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InFO

Information for Operators

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http://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/info/all_infos

An InFO contains valuable information for operators that should help them meet certain administrative, regulatory, or operational requirements, with relatively low urgency or impact on safety. The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Subject: Alaska Guide Pilots.

Purpose: This InFO provides information to operators and pilots engaged in Alaska Guide Pilot operations by discussing the statutory limitations of Title 49, Public Law section 732 and providing guidance on how to comply with regulatory requirements if operators choose to continue operating in a non-qualifying manner.

Background: On April 5th, 2000, Congress passed House Resolution (HR) 1000 amending Title 49, United States Code (49 USC). Section 732 of this resolution established operating rules for Alaska Guide Pilots. These entities are regulated under the general operating and flight rules contained in Title 14 of the Code of Federal Regulations (14 CFR) Part 91.

Discussion: Historically, enforcement policy in Alaska considered flights made by pilots and guides as incidental to their underlying hunting, guiding, or fishing business, where lodging was also provided. In 2020, Congress intervened due to litigation concerning long-term enforcement policies in Alaska and restricted the FAA's regulatory application of air carrier standards to qualifying guide and lodge operations. Specifically, Congress directed that the Federal Aviation Administration (FAA) should not regulate lodge and guide operations under Part 135 if those operations meet Alaska Guide Pilot criteria specified below:

1. Flights conducted in fixed-wing aircraft.
2. Flights conducted in single-engine aircraft.
3. Flights occurring entirely within the State of Alaska.
4. Flight operations being incidental to providing guide services.
5. The guide or lodge providing actual guide service in the field, along with related overnight room and board accommodations.

Congress provided no exceptions and no discretion to expand Alaska Guide Pilot operations. Operations that do not qualify as Alaska Guide Pilot operations include, but are not limited to:

1. Operations conducted in rotorcraft.
2. