



Certification Page Regular and Emergency Rules

Revised June 2020

Emergency Rules (Complete Sections 1-3 and 5-6)

Regular Rules

1. General Information

a. Agency/Board Name* **Board of Outfitters**

b. Agency/Board Address **1950 Bluegrass Cir. Suite 280** c. City **Cheyenne** d. Zip Code **82001**

e. Name of Agency Liaison **Amanda McKee** f. Agency Liaison Telephone Number **307-635-2723**

g. Agency Liaison Email Address **amanda.mckee@wyo.gov** h. Adoption Date **12-17-21**

i. Program **Board of Outfitters and Professional Guides**

Amended Program Name (if applicable):

* By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular (non-emergency) rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency or regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No. Yes. If the rules are new, please provide the Legislative Chapter Numbers and Years Enacted (e.g. 2015 Session Laws Chapter 154):

3. Rule Type and Information

For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title* and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number: 2	Chapter Name: Licensing Provisions	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number: 5	Chapter Name: License Fees	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. No. Yes. N/A

b. A public hearing was held on the proposed rules. No. Yes. Please complete the boxes below.

Date:	Time:	City:	Location:

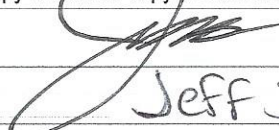
5. Checklist

a. For regular rules, the Statement of Principal Reasons is attached to this Certification and, in compliance with Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule

b. For emergency rules, the Memorandum to the Governor documenting the emergency, which requires promulgation of these rules without providing notice or an opportunity for a public hearing, is attached to this Certification.

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct. By electronically submitting the emergency or regular rules into the Wyoming Administrative Rules System, the undersigned acknowledges that the Registrar of Rules will review the rules as to form and, if approved, the electronic filing system will electronically notify the Governor's Office, Attorney General's Office, and Legislative Service Office of the approval and electronically provide them with a copy of the complete rule packet on the date approved by the Registrar of Rules. The complete rules packet includes this signed certification page; the Statement of Principal Reasons or, if emergency rules, the Memorandum to the Governor documenting the emergency; and a strike and underscore copy and clean copy of each chapter of rules.

Signature of Authorized Individual	
Printed Name of Signatory	Jeff Smith - Chairman
Signatory Title	Chairman of the Board
Date of Signature	12-17-21

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	



Mark Gordon
Governor

Wyoming State Board of Outfitters and Professional Guides



Amanda McKee
Administrator

WYOMING BOARD OF OUTFITTERS AND PROFESSIONAL GUIDES RULES AND REGULATIONS STATEMENT OF PRINCIPAL REASONS

September 7, 2021

The following proposed rule changes are an attempt to clean up Chapter 2 and Chapter 5 with clarifications to better regulate the industry.

1. Chapter 2 – Reorganized and language clarified.
2. Chapter 5 – Correct language and added that a portion of the new outfitter application fee is refundable.

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Mark Gordon
Governor

Wyoming State Board of Outfitters and Professional Guides



Amanda McKee
Administrator

WYOMING BOARD OF OUTFITTERS AND PROFESSIONAL GUIDES RULES AND REGULATIONS SUMMARY OF PUBLIC COMMENT

December 17, 2021

After filing the notice of intent on September 7, 2021, public notice was printed in both a State newspaper and the Board's website. The proposed rule changes were also posted on the website.

No public comment regarding the following rule changes were received either by mail, phone, verbally or electronically by the October 27, 2021 deadline.

The following proposed rule changes are an attempt to clean up Chapter 2 and Chapter 5 with clarifications to better regulate the industry.

1. Chapter 2 – Reorganized and language clarified.
2. Chapter 5 – Correct language and added that a portion of the new outfitter application fee is refundable.



CHAPTER 2

LICENSING PROVISIONS

Section 1. Outfitter Qualifications.

(a) To qualify for a new outfitter license, in addition to meeting the requirements of Wyoming Statute § 23-2-411(a), an applicant shall:

- (i) Be certified in first aid;
- (ii) If born on or after January 1, 1966, possess a certificate of competence and safety in the use and handling of firearms (hunter safety card); and
- (iii) Have knowledge of the hunt area(s) where they plan to operate.

