinois and Indiana as follows:

- (1) A license holder must not conduct commercial fishing on inland water containing state-owned fish, except for the following rivers:
 - (A) The Wabash River downstream from the southernmost city limits of Lafayette (U.S. 231 bridge) to where the river forms the boundary between Indiana and Illinois.
 - (B) The White River downstream from the junction of its east and west forks to where the White River joins the Wabash River.
 - (C) The west fork of the White River downstream from its junction with the Eel River in Greene County to the junction of the east and west forks of the White River.
 - (D) The east fork of the White River downstream from its junction with the Lost River in Martin County to the junction of the east and west forks of the White River.
 - (E) The Patoka River three hundred (300) yards downstream of the dam below the State Road 164 bridge in the city of Jasper to where the Patoka River joins the Wabash River.
- (2) A license holder under this subsection may only use hoop nets. A license holder must not use the following:
 - (A) More than four (4) hoop nets.
 - (B) A net having a diameter, width, or height of more than six (6) feet.
 - (C) A net having stretch mesh less than two (2) inches or bar mesh less than one (1) inch.
 - (D) Wings or leads.
- (3) Commercial fishing gear may not be used within a tributary of the waters listed in this subsection as denoted by a line drawn from point to point across the mouth of the tributary at the existing water level or the ordinary high water mark, whichever is lower.

312 IAC 9-8-6 Commercial fishing on the Ohio River

Authority: [IC 14-10-2-4](#); [IC 14-22-2-6](#)

Affected: [IC 14-22-13](#)

Sec. 6. (a) This section applies to license holders engaged in commercial fishing on the Ohio River as authorized under [IC 14-22-13](#).

(b) "License holder" means an individual licensed under [IC 14-22-13](#) to use in, and to possess for use in, the water:

- (1) seines;
- (2) nets; or
- (3) other commercial fishing gear.

(c) A license holder shall not take or sell fish except in accordance with [IC 14-22-13](#), this section, and [312 IAC 9-10](#). A license holder may take fish with the aid of illumination of:

- (1) a spotlight;
- (2) a searchlight; or
- (3) an artificial light;

where lawfully engaged in commercial fishing.

(d) A license holder under this section may take and sell all species of fish from the Ohio River except the following:

- (1) Largemouth bass.
- (2) Smallmouth bass.
- (3) Spotted bass.
- (4) Rock bass.
- (5) White crappie.
- (6) Black crappie.
- (7) Walleye.
- (8) Sauger.
- (9) Saugeye.
- (10) Striped bass.
- (11) White bass.
- (12) Hybrid striped bass.
- (13) Yellow bass.
- (14) Muskellunge.
- (15) Northern pike.
- (16) Tiger muskellunge.
- (17) Chain pickerel.
- (18) Lake sturgeon.
- (19) Trout.
- (20) Salmon.
- (21) Blue catfish less than thirteen (13) inches long.
- (22) Channel catfish less than thirteen (13) inches long.
- (23) Flathead catfish less than thirteen (13) inches long.
- (24) Shovelnose sturgeon less than twenty-five (25) inches measured in accordance with [312 IAC 9-6-2](#)(b) and taken from June 1 through September 30.
- (25) Paddlefish less than thirty-two (32) inches measured in accordance with [312 IAC 9-6-2](#)(c) and taken from May 1 through October 31.

(e) A license holder may take no more than one (1) each per day of a:

- (1) channel catfish that is at least twenty-eight (28) inches long;
- (2) blue catfish that is at least thirty-five (35) inches long; and
- (3) flathead catfish that is at least thirty-five (35) inches long.

(f) A license holder under this section must tag each item of gear so that a conservation officer may determine if the:

- (4) gear is properly licensed; and
- (5) license holder is complying with the law.

(g) A person must not possess a seine, net, or commercial trotline except as authorized with a valid commercial fishing license for the Ohio River. This subsection does not apply to a manufacturer, retailer, or wholesale dealer who possesses gear exclusively for sale.

