

Chapter 540

(House Bill 406)

AN ACT concerning

Hunting – Snares, Traps, and Other Similar Devices – Identification Requirement

FOR the purpose of requiring a person who is not required to be licensed or permitted under certain provisions of law to obtain a certain identification number before using a snare, a trap, or another similar device to capture wildlife; requiring a person who uses a snare, a trap, or another similar device to capture wildlife to ensure certain information is stamped on the device or on a metal tag affixed to the device; and generally relating to the use of snares, traps, and other similar devices.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–408.1
Annotated Code of Maryland
(2012 Replacement Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Natural Resources

10–408.1.

(a) **(1)** A person, while trapping or attempting to trap animals, may not place, set, maintain, or operate any snares, body–gripping, or leghold traps within 150 yards of a permanent human residence.

[(b)] (2) This **[section]** SUBSECTION does not apply to:

[(1)] (I) State and federal wetlands;

[(2)] (II) Private wetlands as designated by the Department;

[(3)] (III) Land which qualifies for agricultural assessments, as provided under § 8–209 of the Tax – Property Article, and timberland and lands used for reforestation;

[(4)] (IV) Except in Howard and Harford counties, owners and lessees of any privately owned land; and

[(5)] (V) Owners and lessees of any privately owned land in Howard and Harford counties as long as a trap described in **[subsection (a)] PARAGRAPH (1)** of this **[section] SUBSECTION** is not within 150 yards of the permanent residence of another person.

[(c)] (3) This **[section] SUBSECTION** does not apply to **[the]**:

(I) **THE** use of body-gripping traps with a jaw spread of less than 6 inches that are placed, maintained, and operated completely submerged in water~~]; OR~~

[(d)] (II) ~~[This section does not apply to the]~~ **THE** use of snap-type traps used to catch rats and mice.

(B) (1) **A PERSON WHO IS NOT REQUIRED TO BE LICENSED OR PERMITTED UNDER THIS TITLE SHALL OBTAIN A FREE DEPARTMENT IDENTIFICATION NUMBER FROM THE ELECTRONIC SYSTEM UNDER § 1-403 OF THIS ARTICLE BEFORE USING A SNARE, A TRAP, OR ANOTHER SIMILAR DEVICE TO CAPTURE WILDLIFE.**

(2) (I) **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A PERSON WHO USES A SNARE, A TRAP, OR ANOTHER SIMILAR DEVICE TO CAPTURE WILDLIFE MUST ENSURE THE PERSON'S DEPARTMENT IDENTIFICATION NUMBER IS STAMPED ON THE DEVICE OR ON A METAL TAG AFFIXED TO THE DEVICE.**

(II) **THE DEPARTMENT MAY WAIVE THE IDENTIFICATION REQUIREMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IF THE DEVICE IS USED ONLY ON PRIVATE PROPERTY THAT IS OWNED OR RENTED BY THE PERSON PLACING THE DEVICE.**

(3) **A PERSON WHO FINDS A SNARE, A TRAP, OR ANOTHER SIMILAR DEVICE THAT DOES NOT MEET THE IDENTIFICATION REQUIREMENTS OF THIS SUBSECTION MAY REPORT THE DEVICE TO THE DEPARTMENT OR THE NATURAL RESOURCES POLICE FORCE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.

Approved by the Governor, May 8, 2023.