(b) An applicant has experience as a licensed professional guide for not less than 1 year or similar experience accepted by the Board if the applicant has:

- (i) At least 70 days of experience as a licensed professional guide or licensed outfitter; or
- (ii) Other training, experience, or education applicable to outfitting and accepted by the Board.

Section 2. Outfitter License Application.

(a) To obtain an outfitter license, an applicant shall complete the outfitter license application on forms provided by the Board. The applicant shall submit to the Board:

- (i) A complete application;
- (ii) The new outfitter application fee required by Chapter 5 of these Rules;
- (iii) An Outfitter Operation Plan;
- (iv) A copy of their current and valid first aid certification;
- (v) If born on or after January 1, 1966, a copy of their hunter safety card;
- (vi) A letter of intent from an insurance company indicating the insurance company will issue the applicant a liability insurance policy if the outfitter license is approved; and
- (vii) Documented evidence that the applicant has at least 70 days of experience in the field guiding hunters as a licensed professional guide or licensed outfitter, or documented

evidence of the applicant's other training, experience, or education applicable to outfitting. Documented evidence may include but is not limited to:

- (A) Letters of reference from employing outfitters;
- (B) Records of game pursued, including dates and locations; or
- (C) Copies of outfitter annual reports.

(b) All applicants for a new outfitter license shall appear in person before the Board, unless the Board waives this requirement for extenuating circumstances.

(c) The Board may require an applicant to pass an equipment inspection by the Board before issuing a license.

(d) An application and new applicant fee are valid for 1 year from the date of the first successful outfitter examination.

Section 3. Outfitter Examination.

(a) The Board shall administer a written, closed-book examination to applicants for an outfitter license to test the applicant's knowledge of the Act, Board rules, Game & Fish laws, Forest Service and BLM outfitting and land use policies, first aid, general hunting and outdoor skills, habits of game sought, hunting techniques, care of meat and trophies, and applicable firearm laws.

(i) The Board shall administer the examination as needed January through June for outfitter license applicants for the current year.

(ii) The Board shall administer the examination as needed July through December for outfitter license applicants for the following year.

(iii) The Board shall administer the examination in the Board office, unless the Board waives this requirement for extenuating circumstances.

(b) An applicant shall make an appointment to take the examination at least 14 days prior to the date of the examination.

(c) The Board shall provide the study material for the examination to the applicant upon the Board's receipt of the materials required by Section 2(a) of this Chapter.

(d) To pass the examination, an applicant must receive a score of at least 75%. An applicant who fails the examination may take the examination again after 30 days.

(e) A passing score on the examination is valid for 1 year from the date taken.

Section 4. Outfitter License.

(a) The Board shall approve a license application when the applicant has met the licensing requirements of Sections 1 and 2 of this Chapter.

(b) Upon the Board's approval of an application, the applicant shall submit the outfitter license fee required by Chapter 5 of these Rules and proof of liability insurance within 60 days.

(c) The Board shall issue a license when the applicant has met the requirements of the Act and paid the license fee, submitted proof of liability insurance, passed the outfitter examination, passed an equipment inspection by the Board (if one is required), and attended the outfitter training course provided by the Board.

(d) The Board shall issue all licenses in the name of the outfitter.

(e) Outfitters shall maintain a liability insurance policy that meets the requirements of W.S. § 23-2-413(d) for the entire licensing period. Failure to maintain a liability insurance policy immediately voids the outfitter license.

Section 5. Outfitter Hunt Areas.

(a) Applicants for new outfitter licenses shall indicate the hunt area(s) where they intend to operate and shall provide all information about the hunt area(s) required on the Outfitter Operation Plan form.

(b) Licensed outfitters may apply for additional hunt area authorizations by submitting a Supplemental Hunt Area Request form and an amended Outfitter Operation Plan to the Board. In lieu of the Supplemental Hunt Area Request form, the licensee may submit a letter of intent from the controlling public land agency, private landowner, owner's agent, or lessor that indicates the species and hunt areas where the licensee may operate.