- (h) The use of commercial fishing gear authorized under this section is limited as follows:
- (1) Commercial fishing gear cannot be used on or within fifty (50) yards of a bay or inlet of the Ohio River denoted by a line drawn from point to point across the bay or inlet.
 - (2) Commercial fishing gear cannot be used beyond the bank of the Ohio River, the ordinary high watermark of the Ohio River as defined by [312 IAC 1-1-26](#), or within fifty (50) yards of the mouth of a stream denoted by a line drawn from point to point across a stream at its farthest most downstream location at the existing water level or ordinary high watermark, whichever is lowest.
 - (3) Commercial fishing gear cannot be used in the following locations:
 - (A) John T. Myers Dam downstream to the outer lock wall and the portion of the split channel around the southern part of Wabash Island from the fixed weir dam to the first dike.
 - (B) Newburgh Dam downstream to the end of the outer lock wall.
 - (C) Cannelton Dam downstream to the end of the outer lock wall.
 - (D) McAlpine Dam downstream to the K and I railroad bridge.
 - (E) Markland Dam downstream to the end of the outer lock wall.
- (i) The license holder must tend each item of fishing gear not less frequently than once every twenty-four (24) hours and all fish taken by the gear removed, except that hoop nets or slat traps may be left unattended for not more than seventy-two (72) hours at which time all fish taken by the gear must be removed. Each item of gear must be removed immediately upon the completion of fishing.
- (j) Gear is authorized only as set forth as follows:
- (1) Lines and mesh must be made of:
 - (A) linen;
 - (B) cotton; or
 - (C) a flexible synthetic fiber.
 - (2) The following restrictions apply to a hoop net, wing net, straight lead net, or heart lead net:
 - (A) Each net described in this subdivision must have a minimum bar mesh size of one (1) inch.
 - (B) Hoops may be any size, shape, or material.
 - (C) The maximum length of the lead or wing is sixty (60) feet.
 - (D) One (1) tag issued by the department must be attached to the front hoop of each net.
 - (3) The following restrictions apply to a gill or trammel net:
 - (A) The minimum bar mesh size that can be fished from November 1 through April 30 is four (4) inches.
 - (B) The only bar mesh size that can be fished from May 1 through October 31 is from four (4) inches to four and one-half (4 1/2) inches.
 - (C) The nets referenced in this subdivision may be fished weighted or as a flag net.
 - (D) At least one (1) tag issued by the department must be attached to the net for each one hundred (100) feet of net or part thereof.
 - (4) The following restrictions apply to a commercial trotline:
 - (A) Each line must have more than fifty (50) hooks placed not closer than eighteen (18) inches apart.
 - (B) One (1) tag issued by the department must be attached.
 - (C) The trotline must be:
 - (i) not longer than three thousand (3,000) feet, including staging; and
 - (ii) fished separately rather than tied in a continuous line.
 - (5) The following restrictions apply to a seine:
 - (A) A seine must have the following:
 - (i) A minimum bar mesh size of one (1) inch.
 - (ii) Both float and lead lines.
 - (iii) Wood, fiberglass, metal poles, or brails attached to each end.
 - (B) A seine in the water must be attended by individuals pulling the seine through the water for the entrapment of fish.
 - (C) A seine must have at least one (1) tag issued by the department attached for each one hundred (100) feet of net or part thereof.
 - (6) The following restrictions apply to a slat trap:

- (A) No wire or other mesh may be added to the trap.
 - (B) At least two (2) openings not less than one and one-fourth (1 1/4) inches wide must be located between the slats. These openings shall not be restricted by cross-bracings to a length shorter than eight (8) inches long.
 - (C) The trap shall be not larger than two (2) feet in diameter or square end measure.
 - (D) A tag issued by the department must be attached to the open ring or square.
- (k) A license holder must do the following:
- (1) Keep true and accurate daily catch records of harvested fish in ink on a departmental form of that includes the following:
 - (A) The pounds by live weight for each species of fish.
 - (B) The aggregate number of the following:
 - (i) Blue catfish.
 - (ii) Channel catfish.
 - (iii) Flathead catfish.
 - (iv) Paddlefish. ~~and~~
 - (v) Shovelnose sturgeon.
 - (C) Of the catfish reported in accordance with subdivision (B) the number of the following:
 - (i) Blue catfish over thirty-five (35) inches.
 - (ii) Channel catfish over twenty-eight (28) inches.
 - (iii) Flathead catfish over thirty-five (35) inches.
 - (E) The location fished by Ohio River pool name and river mile.
 - (F) The amount of daily fishing effort by gear type as follows:
 - (i) Total length of net fished (in feet) per day each for seines, gill nets, and trammel nets.
 - (ii) Total number each of hoop nets, slat traps, and dip nets fished per day.
 - (iii) Total number of trotline hooks fished per day.
 - (2) Submit to the department the completed form required under subdivision (1) by the fifteenth day of each month for the preceding month whether the license holder fished or not unless the license holder has submitted an inactive license form to signify that no commercial fishing on the Ohio River will take place for the remainder of the calendar year. The inactive license form shall be submitted to the division of fish and wildlife before the fifteenth day of the month following the month the license is deemed inactive.
 - (3) Allow on-board and dockside inspection of the gear and catch at any time by a conservation officer or other authorized representative of the department.

312 IAC 9-8-7 Roe harvester's license

Authority: [IC 14-10-2-4](#); [IC 14-22-2-6](#)

Affected: [IC 14-22-13-2.5](#)

Sec. 7. (a) An individual must not take, possess, or sell roe-bearing species without a valid roe harvester's license, except for bowfin and shovelnose sturgeon taken or possessed in accordance with [312 IAC 9-6](#) and [312 IAC 9-7](#).

