

§12201. Trapping license

1. License required. Except as otherwise authorized pursuant to this Part, a person may not trap unless that person has a valid license issued under this section. Each day a person violates this subsection that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

[PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

1-A. Trapping by agents of commissioner. The commissioner may authorize a full-time department employee to trap wild animals without a license for purposes of animal damage control. A person serving as an agent of the commissioner for purposes of animal damage control, including animal control officers appointed pursuant to Title 7, section 3947, must satisfy the licensing requirements of this section prior to trapping or attempting to trap a wild animal.

[PL 2003, c. 655, Pt. B, §209 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

1-B. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Junior trapper supervisor" means:

(1) The parent or guardian of the junior trapper; or

(2) A person 18 years of age or older who:

(a) Is approved by the parent or guardian of the junior trapper; and

(b) Holds or has held a valid Maine trapping license or meets the requirements of subsection 3. [PL 2019, c. 639, §8 (AMD).]

B. "In the presence of" means in visual and voice contact without the use of visual or audio enhancement devices, including but not limited to binoculars and citizen band radios. [PL 2013, c. 538, §30 (NEW).]

[PL 2019, c. 639, §8 (AMD).]

2. Eligibility. The following persons are eligible to purchase a trapping license, subject to the provisions of subsection 3.

A. A resident 16 years of age or older is eligible to purchase a resident adult trapping license. [PL 2021, c. 411, §4 (AMD).]

B. A person 10 years of age or older and under 16 years of age is eligible to purchase a junior trapping license. If the person is a nonresident and not a citizen of the United States, the license issued under this paragraph authorizes the person to trap only beaver pursuant to section 12259, subsection 3. [PL 2021, c. 411, §4 (AMD).]

C. A person under 10 years of age may trap all legal species, except bear, without a license, except that if the person is a nonresident and not a citizen of the United States, the person may trap only beaver pursuant to section 12259, subsection 3. [PL 2021, c. 411, §4 (AMD).]

D. A nonresident 16 years of age or older is eligible to purchase a nonresident adult trapping license, except that if the person is not a citizen of the United States, the license authorizes the person to trap only beaver pursuant to section 12259, subsection 3. [PL 2021, c. 411, §4 (AMD).]

E. [PL 2021, c. 411, §4 (RP).]

[PL 2021, c. 411, §4 (AMD).]

3. Successful completion of trapper education program required for license. Except as provided in paragraph A, a person who applies for a state license to trap, other than a junior trapping license pursuant to subsection 2, paragraph B or an apprentice trapper license issued under section 12204, must submit proof of having successfully completed a trapper education course of the type

described in section 10108, subsection 7 or satisfactory evidence of having previously held an adult license to trap in this State or any other state, province or country in any year beginning in or after 1978.

When proof or evidence can not otherwise be provided, the person may substitute a signed affidavit that that person has previously held the required adult trapping license or that that person has successfully completed the required trapper education course.

A. A person who is an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Mi'kmaq Nation who presents certification from the respective reservation chief or governor or the Aroostook Micmac Council stating that the person is an enrolled member of a federally recognized nation, band or tribe listed in this paragraph is exempt from the requirements of this subsection. [PL 2017, c. 164, §15 (AMD); PL 2023, c. 369, Pt. A, §4 (REV); PL 2023, c. 369, Pt. A, §5 (AFF).]

[PL 2017, c. 164, §15 (AMD); PL 2023, c. 369, Pt. A, §4 (REV); PL 2023, c. 369, Pt. A, §5 (AFF).]

4. Issuance. The commissioner, or the commissioner's agent, may issue a license to engage in trapping.

[PL 2017, c. 164, §16 (AMD).]

5. Expiration. All licenses issued under this section are valid for one year commencing July 1st of each year.

A junior trapping license issued to a person who has passed that person's 15th birthday is valid through the year for which the license was issued.

[PL 2021, c. 411, §5 (AMD).]

5-A. Junior trapping license requirements. A trapper 16 years of age who obtained a junior trapping license before that person reached 16 years of age may not trap with that license unless the person is in the presence of and under the effective control of a junior trapper supervisor at all times while trapping or the person has successfully completed a trapper education course established under section 10108, subsection 7. The following penalties apply to a violation of this subsection:

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged; and [PL 2019, c. 639, §9 (NEW).]

B. A person who violates paragraph A after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2019, c. 639, §9 (NEW).]

[PL 2019, c. 639, §9 (NEW).]

6. Trapping fees. The fees for trapping licenses are as follows:

A. A junior trapping license, for a person 10 years of age or older and under 16 years of age, is \$10; [PL 2021, c. 411, §6 (AMD).]

B. A resident adult trapping license, for a person 16 years of age or older, is \$36; and [PL 2021, c. 411, §6 (AMD).]

C. A nonresident adult trapping license is \$318. [PL 2021, c. 411, §6 (AMD).]
[PL 2021, c. 411, §6 (AMD).]

7. Supervision of junior trappers. The following provisions must be observed.

A. A person under 10 years of age may not trap unless that person is accompanied at all times while trapping by a junior trapper supervisor. A person under 10 years of age may not trap bear. [PL 2019, c. 639, §10 (AMD).]

B. A person over 10 years of age and under 16 years of age may not trap unless that person:

- (1) Holds a junior trapping license; and
- (2) Is in the presence of and under the effective control of a junior trapper supervisor at all times while trapping, unless the holder of the junior trapping license submits proof of having successfully completed a trapper education course of the type described in section 10108, subsection 7. [PL 2019, c. 639, §10 (AMD).]

[PL 2019, c. 639, §10 (AMD).]

8. License violations. The following penalties apply to violations of restrictions of licenses under this section.

A. A person who violates a restriction of a license issued under this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [PL 2003, c. 655, Pt. B, §211 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. A person who violates a restriction of a license issued under this section after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2003, c. 655, Pt. B, §211 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

Each day a person violates a restriction of a license issued under this section is a separate offense. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §211 (RPR); PL 2003, c. 655, Pt. B, §422 (AFF).]

9. Penalties for supervisors of junior trappers. A person who is the junior trapper supervisor of a holder of a valid junior trapping license when that junior trapper violates any provision of this Part pertaining to trapping:

A. Commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged; and [PL 2013, c. 538, §33 (RPR).]

B. After having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period, commits a Class E crime. [PL 2013, c. 538, §33 (RPR).]

[PL 2019, c. 639, §11 (AMD).]

SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §§B209-211 (AMD). PL 2003, c. 655, §B422 (AFF). PL 2005, c. 12, §III23 (AMD). PL 2009, c. 69, §§2-4 (AMD). PL 2009, c. 213, Pt. OO, §9 (AMD). PL 2013, c. 185, §3 (AMD). PL 2013, c. 538, §§30-33 (AMD). PL 2015, c. 245, §6 (AMD). PL 2017, c. 164, §§14-16 (AMD). PL 2017, c. 427, §§16, 17 (AMD). PL 2017, c. 427, §19 (AFF). PL 2019, c. 325, §6 (AMD). PL 2019, c. 639, §§8-11 (AMD). PL 2021, c. 411, §§4-6 (AMD). PL 2023, c. 369, Pt. A, §4 (REV). PL 2023, c. 369, Pt. A, §5 (AFF).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.