(c) For any hunt areas shown on the Outfitter Operation Plan, the applicant or licensee shall secure written endorsement from the public land agency, private landowner, owner's agent, or lessor on a form provided by the Board. For any private lands shown on the Outfitter Operation Plan, the applicant or licensee shall also submit a Surface Management Status Map. All written records submitted by an applicant involving landowner permission or leases shall remain confidential to the extent allowed by the Wyoming Public Records Act, W.S. § 16-4-201 through 16-4-205.

(d) Outfitters shall not operate outside hunt areas approved by the Board in the Outfitter Operation Plan, Supplemental Hunt Area Request form, or letter of intent.

(e) The Board retains final authority regarding license issuance and hunt area authorization. The Board may restrict the species and the hunt area where a licensee may outfit

hunting clients based upon sound game and land use management principles or based upon recommendations by the Wyoming Game and Fish Commission.

Section 6. Outfitters Required to Sign and Provide License Number on Hunter's License.

(a) All outfitters shall sign their client's hunting license, including their outfitter license number, before the client begins hunting.

Section 7. Outfitter Annual Report.

(a) Each licensed outfitter shall submit a signed Outfitter's Annual Report for the calendar year the license was valid.

(i) The outfitter may use the form provided by the Board or a similar form that includes the same information.

(ii) Information in the report shall be legible, accurate, and complete.

(b) Each report shall be received by the Board no later than January 31 of the year following the year for which the report is filed. The report may be submitted by email, fax, or mail. Any report post-marked or received after January 31 is untimely.

Section 8. Outfitter License Renewals.

(a) Applications to renew outfitter licenses are due on December 1. Any application post-marked or received after December 31 shall be treated as a new outfitter license application and the new license application fee shall apply.

(b) If the Outfitter's Annual Report required by Section 7 of this Chapter is not timely filed, any renewal application shall be treated as a new outfitter license application and the new license application fee shall apply.

(c) An outfitter license may be renewed and the same license number retained for the next license year if the applicant is not applying for additional hunt area(s) or services.

(d) To renew an outfitter license, an outfitter shall submit to the Board:

(i) A completed outfitter license renewal form;

(ii) Current proof of insurance; and

(iii) The outfitter license fee required by Chapter 5 of these Rules.

Section 9. Professional Guide Qualifications.

(a) To qualify for a professional guide license, in addition to meeting the requirements of W.S. § 23-2-412(a), an applicant shall:

- (i) Be certified in first aid; and
- (ii) If born on or after January 1, 1966, possess a certificate of competence and safety in the use and handling of firearms (hunter safety card).

Section 10. Professional Guide License Application.

(a) To obtain a professional guide license, an applicant shall complete the professional guide license application on forms provided by the Board. The applicant shall submit to the Board:

- (i) A complete application;
- (ii) The new professional guide application fee required by Chapter 5 of these Rules;
- (iii) The professional guide license fee required by Chapter 5 of these Rules;
- (iv) A copy of their current and valid first aid certification;
- (v) If born on or after January 1, 1966, a copy of their hunter safety card; and
- (vi) The professional guide examination.

(b) If an applicant applies for a professional guide license during the hunting season and good cause is shown, the Board may waive the requirements of Section 9(a)(i) and 9(a)(ii). No guide shall receive more than one 1 waiver.

(c) Professional guides covered under liability insurance of a licensed outfitter are not required to furnish a separate certificate of insurance.

Section 11. Professional Guide Examination.

(a) The Board shall administer an open-book, written examination to applicants for a professional guide license to test the applicant's knowledge of the Act, Board rules, Game & Fish laws, Forest Service and BLM land use policies, first aid, other general hunting and outdoor skills, habits of game sought, hunting techniques, care of meat and trophies, and applicable firearm laws.

(b) To pass the examination, an applicant must receive a score of at least 75%. An applicant who fails the examination may take the examination again after 30 days.

(c) An applicant who fails the examination twice in a calendar year shall not be eligible to retake the examination until the applicant submits a new professional guide application, new professional guide application fee, and license fee.

(d) A passing score on the examination is valid for 1 year from the date taken.

Section 12. Professional Guide License Renewals.

(a) Renewal applications for professional guide licenses are due prior to December 31.

(b) Professional guides licensed in either of the prior 2 calendar years may submit a renewal application and are exempt from taking the professional guide examination and paying the application fee required for first-time applicants.