- (b) An individual must apply for a roe harvester's license on a departmental form.
- (c) An applicant for a roe harvester's license must:
 - (1) be at least eighteen (18) years of age;
 - (2) possess a valid commercial fishing license; and
 - (3) provide valid identification of all helpers on a departmental form.
- (d) The maximum annual number of roe harvester's licenses is as follows:
 - (1) Fifteen (15) resident or nonresident licenses (total) for the Ohio River.
 - (2) Fifteen (15) resident licenses for inland water of the state.

(e) The division shall prioritize the issuance of roe harvester's licenses as follows:

- (1) First, to residents of Indiana.
- (2) Second, upon those applications by individuals who have submitted completed monthly reports to the department under this rule and who have submitted a completed renewal application no later than December 15 of the year preceding the license year requested.
- (3) Third, upon the order the application was received by the division of fish and wildlife.

(f) A roe harvester must do the following:

(1) Prepare a true and accurate daily transaction report on a departmental form in ink for each day of the month that roe-bearing fish were harvested and include the following:

- (A) The length of the fish by species for each fish harvested.
- (B) The number of each roe-bearing species harvested.
- (C) The river where roe-bearing species were harvested.
- (D) Whether the fish contains eggs or not.
- (E) The date.
- (F) The name of any helper.

(2) Submit the signed daily transaction report to the department by the fifteenth day of each month for the preceding month for each day that roe-bearing fish were harvested unless the license holder has submitted an inactive license form to signify that no harvesting of roe or roe-bearing species will take place for the remainder of the calendar year. The inactive license form shall be submitted to the division of fish and wildlife before the fifteenth day of the month following the month the license is deemed inactive.

(3) Notify the department on a departmental form of any change in the list of helpers.

(4) Not allow an individual to participate in the harvest, possession, transportation, or sale of roe or roe-bearing species until the list of helpers on which the individual is identified has been received by the division.

(5) Fish for roe-bearing species only in accordance with this rule.

(6) Retain for at least five (5) years a copy of all records and reports required under this section.

(7) Sell roe or screened eggs only to an Indiana-licensed roe dealer.

(8) Leave the roe intact and inside the body of the fish while on the body of water or adjacent to the water being fished.

(g) A roe harvester may:

(1) sell the meat of an individual roe-bearing species of fish that does not contain roe to any other person; and

(2) screen and wash the roe in accordance with 21 CFR 123, but shall not salt or otherwise process the roe, unless licensed as a roe dealer under section 8 of this rule.

(h) A roe harvester's license issued under this section is not transferable.

(i) Upon request by a conservation officer or other authorized representative of the department, a license holder must allow:

(1) access to all records and reports required under this rule upon request; and

(2) entry and inspection of the license holder's premises, equipment, boats, vehicles, and facilities.

312 IAC 9-8-8 Roe dealer's license

Authority: [IC 14-10-2-4](#); [IC 14-22-2-6](#)

Affected: [IC 14-22-13-2.5](#)

Sec. 8. (a) A person must not purchase or process roe-bearing species without a valid roe dealer's license, with the exception of the meat and caviar from roe-bearing species.

(b) A person must apply for a roe dealer's license on a departmental form. A person must submit a completed renewal application no later than December 15 of the year preceding the license year requested.

(c) A person applying for a roe dealer's license must be at least eighteen (18) years of age.

(d) A roe dealer must do the following:

(1) Not purchase fish, roe, screened eggs, or caviar that the roe dealer knows was taken or possessed unlawfully.

(2) Possess a valid roe dealer's license while purchasing, receiving, transporting, or selling roe or screened eggs and while processing roe or screened eggs into caviar for human consumption.

(3) Submit a complete, true, and accurate report to the department by the fifteenth day of the following month on a signed departmental form in ink that includes the following information:

(A) The name and license number of the roe harvester.

(B) The number of pounds of screened eggs of each roe-bearing species received.

(C) The final processed weight (caviar) of each roe-bearing species received.

(D) The date the roe or screened eggs were received for each roe-bearing species.

(4) Maintain for a period of five (5) years an accurate record of all transactions involving roe-bearing species or roe, or both, purchased from a roe harvester or roe dealer including:

(A) the roe, screened eggs, or caviar sold;

(B) the date purchased, sold, or otherwise transferred; and

(C) the name and address of the individual or company to or from whom the roe, screened eggs, or caviar was sold, transferred, or purchased.

(5) Complete and sign the roe harvester's license transaction record for each transaction on a departmental form on the date of purchasing roe-bearing species from the roe harvester that includes the following information:

(A) The date the product is received.

(B) Pounds of screened eggs for each roe-bearing species of fish.

(6) Obey all state and federal laws applicable to the processing of roe and products of roe-bearing species.

(e) A roe dealer's license issued under this section is not transferable.

(f) A roe dealer must, upon request by a conservation officer or other authorized representative of the department, allow:

(1) access to all records and reports required in this rule upon request; and

(2) entry and inspection of the license holder's premises, equipment, boats, vehicles, and facilities.