

*****DRAFT*****

Frequently Asked Questions

As an air taxi who is not a licensed big game transporter:

1. Can I fly, for compensation, big game hunters, their equipment, or big game animals harvested by hunters to, from, or in the field?
 - a. **Yes**, AS 08.54.790(12) allows you to fly big game hunters as long as you do not:
 - (i) charge more than the usual tariff or charter rate for the carriage of big game hunters, their equipment, or big game animals harvested by hunters; or
 - (ii) advertise transportation services or big game hunting services to the public; in this subparagraph, “advertise” means soliciting big game hunters to be customers of an air taxi operator or air carrier for the purpose of providing air transportation to, from, or in the field through the use of print or electronic media, including advertising at trade shows, or the use of hunt broker services or other promotional services.

OR

b. ????

2. Can I advertise air transportation for big game hunters if I do not charge more than the usual tariff or charter rate for the carriage of big game hunters, their equipment, or big game animals harvested by hunters?
 - a. **No**, AS 08.54.790(12) prohibits you from advertising to big game hunters regardless of the tariff or charter rate.

OR

b. ?????

3. Can I advertise air transportation for hunters if I do not refer to “big game” or any species that are defined as big game in Alaska?
 - a. **Yes**, Chapter 54, Big Game Guides and Related Occupations, (AS 08.54.591 – AS 08.54.790) has no jurisdiction over hunting or hunters other than in big game applications.

OR

c. ????

As an air taxi who is a licensed big game transporter:

1. If I exercise my advertising privilege as a licensed transporter, but I do not charge more than the usual tariff or charter rate for the carriage of big game hunters, do I need to complete a transporter contract and a transporter activity report.

- a. **Yes**, AS 08.54.790(12) allows no exemption from transporter contract or reporting requirements for licensed business or individuals who advertise transportation services or big game hunting services to the public, regardless of the tariff or charter rate.

OR

- b. **No**, federal air commerce regulation????????? supersedes Alaska law and allows for carriage of anyone by a part 135 air taxi as long as there is no special tariff or charter rate.

OR

- c. ????

- 2. Do I need to complete a transporter contract and a transporter activity report when I fly a hunter to a licensed guide camp or to another licensed transporter's lodge or boat?

- a. **Yes**, AS 08.54.680(c), 12 AAC 75.400 and 12 AAC 75.450 combine to require a transporter contract and a transporter activity report whenever flying a hunter to, from, or in the field. There are currently no regulatory exceptions to contract or report requirements for multiple service providers on a single hunt.

OR

- b. **No**, in a majority/unanimous opinion, the Big Game Commercial Services Board, at its meeting of 2/2/22, found that multiple contracts and reports, on a single hunt, result in the doubling regulatory fees to a hunter and provide inaccurate harvest and public use information to regulators. Therefore, it is implied that only the primary, end service provider is required to fill out a contract and report when there are multiple service providers on a single hunt.

OR

- c. ????

Transportation Services – AS 08.54.790(12)

“Transportation Services” means the carriage for compensation of big game hunters, their equipment, or big game animals harvested by hunters to, from, or in the field; “transportation services” does not include the carriage by aircraft of big game hunters, their equipment, or big game animals harvested by hunters

(A) on nonstop flights between airports listed in the Alaska supplement to the Airmen’s Guide published by the Federal Aviation Administration; or

(B) by an air taxi operator or air carrier for which the carriage of big game hunters, their equipment, or big game animals harvested by hunters is only an incidental portion of its business; in this subparagraph, “incidental” means transportation provided to big game hunters by an air taxi operator or air carrier who does not

(i) charge more than the usual tariff or charter rate for the carriage of big game hunters, their equipment, or big game animals harvested by hunters; or

(ii) advertise transportation services or big game hunting services to the public; in this subsubparagraph, “advertise” means soliciting big game hunters to be customers of an air taxi operator or air carrier for the purpose of providing air transportation to, from, or

in the field through the use of print or electronic media, including advertising at trade shows, or the use of hunt broker services or other promotional services.