(c) To renew a professional guide license, a professional guide shall submit the following:

(i) A completed professional guide renewal form; and

(ii) The professional guide license fee.

Section 13. Proof of Licensure Required.

(a) Licensees shall carry their outfitter or professional guide license (or a facsimile or mobile device photo copy) at all times when providing outfitting or professional guide services.

(b) To be valid, a professional guide license must be signed by the employing or contracting outfitter, including the outfitter's license number and the date(s) that the licensee is employed by or operating under an independent contract with the licensed outfitter.

CHAPTER 2

LICENSING PROVISIONS

Section 1. Outfitter Qualifications. ~~Application for and Issuance of New Outfitter Licenses and Area Authorization.~~

(a) To qualify for a new outfitter license, in addition to meeting the requirements of Wyoming Statute § 23-2-411(a), an applicant shall: All applicants for a new outfitters license shall:

(formerly Section 1(j))

(i) ~~Be certified in first aid and submit a copy of their current and valid first aid certification card with the original application;~~

(formerly Section 1(j)(i))

(ii) ~~If born on or after January 1, 1966, possess a certificate of competence and safety in the use and handling of firearms (hunter safety card) and submit a copy of their hunter safety card with the original application; and~~

(formerly Section 1(j)(ii))

~~Attend the outfitter training course provided by the Board prior to meeting with the Board for approval.~~

(formerly Section 1(j)(iii))

(iii) Have knowledge of the hunt area(s) where they plan to operate. The applicant shall demonstrate knowledge of the area(s) for which application is made.

(formerly Section 1(i))

(b) An applicant has experience as a licensed professional guide for not less than 1 year or similar experience accepted by the Board if the applicant has:

(i) At least 70 days of experience as a licensed professional guide or licensed outfitter; or

(ii) Other training, experience, or education applicable to outfitting and accepted by the Board.

Section 2. Outfitter License Application. ~~New Outfitter Applicant Examination.~~

(a) To obtain an outfitter license, an applicant shall complete the outfitter license application on forms provided by the Board. The applicant shall submit to the Board: Any qualified person desiring to be a licensed outfitter shall make application for an outfitter license on forms provided by the Board (Application and Operation Plan). The application shall be completed by the applicant and returned to the Board, together with the new applicant fee.

(formerly Section 1(a))

(i) A complete application;

(ii) The new outfitter application fee required by Chapter 5 of these Rules;
~~The new applicant fee, as set by the Board, is non-refundable.~~
(formerly Section 1(a))

(iii) An Outfitter Operation Plan;

(iv) A copy of their current and valid first aid certification;
(formerly Section 1(j)(i))

(v) If born on or after January 1, 1966, a copy of their hunter safety card;
(formerly Section 1(j)(ii))

(vi) A letter of intent from an insurance company indicating the insurance company will issue the applicant a liability insurance policy if the outfitter license is approved; and Applicants shall submit a letter of intent from an insurance company indicating they will insure the applicant if a license is approved.
(formerly Section 1(c))

(vii) Evidence that the applicant has at least 70 days of experience in the field guiding hunters as a licensed professional guide or licensed outfitter, or evidence of the applicant's other training, experience, or education applicable to outfitting. Evidence may include but is not limited to:

(A) Letters of reference from employing outfitters;

(B) Records of game pursued, including dates and locations; or

(C) Copies of outfitter annual reports.

~~An applicant for a new outfitters license shall have experience as a licensed professional guide for not less than one (1) year or have other training, experience or education applicable to outfitting and acceptable to the Board.~~
(formerly Section 1(i))

~~Seventy (70) days in the field guiding hunters as a licensed professional guide equals one (1) year experience.~~
(formerly Section 1(i)(i))

(b) All applicants for a new outfitter license shall appear in person before the Board, unless the Board waives this requirement for extenuating circumstances. this requirement is waived by the Board.
(formerly Section 1(e))

(c) The Board may require an applicant to pass an equipment inspection by the Board before issuing a license. ~~The Board may, at its discretion, require an applicant to pass an equipment inspection before the approved license is issued.~~
(formerly Section 1(e))

