

R156. Commerce, Occupational and Professional Licensing.

R156-79. Hunting Guides and Outfitters Registration Act Rule.

R156-79-101. Title.

This rule is known as the "Hunting Guides and Outfitters Registration Act Rule".

R156-79-102. Definitions.

In addition to the definitions in Sections 58-1-102 and 58-79-102, that apply to this rule:

- (1) "Client" means an individual who engages the professional services of a registered outfitter.
- (2) "Packing" means transporting for hire or compensation hunters, game animals, or equipment in the field.
- (3) "Protecting" means the hunting guide or outfitter protects any clientele.
- (4) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 79, is further defined, in accordance with Subsection 58-1-203(1)(e), in Section R156-79-502.

R156-79-103. Authority - Purpose.

This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 79.

R156-79-104. Organization - Relationship to Rule R156-1.

The organization of this rule and its relationship to Section R156-1 is as described in Section R156-1-107.

R156-79-302. Qualifications for Registration - Application Requirements.

In accordance with Subsection 58-1-301(3) and Section 58-79-302, an application for registration as a hunting guide or outfitter shall be accompanied by a current liability insurance policy protecting against injury or damage as a result of negligence by the registrant, which has at least the following minimum limits of coverage:

- (1) \$25,000 for property damage;
- (2) \$100,000 for bodily injury or death of one individual in a single accident; and
- (3) \$300,000 for bodily injury or death to all individuals in a single accident.

R156-79-303. Renewal Cycle - Procedures.

- (1) In accordance with Subsection 58-1-308(1), the renewal date for the two-year renewal cycle applicable to registrants under Title 58, Chapter 79 is established by rule in Section R156-1-308a.
- (2) Renewal procedures shall be in accordance with Sections R156-1-308b through R156-1-308l.

R156-79-502. Unprofessional Conduct.

"Unprofessional conduct" includes:

- (1) engaging in fraud in advertising when soliciting hunting guide or outfitter services to the public;
- (2) intentionally obstructing, hindering, or attempting to obstruct or hinder lawful hunting by a person who is not a client or an employee of the registrant;
- (3) failing to report to the Division within 20 days any violation of a state or federal wildlife, big game, or guiding statute by a client or by an employee of the registrant;
- (4) materially breaching a contract with a person using the hunting guide or outfitting services of the registrant;
- (5) failing to provide any animal used in the conduct of business with proper food or drink, or otherwise subjecting any animal used in the conduct of business to abuse or cruel and inhumane treatment;
- (6) failing to allow the Division or its agents access at any time to inspect hunting camps, whether or not the registrant is present;
- (7) failing to provide a hunting guide for every two hunters in wilderness areas and for up to six hunters in any other areas of the state;
- (8) failing to maintain a neat, orderly, and sanitary camp by not disposing of garbage, debris, or human waste appropriately;
- (9) failing to provide clean drinking water or failing to protect food from contamination;
- (10) failing to separate livestock facilities and camp facilities, or to protect streams from contamination;
- (11) failing to report any serious injury or fatality of a client or outfitter staff to a federal, state, county, or local law enforcement authority;
- (12) failing to comply with state or federal laws and rules regarding hunting guides and outfitters;
- (13) failing to comply with state or federal wildlife laws and rules;
- (14) failing to adequately maintain general liability insurance coverage as required by the United States Forest Service or the Bureau of Land Management;

- (15) providing outfitter services to a person who is not properly licensed to hunt for the species sought by that person;
and
(16) failing to conform to the generally accepted and recognized standards and ethics of the profession.

KEY: licensing, hunting guides, outfitters

Date of Enactment or Last Substantive Amendment: September 8, 2020

Notice of Continuation: July 8, 2019

Authorizing, and Implemented or Interpreted Law: 58-79-101; 58-1-106(1)(a); 58-1-202(1)(a)