

Guiding in Idaho – FAQ's

The Licensing Board frequently receives questions about what a guide can and cannot do in the performance of their duties. We will try to provide some background to the rules for guiding. The information provided here is general in nature and is not intended to take the place of statutes governing the licensing of guides in Title 36, Chapter 21, Idaho Code, or Board Rules. Detailed information is available in the Board's statutes and rules which is on our website at www.oglb.idaho.gov.

1. Who can be a guide?

A. A person can be a guide who is, at minimum, of good moral character, competent, at least 18 years of age, certified in first aid, and has a working knowledge of Idaho Fish and Game laws and other local, state, and federal regulations.

2. How do I become a guide?

A. First, you have to be employed by a licensed outfitter or have found a licensed outfitter who intends to hire you as a guide. Second, you and the outfitter must complete a guide application and send it to the Licensing Board along with the license fee or process the guide application online through a link on our website at www.oglb.idaho.gov. The outfitter certifies and must maintain a copy of your standard first aid card or equivalent and training forms for hunting and boating activities to show you have received the proper training. Your employing outfitter certifies first aid cards and applicable training certifications are maintained by them in their office.

3. What role does the outfitter play in my guide license?

A. The outfitter is your employer and is responsible for your qualifications and in part, your actions. By signing your guide application or processing your application online the outfitter is certifying that: (1) you are qualified to guide for the activity for which the outfitter is licensed; (2) you have extensive, firsthand knowledge of the operating area or waters in or on which you will be guiding; (3) you are able to read and understand a map and a compass; and (4) you are clean and well-mannered with a desire to please those whom you are called upon to serve.

4. If I possess all of the qualifications just mentioned and the outfitter certifies me; does that permit me to guide hunting clients or activities?

A. No. Some activities, such as hunting, have additional requirements. For instance, in order to be a hunting guide the outfitter must also certify that: (1) you have been in the outfitter's operating area for at least 10 days; (2) you are knowledgeable of trails, terrain, drainages, and game habits and habitat; and (3) you know how to correctly cape an animal and are trained in the proper care of meat.

5. How is certification accomplished?

A. Certification can be accomplished in three ways by your employing outfitter: (1) on the guide application when submitted, (2) at a later date through an amendment to your license or (3) the online process through Access Idaho. In any case, it is the responsibility of the outfitter to ensure and to certify that you are qualified when the outfitter signs the guide application form, the amendment form, or goes online.

6. *If I haven't completed all this training, may I still be a hunting guide?*

A. Yes, if you have little or no experience your outfitter can certify you as an “apprentice license.” As an apprentice you may assist a fully qualified hunting guide while completing your training. However, you cannot be given primary responsibility for guiding a hunt. Once your outfitter certifies you have completed the required training, your apprentice license can be upgraded to that of a guide. An OG-9.1 Guide Amendment Request along with the amendment fee is required in order to upgrade your license (or the online process to add an activity).

7. *If I have a hunting guide license, may I also guide for water-based activities like float boating?*

A. You may guide for any activity for which your outfitter is licensed, if you are properly trained and licensed.

8. *If I am issued a license, do I have to have it with me at all times?*

A. Your guide license must be in your possession while engaged in guiding activities and must be produced upon the request of an authorized person. Note: An authorized person is a Board Enforcement Agent, Board Investigator, Idaho Fish and Game Officer, or any state, local, or federal law enforcement officer.

9. *If I am caught guiding without my license in my possession, what will happen to me?*

A. A citation may be issued by the officer at their discretion. Note: The Board’s interpretation of “in possession” means you can readily produce your license. You may not always have it on your person, but if it is readily available, such as in your first aid kit or saddlebag and can be shown to the officer, then it is considered to be in your “possession.” You do not have to carry the original license. Many outfitters have their guides carry a photocopy instead of the original.

10. *If I am a camp cook, do I need a guide license?*

A. No. Section 36-2102, Idaho Code states that any “natural person who is employed by a licensed outfitter solely for the following activities: caring for, grooming or saddling of livestock, cooking, woodcutting, and transporting people, equipment, and personal property on “public roads” is exempt from needing a guide license. In other words, if you are the camp cook, or wrangler, and you limit your activities to those described, you don’t need a guide license.

11. *What if I am the wrangler or packer and the outfitter directs me to go to the trailhead, pick up a client’s baggage, pack it up, and bring it to camp. Do I need a guide license to do this?*

A. Yes.

12. *If I have made application for my guide license, may I get started guiding right away?*

A. That depends on whether your license has been applied for online. At the time the online license transaction is completed and paid for by either you as the applicant or the employing

outfitter, provided you have no citations and have been able to answer no to all litigation questions in the appropriate section of the license application, the receipt provided will state whether it is a twenty-day temporary license, and if so you may begin guiding immediately

If you do not receive a 20 day temporary license, then you must wait until you receive your license. Board Rule 004.01 states that the guide or outfitter license must be secured and in the possession of the licensee before commencing any outfitting or guiding activities.

13. Who is responsible to make sure that I have my guide license?

A. Both you and your employing outfitter are responsible for you to be licensed. Although the outfitter will give you directions about where and when to guide, it does not relieve you of the responsibility of making sure that you have a license. At the same time if your outfitter tells you to go guide a client and a guide license has not been issued, you, the outfitter, and the client have committed a violation.

14. If I quit guiding for an outfitter, do I have to notify the Licensing Board?

A. It is the responsibility of the outfitter to notify the Licensing Board within 15 days after you are no longer guiding for them.

15. What are my responsibilities when I am guiding a client?

A. You are responsible for the health, safety and welfare of the client while they are in your care. You must not condone any type of illegal activity that may involve your client, such as violating fish and game laws, forest service rules or regulations, or state laws. If this happens in your presence, you are required to report it to a law enforcement officer. You should follow the legal instructions of your outfitter and act in accordance with the required professional standards of being an Idaho guide.

16. If I am guiding do I need a first aid kit?

A. Yes.

17. May I guide for several outfitters at the same time?

A. Yes. However, each employing outfitter must notify the Licensing Board when you are working for multiple outfitters. This can be accomplished on an application, or an amendment application submitted online or offline. The outfitter does not have to notify the Board if you are on temporary loan to another outfitter (Board Rule 007.07.c). The temporary loan cannot exceed 15 days. In addition, you may only guide for those activities for which you have been licensed and for which the outfitter is licensed. In other words, if you have fishing as the only activity on your guide license and your temporary employer is a hunting outfitter, you may not guide hunts until your license is amended to include hunting.

18. If I have a guide license may I contract with clients to take them out on my own?

A. No. The only one who may legally contract with, and provide services to a paying client is a properly licensed outfitter who has met all the criteria for liability insurance, bonding, and other license requirements. Guides can manage the outfitter's website, arrange advertising, or represent the outfitter at sports shows. They can only advertise using the employing outfitter

contact information including addresses, phone numbers, and e-mail addresses and may not advertise independently. A guide may provide services to clients as long as the outfitter has arranged the booking for the clients.

19. Can I deduct a booking fee from fees collected for my outfitter from the clients?

A. No, Please refer to the guidance letter available at www.oglb.idaho.gov for details on employment requirements.

While there are many situations or conditions that exist involving guiding, we have tried to address some of the more common questions in this document; hopefully, this will provide some insight into how the rules of guiding are applied in Idaho. For specific instructions on how to submit an application for a guide license, please see the User Manual for Guide License Applications and Guide License Amendments at www.oglb.idaho.gov.