(d) An application and new applicant fee are valid for 1 year from the date of the first successful outfitter examination. ~~The application and new applicant fee shall be valid for one (1) year from date of receipt.~~
(formerly Section 1(a))

Section 3. Outfitter Examination. ~~Outfitters to Submit Required Outfitter Annual Report.~~

(a) ~~New applicants for outfitter licenses shall be given~~ The Board shall administer a written, closed-book examination to applicants for an outfitter license to test the applicant's knowledge of the Act, Board rules, Game & Fish laws, Forest Service and BLM outfitting and land use policies, first aid, general hunting and outdoor skills, habits of game sought, hunting techniques, care of meat and trophies, and applicable firearm laws.
(formerly Section 2(a))

(i) ~~A written examination for a new outfitter license applicant for a current year shall be given~~ The Board shall administer the examination as needed January through June for outfitter license applicants for the current year.
(formerly Section 2(b))

(ii) ~~The examination shall be given~~ The Board shall administer the examination as needed July through December for outfitter license applicants for the following year.
(formerly Section 2(b))

(iii) The Board shall administer the examination in the Board office, unless the Board waives this requirement for extenuating circumstances. ~~The examination shall be a closed book test and administered in the Board office, unless otherwise authorized by the Board.~~
(formerly Section 2(b))

(b) ~~Applicants shall~~ An applicant shall make an appointment to take the examination at least 14 no less than fourteen (14) days in advance.
(formerly Section 2(b))

(c) The Board shall provide the study material for the examination to the applicant upon the Board's receipt of the materials required by Section 2(a) of this Chapter. ~~The study material for the exam will then be mailed to the applicant.~~
(formerly Section 1(a))

(d) ~~Passing the examination will constitute receiving~~ To pass the examination, an applicant must receive a score of at least seventy-five percent (75%). ~~Any person failing to~~

~~pass~~ An applicant who fails the examination may take the ~~be given another examination again after thirty (30) consecutive days.~~
(formerly Section 2(b))

(e) ~~Upon receiving a passing score, the exam shall be~~ A passing score on the examination is valid for one (1) year from the date taken.
(formerly Section 2(b))

Section 4. Outfitter License. ~~Renewal of Outfitter Licenses.~~

(a) The Board shall approve a license application when the applicant has met the licensing requirements of Sections 1 and 2 of this Chapter. ~~No license will be considered for approval by the Board until all licensing requirements have been met.~~
(formerly Section 1(m))

(b) The applicant shall submit the outfitter license fee required by Chapter 5 of these Rules and proof of liability insurance within 60 days after the Board approves the application. ~~No license approved by the Board shall be issued unless the proper license fee and proof of insurance are received in the Board office within sixty (60) days of the date of approval.~~
(formerly Section 1(l))

~~The Board may deny granting a license to an applicant who is not qualified or based upon a violation of a significant state or federal wildlife, game or fish law or regulation.~~
(formerly Section 1(k))

(c) The Board shall issue a license when the applicant has met the requirements of the Act and paid the license fee, submitted proof of liability insurance, passed the outfitter examination, passed an equipment inspection by the Board (if one is required), and attended the outfitter training course provided by the Board.
(formerly Section 1(e), 1(j)(iii), and 1(m))

(d) The Board shall issue all licenses ~~All outfitter licenses shall be issued in the name of the outfitter.~~
(formerly Section 1(h))

(e) Outfitters shall maintain a liability insurance policy that meets the requirements of W.S. § 23-2-413(d) for the entire licensing period. Failure to maintain a liability insurance policy immediately voids the outfitter license. Insurance must be effective during the entire licensing period. If insurance is not in effect, the license is immediately void.
(formerly Section 1(c))

Section 5. Outfitter Hunt Areas. ~~Application for and Issuance of Professional Guide Licenses.~~

(a) Applicants for new outfitter licenses shall indicate the hunt area(s) where ~~in~~ which they intend to operate and shall provide all information as ~~about~~ the hunt area(s) required on the Outfitter Operation Plan form.
(formerly Section 1(b))

