

**VIRGINIA MARINE RESOURCES COMMISSION REGULATION 4 VAC 20-610-10 ET. SEQ.
"PERTAINING TO COMMERCIAL FISHING AND MANDATORY HARVEST REPORTING"**

A copy of this regulation, in its entirety, is available upon request. This subsection (4 VAC-20-610-30 D.) applies directly to the exception process.

- D. Exceptions to the two year delay may be granted by the Commissioner, if he finds any of the following:
1. a. The applicant for an exception has demonstrated, to the satisfaction of the Commissioner, that the applicant has fished a significant quantity of commercial gear in Virginia waters during at least two (2) of the previous five years; and
 - b. The applicant can demonstrate, to the satisfaction of the Commissioner, that a significant hardship caused by unforeseen circumstances beyond the applicant's control has prevented the applicant from making timely application for registration. The Commissioner may require the applicant to provide such documentation as he deems necessary to verify the existence of hardship.
 2. The applicant is purchasing another commercial fisherman's gear, and the seller of the gear holds a Commercial Fisherman Registration License and the seller surrenders that license to the Commission at the time the gear is sold.
 3. An immediate member of the applicant's family, who holds a current registration, has died or is retiring from the commercial fishery and the applicant intends to continue in the fishery.
 4. Any applicant denied an exception may appeal the decision to the Commission. The applicant shall provide a request to appeal to the Commission thirty (30) days in advance of the meeting at which the Commission will hear the request. The Commission will hear requests only at their March, June, September, and December meetings.
 5. Under no circumstances will an exception be granted solely on the basis of economic hardship.