

BASIC REQUIREMENTS FOR FLORIDA FISHING GUIDES

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Target Audience

For-hire fishing guides

Introduction

Florida fishing guides represent an important sector of the fishing industry by providing access to the marine environment and inshore, offshore and migratory fisheries. The process of running a fishing guide business is complex, with a variety of requirements. This document is designed to assist guides by providing a quick checklist of basic requirements needed to operate as a for-hire guide in the state of Florida and adjacent federal waters. Every fishing guide business is unique so not all regulations will apply equally. As guides navigate this checklist, they should consider a variety of factors, including the type of charter they run, the vessel they operate, where they operate, and what species they target in order to determine if a requirement applies to their situation.



Managing a successful guide business requires much more than catching fish.

Table 1

Quick reference to requirements. Requirement numbers correspond to text descriptions and links that follow the table.

		Guide Type			
Type	Requirement	Kayak	Inland Waters (not connected to the coast)	Inshore State Waters	Offshore Federal Waters
Basic	1. Captain's License			Yes	Yes
Basic	2. Additional USCG Safety Requirements (Beyond basic safety requirements for all vessels)			Yes	Yes
Basic	3. Florida Charter Captain or Charter Boat Fishing License	No - but client must possess license	No - but client must possess license	Yes	Yes
Basic	4. Gulf Reef Fish State For-Hire			Yes - if targeting reef fish in State Waters and do not have Federal Reef Fish Permit	
Basic	5. Florida Commercial Registration for Vessel		Yes	Yes	Yes
Basic	6. Local (County/ City Business License)	Yes	Yes	Yes	Yes
Federal	7. Gulf of Mexico For-Hire				Yes - if targeting species that require a Federal Permit
Federal	8. South Atlantic For-Hire				Yes - if targeting species that require a Federal Permit
Federal	9. NOAA Southeast Region				Yes - if targeting species that require a Federal Permit

Basic Requirements

1. U.S. Coast Guard Captain's License (original license must be with you): www.dco.uscg.mil/national_maritime_center/
 - Required if guiding from vessel for-hire in coastal waters.
 - Kayak guides do not need a USCG license.
 - Guides fishing freshwaters that are non-navigable to the coast (inland waters not regulated by USCG) do not need a USCG license.



For-hire guides operating in federal waters have additional requirements.

2. U.S. Coast Guard Vessel Safety Requirements (in addition to requirements for private vessels).

*Commonly overlooked requirements—not all encompassing. See link for full Uninspected Passenger Vessel requirements: www.uscgaux.info/Uploads_wowII/P-DEPT/UPV_GUIDEBOOK_under100GT_CGD11_rev052017.pdf

- Type 1 Personal Flotation Devices (PFDs) for all passengers.
- Enrolled in an ongoing random drug testing program (must carry proof with you).
- If vessel is more than 5 gross tons, it must be federally documented with Coastwise endorsement.
- If carrying more than 6 passengers, you must have Certificate of Inspection issued by USCG.

3. Florida Charter Captain or Charter Boat Fishing License: myfwc.com/license/commercial/saltwater/charter/

4. Gulf Reef Fish State For-Hire (no-charge endorsement on fishing license for Gulf state charters only, excluding Monroe County): myfwc.com/license/commercial/saltwater/charter/

- Applies to any state for-hire operation that intends to fish or harvest red snapper, vermilion snapper, gag grouper, red grouper, gray triggerfish, greater amberjack, banded rudderfish, or almaco jack in Gulf state waters (excluding Monroe County) and does not have Federal Reef Fish Permit (see below).

5. Florida commercial registration for vessel: www.flhsmv.gov/motor-vehicles-tags-titles/vessels/vessel-titling-registrations/commercial-vessels/

6. Local city and/or county business license (sometimes called business tax).

Federal Water Permits

www.fisheries.noaa.gov/southeast/resources-fishing/southeast-fisheries-permits-office

*New reporting requirements for federal permit holders scheduled for 2020.



For-hire requirements differ when targeting inshore versus reef species.

7. Gulf of Mexico Federal For-Hire Permits

- Gulf of Mexico Charter/Headboat Coastal Migratory Pelagics Permit (for-hire fishing Gulf federal waters for king mackerel, Spanish mackerel, and cobia) *limited access.
- Gulf of Mexico Charter/Headboat Reef Fish Permit (for-hire fishing Gulf federal waters for reef fish) *limited access.
 - Sea turtle release gear is required on all federally permitted for-hire Gulf reef fish vessels (CFR 622.29 (a)(1)).

8. South Atlantic Federal For-Hire Permits

- South Atlantic Charter/Headboat Coastal Migratory Pelagics Permit (for-hire fishing in Atlantic federal waters for king mackerel, Spanish mackerel, and cobia).

- Atlantic Charter/Headboat for Dolphin Wahoo (for-hire fishing in Atlantic federal waters for dolphin or wahoo).
- South Atlantic Grouper/Snapper (for-hire fishing for multiple reef fish species including grouper, snapper, gray triggerfish, sea basses, jacks, porgies, grunts, spadefish, hogfish, and tilefishes).
 - Sea turtle release gear is required on all federally permitted for-hire Atlantic Snapper Grouper vessels (CFR 622.179 (a)(1)).

9. NOAA Southeast Region (includes both Gulf of Mexico and Atlantic) For-Hire Permits

- Atlantic Highly Migratory Species Charter/Headboat Permit (for-hire fishing in federal waters of the Gulf or Atlantic for tunas, sharks, swordfish, and billfishes): hmspermits.noaa.gov/
- * Required in state waters when fishing for bluefin, bigeye, or albacore yellowfin.

*Additional permits may be required to operate in parks or preserves (e.g., Everglades National Park).

State Regulations

- Florida Charter/For-hire Regulations: myfwc.com/license/commercial/saltwater/charter/
- Florida Recreational Fishing Regulations: myfwc.com/fishing/saltwater/recreational/

Federal Regulations

- Gulf of Mexico: sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/index.html
- Atlantic: sero.nmfs.noaa.gov/sustainable_fisheries/s_atl/index.html
- Shark Regulations for Federal Waters: www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-highly-migratory-species-fishery-compliance-guides

Conclusion

Running a fishing guide business means navigating the complicated world of licenses, permits, and safety regulations. This quick guide was prepared to help Florida fishing guides ensure they are compliant with local, state, and federal requirements related to operating a for-hire fishing business. It is important to remember that rules change—like the updates to the Federal For-Hire requirements anticipated in 2020. Guides should consult the links from time to time to ensure they are compliant with the most current requirements.

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