(b) Licensed outfitters may apply for additional hunt area authorizations by submitting a ~~the proper~~ Supplemental Hunt Area Request form and ~~an~~ amended Outfitter Operation ~~Operating~~ Plan to the Board. In lieu of the Supplemental Hunt Area Request form, the licensee may submit ~~or~~ a letter of intent from the controlling public land agency, private landowner, owner's agent, or lessor that indicates the species and hunt areas where the licensee may operate.
(formerly Section 1(f))

(c) ~~Prior to final approval of an outfitter license,~~ For any hunt areas shown on the Outfitter Operation Plan, the applicant or licensee shall secure written endorsement from the public land agency, private landowner, owner's agent, or lessor on a form provided by the Board ~~for the areas shown on the Operation Plan.~~ For any private lands shown on the Outfitter Operation Plan, the applicant or licensee shall also submit a Surface Management Status Map. A "Surface Management Status Map" shall be submitted showing all intended areas of operation for any private lands requested on the private land form. ~~All written records submitted by an applicant involving landowner permission or leases shall remain confidential to the extent allowed by the Wyoming Public Records Act, W.S. § 16-4-201 through 16-4-205.~~
(formerly Section 1(d))

(d) Outfitters shall not operate outside hunt areas approved by the Board in the Outfitter Operation Plan, Supplemental Hunt Area Request form, or letter of intent. ~~Outfitters shall only operate in those areas approved by the Board on the Operation Plan, except as provided in paragraph (f) of this section.~~
(formerly Section 1(b))

(e) The Board retains ~~shall retain~~ final authority regarding license issuance and hunt area authorization. The Board may restrict the species and the hunt area where a licensee ~~an applicant~~ may outfit hunting clients based upon sound game and land use management principles or ~~and purposes~~ based upon recommendations by the Wyoming Game and Fish Commission ~~commission~~.
(formerly Section 1(g))

Section 6. Outfitters Required to Sign and Provide License Number on Hunter's License. ~~New Professional Guides Examination.~~

(a) All outfitters shall sign their client's hunting license and ~~include~~, including their outfitter license number, before the client begins hunting.
(formerly Section 9(a))

Section 7. Outfitter Annual Report. ~~Renewal of Professional Guide Licenses.~~

(a) Each licensed outfitter shall submit an signed Outfitter's Annual Report ~~(report)~~ ~~on the form provided by the Board covering for~~ the calendar year for which the license was valid.

(formerly Section 3(a))

(i) The outfitter may use the form provided by the Board or a similar form that includes the same information.

(ii) ~~The report information~~ Information in the report shall be legible, accurate, and complete.

(formerly Section 3(a))

(b) Each report shall be received by the Board ~~post-marked~~ no later than January 31 of the ~~subsequent~~ year following the year for which the report is ~~being~~ filed. The report may be submitted by email, fax, or mail. Any report post-marked or received after January 31 ~~that date is~~ untimely, ~~and any associated renewal application that was submitted shall be treated as a first time applicant.~~

(formerly Section 3(b))

~~The U.S. Postal Service or any other mail delivery service provider are not agents of the Board. Therefore, the Board cannot assume responsibility for mail delivery to the Board. It is the applicant's responsibility to assure the delivery of required reports to the Board office in a timely manner.~~

(formerly Section 3(c))

Section 8. Outfitter License Renewals. ~~Proof of Licensure Required.~~

~~Outfitter licenses expire on December 31 of the year issued per W.S. 23-2-414(b).~~
(formerly Section 4(a))

(a) Applications to renew outfitter licenses ~~Outfitter renewal applications~~ are due on December 1 ~~of each year~~. Any application post-marked or received after December 31 shall be treated as a new outfitter license application and the new license application fee shall apply. ~~first time applicant.~~

(formerly Section 3(b) and 4(a))

(b) If the Outfitter's Annual Report required by Section 7 of this Chapter is not timely filed, any renewal application shall be treated as a new outfitter license application and the new license application fee shall apply.

