

New Changes in the Underwater Law

By Carleton Naylor

Recent changes to the South Carolina Underwater Antiquities Act of 1991 include the elimination of Instructional Hobby Licenses and Weekend Hobby Licenses. These changes took effect in June 2002.

Instructional Licenses were issued to charter boat captains, dive shops, and dive instructors and allowed the holder to take dive charters and classes on collecting trips without each diver being required to have their own license. All recoveries were reported by the holder of the Instructional License.

Under the Antiquities Act the Institute (or the State Museum in case of fossils) has the right to inspect and photograph all recovered items for 60 days after they are reported in quarterly report forms. However, under Instructional Licenses, the holder reported fossils and artifacts without regard for which of their group found what. As a result there was no way for the Institute or State Museum to subsequently gather any further information about a particular artifact or fossil.

Since this type of license was initiated in 1991, there have been 19 of these licenses issued. At the time of the change abolishing the Instructional License there were six current Instructional Licenses. Those Instructional Licenses still in effect will be allowed to continue until their expiration dates. As these licenses expire, the holders will be allowed to renew as regular Hobby Divers, provided all reports have been filed.

Weekend Hobby Licenses were temporary two-day licenses designed to allow non-residents to collect during a brief visit to the state. These licenses were issued by dive clubs and dive shops. Unfortunately, few holders of Weekend Licenses ever reported their finds to the Institute, and many of the Weekend Licenses issued were to resident divers who had allowed their individual licenses to expire and wanted to collect before they had submitted a renewal.