



# Bait Dealer Regulations

## Ohio Revised Code Section 1533.40.

Each person, firm, partnership, association, or corporation which buys, sells, or deals in minnows, hellgrammites, and crayfish shall obtain, annually, from the chief of the Division of Wildlife a permit and shall operate under such rules and regulations as the chief of the Division of Wildlife prescribes. Such permits shall be issued upon application and the payment of a fee of forty dollars. Bait dealer's permits expire December 31.

## Rules and Regulations of the Division of Wildlife.

### MINNOW SEINES, MINNOW DIP NETS, FISH TRAPS

(1) In the Lake Erie Fishing District and other waters wherein fishing with nets is licensed by law, and in East and West Harbors, Ottawa County, it is lawful to use a minnow seine of any length or width, or a minnow dip net not exceeding 72 inches in diameter to take minnows, crayfish, hellgrammites, and other larval aquatic insects, suckers not exceeding ten inches in length, skipjack herring, smelt, brook silversides, brook sticklebacks, gizzard shad, trout perch, sculpins, darters, top minnows, and mud minnows. However, IT IS UNLAWFUL:

- (a) to have in possession or use a seine or dip net with a square mesh larger than 1/2 inch on a side;
- (b) to have in possession or use a dip net having any side greater than 72 inches;
- (c) to have in possession or use a seine having other than straight sides.

(2) In the Inland Fishing District it is lawful to use a minnow seine or a minnow dip net to take minnows, crayfish, hellgrammites, and other larval aquatic insects, suckers not exceeding ten inches in length, skipjack herring, smelt, brook silversides, brook sticklebacks, gizzard shad, trout perch, sculpins, darters, top minnows, and mud minnows.

However, IT IS UNLAWFUL:

- (a) to have in possession or use a minnow seine exceeding 96 inches in length or exceeding 48 inches in depth except in such waters wherein fishing with nets is licensed by law, and excepting East and West Harbors, Ottawa County;
- (b) to have in possession or use a seine or dip net with a square mesh larger than 1/2 inch on a side;
- (c) to have in possession or use a dip net having any side greater than 48 inches, except in such waters wherein fishing with nets is licensed by law, and excepting East and West Harbors, Ottawa County;
- (d) to have in possession or use a seine having other than straight sides;
- (e) to use two or more seines fastened together, the combination of which exceeds 96 inches in length or 48 inches in width;
- (f) to use a minnow seine from 9:00 p.m. to 4:00 a.m. except in East and West Harbors, Ottawa County, and in such waters wherein fishing with nets is licensed by law;
- (g) to seine or take bait in King's Creek between the bridge at County Road 223 and the Mad River in Champaign County;
- (h) to use a seine in any lake, pond, quarry, reservoir, canal, or gravel pit which is subject to regulation by the wildlife chief.

(3) Minnow or bait fish traps are permitted. However, IT IS UNLAWFUL:

- (a) to have in possession or use a minnow or bait fish trap which measures more than 24 inches in its greatest overall length, or measures more than 12 inches in its greatest overall width;

- (b) to have in possession or use a minnow or bait fish trap having an opening larger than one inch in diameter;
- (c) To set, use, or maintain a minnow or bait fish trap unless they have attached thereto a durable waterproof tag bearing the name and mailing address of the user in English letters or the unique division of wildlife customer identification number of the user legible at all times.
- (d) to sell as bait fish, or use as bait any fish or minnow not already established in waters of Ohio over which the wildlife chief has control.

### **BAIT FISH, CRAYFISH, LARVAL AQUATIC INSECTS**

(1) Any individual or bait dealer may take minnows, crayfish, hellgrammites, and other larval aquatic insects, suckers not exceeding 10 inches in length, brook lampreys, smelt, brook silversides, brook sticklebacks, gizzard shad, trout-perch, sculpins, darters, topminnows, and mudminnows from any waters in the state of Ohio at any time and in any number except as prohibited by this or other rules of the Administrative Code. However, IT IS UNLAWFUL:

- (a) for a bait dealer to possess minnows, bait fish, crayfish, and hellgrammites at any place, except at the address listed on the application for a bait dealer's permit, without having each receptacle containing minnows, crayfish, and hellgrammites marked with the dealer's name, address, and bait permit number in letters and numerals at least one-half inch high in the English language;
- (b) for any person to take any fish not mentioned in the OAC 1501:31-13-04 by the aid or use of a net or seine;
- (c) for any person except a licensed bait dealer or a licensed fishing guide providing bait to their customers to have in possession more than 100 crayfish or 500 in the aggregate of minnows, suckers not exceeding 10 inches in length, brook silversides, brook sticklebacks, gizzard shad, trout-perch, sculpins, darters, topminnows, and mudminnows; however, smelt, hellgrammites, other larval aquatic insects, and preserved minnows may be possessed and sold in unlimited numbers;

(d) for a bait dealer to sell to any person, other than a licensed bait dealer, at any time more than 100 crayfish or 500 in the aggregate of minnows, suckers not exceeding 10 inches in length, brook silversides, brook sticklebacks, gizzard shad, trout-perch, sculpins, darters, topminnows, and mudminnows; however, smelt, hellgrammites, other larval aquatic insects, and preserved minnows may be possessed and sold in unlimited numbers.

(e) for a nonresident to collect minnows, crayfish, or hellgrammites without first obtaining a nonresident fishing license as prescribed in Section 1533.32 of the Ohio Revised Code.

(2) Minnows and bait fish, raised under a Aquaculture permit in private hatchery ponds, or legally acquired from within the state, may be sold to and possessed by licensed bait dealers in unlimited numbers, and such dealers and propagators may sell such minnows and bait fish to other bait dealers and propagators in and out of the state in unlimited numbers, provided they make and keep a record of each such sale; such records shall be on file in the place of business and shall be open for inspection at all reasonable hours. Failure to comply with the mandatory provisions of this subsection shall be unlawful.

(a) Lake Erie emerald shiners (*Notropis atherinoides* Rafinesque) may be taken, sold, or possessed by licensed bait dealers in unlimited numbers, and such dealers may sell minnows to other bait dealers in and out of the state in unlimited numbers, provided they make and keep a record of each such sale; such records shall be open for inspection at all reasonable hours. This subsection does not supersede or alter the law requiring a permit to buy, sell, or deal in minnows for bait purposes.

(3) Crayfish and larval aquatic insects  
It shall be unlawful for any person to take crayfish or larval aquatic insects by any method, from nine p.m. to the following four a.m., except by trapping, angling or by hand picking. This provision does not apply to east and west harbors, Ottawa county, and such waters where fishing with nets is licensed by law.