(formerly Section 3(b))

(c) An outfitter license may be renewed and the same license number retained for the next license year if the applicant is not applying for additional hunt area(s) or services. ~~upon~~

~~submission of the following by December 31 prior to the year for which a license is being renewed:
(formerly Section 4(b))~~

(d) To renew an outfitter license, an outfitter shall submit to the Board:

(i) A completed outfitter license renewal ~~application~~ form;
(formerly Section 4(b)(i))

(ii) Current proof of insurance; An original and current Certificate of Insurance if one is not on file; and
(formerly Section 4(b)(ii))

(iii) The outfitter license fee required by Chapter 5 of these Rules, as set by the Board.
(formerly Section 4(b)(iii))

~~No license will be considered for renewal by the Board until all licensing requirements have been met.
(formerly Section 4(c))~~

~~The U.S. Postal Service or any other mail delivery service provider are not agents of the Board. Therefore, the Board cannot assume responsibility for mail delivery to the Board. It is the applicant's responsibility to assure the delivery of an application to the Board office in a timely manner.
(formerly Section 4(d))~~

Section 9. Professional Guide Qualifications. ~~Outfitters Required to Sign and Provide License Number on Hunter's License.~~

(a) To qualify for a professional guide license, in addition to meeting the requirements of W.S. § 23-2-412(a), an applicant shall: ~~All applicants for a professional guide license shall:
(formerly Section 5(c))~~

(i) Be certified in first aid ~~and submit a copy of their valid first aid certification card with the application;~~ and
(formerly Section 5(c)(i))

(ii) If born on or after January 1, 1966, a ~~professional guide must possess a certificate of competence and safety in the use and handling of firearms (hunter safety card), and submit a copy of their hunter safety card with the application, if one is not on file.~~
(formerly Section 5(c)(ii))

Section 10. Professional Guide License Application.

~~Any qualified person desiring to operate as a professional guide may make application for a professional guide license on the form provided by the Board.~~
(formerly Section 5(a))

~~The application shall be completed by the applicant and returned to the Board together with the annual license fee as set by the Board.~~
(formerly Section 5(b))

(a) To obtain a professional guide license, an applicant shall complete the professional guide license application on forms provided by the Board. The applicant shall submit to the Board:

(i) A complete application;
(ii) The new professional guide application fee required by Chapter 5 of these Rules;

(iii) The professional guide license fee required by Chapter 5 of these Rules;
(iv) A copy of their current and valid first aid certification;
(formerly Section 5(c)(i))

(v) If born on or after January 1, 1966, a copy of their hunter safety card; and
(formerly Section 5(c)(ii))

(vi) The professional guide examination.

(b) ~~If~~ When an applicant applies for a professional guide license during the hunting season and good cause is shown, the Board may waive the requirements of in Section 9(a)(i) and 9(a)(ii) 5 (e) may be waived by the Board. No guide shall receive more than one ~~one (1)~~ waiver.
(formerly Section 5(d))

~~An applicant may receive only one (1) fourteen (14) day permit in any twelve (12) month period.~~
(formerly Section 5(e))

(c) Professional guides covered under liability insurance of a licensed outfitter are not shall not be required to furnish a separate certificate of insurance.
(formerly Section 5(g))

~~The Board may deny granting a license to an applicant who is not qualified or based upon a violation of a significant state or federal wildlife, game and fish law, or regulation.~~
(formerly Section 5(h))

Section 11. Professional Guide Examination.

(a) ~~New applicants for a professional guide licenses shall be given an open book, written examination prior to issuance of the license. The examination shall~~ The Board shall administer an open-book, written examination to applicants for a professional guide license to test the applicant's knowledge of the Act, Board rules, Game & Fish laws, Forest Service and BLM land use policies, first aid, other general hunting/ and outdoor skills, habits of game sought, hunting techniques, care of meat and trophies, and applicable firearm laws.
(formerly Section 6(a))

(b) ~~Passing the examination will constitute receiving~~ To pass the examination, an applicant must receive a score of at least seventy-five percent (75%). Any person failing to pass an ~~An applicant who fails the examination may take the~~ be given another examination again after thirty (30) days.
(formerly Section 6(b))

(c) An applicant who fails the examination twice in a calendar year shall not be eligible to retake the examination until the applicant submits a ~~without completion and submission of the new professional guide application, examination, license fee and new applicant fee~~ new professional guide application fee, and license fee.
(formerly Section 6(c))

(d) ~~Upon receiving a passing score, the exam shall be~~ A passing score on the examination is valid for one (1) year from the date taken.
(formerly Section 6(b))

Section 12. Professional Guide License Renewals.

