

Regulations Pertaining to the Sport Fishing Guide Licensing and Reporting Program

5 AAC 75.075. Sport fishing services and sport fishing guide services; license requirements; regulation of activities

Statute text

(a) An owner of a business intending to conduct sport fishing services shall obtain a current annual sport fishing operator license from the department before the business conducts sport fishing services. To meet the licensing requirements of AS 16.40.260 and this section, the owner shall complete and submit, along with the applicable fee prescribed in AS 16.05.340(a), a sport fishing operator license application form provided by the department. The following information regarding the business conducting the sport fishing service must be provided on the sport fishing operator license application form:

- (1) the name, permanent residence address, local residence address, and mailing address of the owner;
- (2) the name of the business;
- (3) the Alaska business license number, issued under 12 AAC 12, and expiration date of the business license;
- (4) the business' insurance policy number, with the company name and expiration date, of the policy that meets the insurance requirements specified in AS 16.40.260;
- (5) the areas in which the fishing services will be provided;
- (6) any other information required by the department on the license application form to verify that the applicant meets the requirements of AS 16.40.260.

(b) Before providing sport fishing guide services, and applicant shall complete and submit, along with the applicable fee prescribe in AS 16.05.340(a), a current annual sport fishing guide license form provided by the department. The following information regarding the applicant must be provided on the sport fishing guide license form:

- (1) the name, permanent residence address, and mailing address of the applicant;
- (2) a declaration of citizenship;
- (3) first aid card information;
- (4) current Alaska sport fishing license number;
- (5) if operating a vessel, the current United States Coast Guard license information;
- (6) any other information required by the department on the license application form to verify that the applicant meets the requirements of AS 16.40.270.

(c) While engaged in providing sport fishing guide services, a sport fishing guide shall have readily available for inspection and shall display upon request of a local representative of the department or a peace officer of the state, and while on salt water or navigable fresh water within six hours after being on salt water a law enforcement representative of the National Marine Fisheries Service or a representative of the United States Coast Guard, the following:

- (1) the sport fishing guide's current

(A) sport fishing guide license; and

(B) applicable logbooks as required in 5 AAC 75.076(c);

(2) a copy of the current sport fishing operator license of the sport fishing guide's employer, or, if the sport fishing guide is also a sport fishing operator, the guide's current sport fishing operator license;

(3) current sport fishing licenses, tags, stamps, or permits that are required to engage in the sport fishery for which the sport fishing guide services are provided;

(4) an identification card issued to the sport fishing guide by a state or federal agency that bears a photograph of the sport fishing guide;

(5) if on a vessel that provides sport fishing guide services in salt water, the sport fishing license and harvest record of each client on board the vessel.

History

History: Eff. 4/18/86, Register 98; am 5/13/95, Register 134; am 4/23/98, Register 146; am 5/19/98, Register 146; am 2/10/2005, Register 173; am 1/1/2008, Register 184

Annotations

Authority: AS 16.05.251

AS 16.40.260

AS 16.40.270

AS 16.40.280

Editor's note: The forms specified in 5 AAC 75.075 are available at any Division of Sport Fish regional office of the Department of Fish and Game.

5 AAC 75.076. Sport fishing services and sport fishing guides reporting requirements

Statute text

(a) A sport fishing guide shall obtain and complete a

(1) State of Alaska, Department of Fish and Game, Division of Sport Fish, 2008 Saltwater Charter Logbook and Vessel Registration, adopted by reference, if operating in salt waters;

(2) State of Alaska, Department of Fish and Game, Division of Sport Fish, 2008 Freshwater Sport Fish Guide Logbook and Vessel Registration, adopted by reference, if operating in fresh waters.

(b) A logbook requires information necessary for the management and conservation of fishery resources or the regulation of the guided sport fishing industry, including

(1) the division of motor vehicles boat registration number, issued under 2 AAC 70, or United States Coast Guard documentation number, of the vessels that are used to provide sport fishing guide services in fresh or salt waters;

(2) the locations where the sport fishing guide services were provided;

(3) the effort, catch, and harvest of sport fish by persons who are clients, owners, or employees of a business that conducts sport fishing services or a person who provides sport fishing guide services; and

(4) any other information the department determines is necessary for the management and conservation of the fishery resource or the regulation of the guided sport fishing industry.

(c) A sport fishing guide shall complete a logbook in the manner and at the location specified in the logbook and present the guide's logbook for inspection upon request from a

(1) local representative of the department;

(2) peace officer of the state; and

(3) law enforcement representative of the National Marine Fisheries Service or a representative of the United States Coast Guard while on salt water or navigable fresh water within six hours after being on salt water.

(d) A person may not make a false entry in the logbook required in (a) of this section.

(e) The holder of a sport fishing operator license issued under AS 16.40.260 and 5 AAC 75.075 is responsible for reporting logbook information and returning the completed logbook of each sport fishing guide it employs to the department in the manner and time frame specified in the logbook.

History

History: Eff. 5/19/98, Register 146; am 9/23/98, Register 147; am 5/15/99, Register 150; am 4/16/2000, Register 154; am 5/20/2000, Register 154; am 3/11/2001, Register 157; am 4/5/2002, Register 162; am 2/28/2003, Register 165; am 3/25/2004, Register 169; am 2/10/2005, Register 173; am 5/19/2005, Register 174; am 5/26/2006, Register 178; am 8/12/2007, Register 183; am 1/1/2008, Register 184; am 4/25/2008, Register 186

Annotations

Authority: AS 16.05.251

AS 16.40.280

Editor's note: The logbooks adopted by reference in 5 AAC 75.076(a) are available from Department of Fish and Game offices in Anchorage, Soldotna, Palmer, Ketchikan, Sitka, and Douglas, or by writing to the Alaska Department of Fish and Game, Division of Sport Fish, P.O. Box 115526, Juneau, AK 99811-5526. In addition, the logbooks are available for inspection at the Lieutenant Governor's Office, Juneau, Alaska.

5 AAC 75.077. Sport fishing guide vessel registration requirements

Statute text

(a) Before being used to provide sport fishing guide services, a vessel must be registered annually with the department. A currently licensed sport fish business owner, or the owner's authorized agent, shall register each individual vessel operated by the business to provide sport fishing guide services by completing a form provided by the department. At the time of registration, the business owner, or the owner's authorized agent, must provide the current division of motor vehicles boat registration number, issued under 2 AAC 70, or the current United States Coast Guard vessel documentation number of each vessel being registered.

(b) A person may not engage in sport fishing guide services from a powered or unpowered vessel unless the vessel is registered under (a) of this section and displays a sport fishing guide vessel decal with a current annual sticker issued by the department as follows:

(1) upon initial registration of a vessel, two sport fishing guide vessel decals will be issued by the department for that vessel; one decal must be securely affixed on each side of the vessel and must be displayed in plain view at all times the vessel is engaged in sport fishing guide services;

(2) for the years following the year of initial registration of a vessel, two current year renewal stickers will be issued by the department for that vessel; one current year renewal sticker must be securely affixed on each decal over the previous year renewal sticker and must be displayed in plain view at all times the vessel is engaged in sport fish guide services.

(c) If a decal or current year renewal sticker is lost or damaged, a replacement must be obtained from the department and affixed and displayed as required in this section before engaging in sport fish guide services with the vessel.

(d) A float tube used to provide sport fish guide services is exempt from the registration and decal requirements of this section. For the purposes of this subsection, "float tube" means a tubular floating device designed to support one person in the water and propelled only by power from the arms or legs of the operator.