this part, or anyone responsible for off-
loaging, storing, packing, or selling
regulated HMS for such permittee,
shall be subject to the inspection provi-
sions of this section.

(f) Additional data and inspection. Ad-
ditional data on fishing effort directed
at Atlantic HMS or on catch of Atlan-
tic HMS, regardless of whether re-
tained, may be collected by contractors
and statistical reporting agents, as des-
ignees of NMFS, and by authorized offi-
cers. A person issued a permit under
§635.4 is required to provide requested
information about fishing activity, and
a person, regardless of whether issued a
permit under §635.4, who possesses an
Atlantic HMS is required to make such
fish or parts thereof available for in-
spection by NMFS or its designees
upon request.

[64 FR 29135, May 28, 1999]

Editorial Note: For Federal Register ci-
tations affecting §635.5, see the List of CFR
Sections Affected, which appears in the
Finding Aids section of the printed volume
and at www.fdsys.gov.

§ 635.6 Vessel and gear identification.

(a) Vessel number. For the purposes
of this section, a vessel’s number is the
vessel’s official number issued by ei-
ther by the U.S. Coast Guard or by the
appropriate state agency.

(b) Vessel identification. (1) An owner
or operator of a vessel for which a per-
mit has been issued under §635.4, other
than an HMS Angling permit, must dis-
play the vessel number—
(i) On the port and starboard sides of
the deckhouse or hull and on an appro-
priate weather deck, so as to be clearly
visible from an enforcement vessel or
aircraft.
(ii) In block arabic numerals perma-
nently affixed to or painted on the ves-
sel in contrasting color to the back-
ground.
(iii) At least 18 inches (45.7 cm) in
height for vessels over 65 ft (19.8 m) in
length; at least 10 inches (25.4 cm) in
height for all other vessels over 25 ft
(7.6 m) in length; and at least 3 inches
(7.6 cm) in height for vessels 25 ft (7.6
m) in length or less.

(2) The owner or operator of a vessel
for which a permit has been issued
under §635.4 must keep the vessel’s
number clearly legible and in good re-
pair and ensure that no part of the ves-
sel, its rigging, its fishing gear, or any
other material on board obstructs the
view of the vessel’s number from an en-
forcement vessel or aircraft.

(c) Gear identification. (1) The owner
or operator of a vessel for which a per-
mit has been issued under §635.4 and
that uses handline, buoy gear, harpoon,
longline, or gillnet, must display the
vessel’s name, registration number or
Atlantic Tunas, HMS Angling, or HMS
Charter/Headboat permit number on
each float attached to a handline, buoy
gear, or harpoon, and on the terminal
floats and high-flyers (if applicable) on
a longline or gillnet used by the vessel.
The vessel’s name or number must be
at least 1 inch (2.5 cm) in height in
block letters or arabic numerals in a
color that contrasts with the back-
ground color of the float or high-flyer.

(2) An unmarked handline, buoy gear,
harpoon, longline, or gillnet, is illegal
and may be disposed of in an appro-
priate manner by NMFS or an author-
ized officer.

[64 FR 29135, May 28, 1999, as amended at 66
FR 42804, Aug. 15, 2001; 67 FR 77437, Dec. 18,
2002; 71 FR 58166, Oct. 2, 2006]

§ 635.7 At-sea observer coverage.

(a) Applicability. NMFS may select for
at-sea observer coverage any vessel
that has an Atlantic HMS, tunas, shark
or swordfish permit issued under §635.4
or §635.32. Vessels permitted in the
HMS Charter/Headboat and Angling
categories will be requested to take ob-
servers on a voluntary basis. When se-
lected, vessels issued any other permit
under §635.4 or §635.32 are required to
take observers on a mandatory basis.

(b) Selection of vessels. NMFS will no-
tify a vessel owner, in writing, when
his or her vessel is selected for observer
coverage. Vessels will be selected to
provide information on catch, bycatch
and other fishery data according to the
need for representative samples.

(c) Notification of trips. The owner or
operator of a vessel that is selected
under paragraph (b) of this section
must notify NMFS, at an address des-
ignated by NMFS, before commencing
any fishing trip that may result in the
incidental catch or harvest of Atlantic
§ 635.8 Workshops.

(a) Protected species release, disentanglement, and identification workshops. (1) Both the owner and operator of a vessel that fishes with longline or gillnet gear must be certified by NMFS, or its designee, as having completed a workshop on the safe handling, release, and identification of protected species before a shark or swordfish limited access vessel permit, pursuant to § 635.4(e) and (f), is renewed in 2007. For the purposes of this section, it is a rebuttable presumption that a vessel fishes with longline or gillnet gear if: longline or gillnet gear is onboard the vessel; logbook reports indicate that longline or gillnet gear was used on at least one trip in the preceding year; or, in the case of a permit transfer to new owners that occurred less than a year ago, logbook reports indicate that longline or gillnet gear was used on at least one trip since the permit transfer.

(2) NMFS, or its designee, will issue a protected species safe handling, release, and identification workshop certificate to any person who completes a workshop. (3) The owner of a vessel that fishes with longline or gillnet gear, as specified in paragraph (a)(1) of this section,