~~Professional Guide licenses expire on December 31 of the year issued per W.S. 23-2-414(b).~~
(formerly Section 7(a))

(a) Renewal applications for professional guide licenses are due prior to December 31. A renewal filed after December 31 is not timely filed for purposes of W.S. 16-3-113(b).
(formerly Section 7(a))

(b) ~~However, Professional Guides~~ Professional guides licensed in either of the prior ~~two (2)~~ calendar years may submit a renewal application and are exempt from taking the professional guide examination exam and paying the ~~new~~ application fee as required for first-time applicants.
(formerly Section 7(a))

(c) ~~A professional guide license may be renewed upon submission of~~ To renew a professional guide license, a professional guide shall submit the following:
(formerly Section 7(a))

(i) A completed professional guide renewal form; and application.
(formerly Section 7(a)(i))

(ii) The annual professional guide license fee; as set by the Board under Chapter 5, Section 1 and pursuant to W.S. 33-1-201.
(formerly Section 7(a)(ii))

The U.S. Postal Service or any other mail delivery service provider are not agents of the Board. Therefore, the Board cannot assume responsibility for mail delivery to the Board. It is the applicant's responsibility to assure the delivery of an application to the Board office in a timely manner.
(formerly Section 7(b))

Section 13. Proof of Licensure Required.

(a) Licensees shall carry their outfitter or professional guide license (or a facsimile or mobile device photo copy) original license, as issued by the Board, at all times when providing outfitting or professional guide services, except as authorized by Section 5 (f) (iii) of this Chapter.
(formerly Section 8(a))

A professional guide license issued by the Board is valid if:
(formerly Section 5(f))

The professional guide is employed or contracted by a licensed outfitter;
(formerly Section 5(f)(i))

(b) To be valid, a professional guide license must be signed Signed on the back by the employing or contracting outfitter, including the outfitter's license number and the date(s) that the licensee is employed by or operating under an independent contract with the licensed outfitter.; and
(formerly Section 5(f)(ii))

It is the original license or is a facsimile or emailed copy, properly signed.
(formerly Section 5(f)(iii))

CHAPTER 5
LICENSE FEES

Section 1. Fees Generally.

- (a) License fees are:
 - (i) Annual outfitter license fee: \$600
 - (ii) Annual professional guide license fee: \$145
 - (iii) Temporary (14-day) professional guide license fee: \$70
- (b) New applicant fees (in addition to the license fee) are:
 - (i) New outfitter application fee: \$1600
 - (ii) New professional guide application fee: \$25
- (c) Administrative fees are:
 - (i) Faxed or e-mailed copy of license fee: \$20

Section 2. Fees Non-refundable.

- (a) All license fees (except the new outfitter application fee) are non-refundable.
- (b) If the Board denies an application for an outfitter license, the Board shall refund \$1300 of the new outfitter application fee. The remaining \$300 of the new outfitter application fee is non-refundable.

CHAPTER 5
LICENSE FEES

Section 1. Fees Generally.

(a) License fees are:

- (i) Annual ~~o~~Outfitter license fee: \$600
- (ii) Annual Full Term ~~P~~Professional ~~G~~guide license fee: \$145
- (iii) Temporary (14-day) professional ~~g~~Guide license fee: \$70

(b) New ~~a~~Applicant ~~f~~Fees (in addition to the license fee) are:

- (i) New ~~o~~Outfitter ~~a~~Application ~~f~~Fee ~~in addition to license fee:~~ \$1600
- (ii) New ~~p~~Professional ~~g~~Guide application ~~f~~Fee ~~in addition to license fee:~~
\$25

(c) Administrative ~~f~~Fees are:

- (i) ~~Faxed/E-mailed or e-mailed copy of license fee—Professional Guides~~
(for Emergency licenses): \$20

(d) ~~All fees are non-refundable.~~

Section 2. Fees Non-refundable.

(a) All license fees (except the new outfitter application fee) are non-refundable.

(b) If the Board denies an application for an outfitter license, the Board shall refund \$1300 of the new outfitter application fee. The remaining \$300 of the new outfitter application fee is non-refundable.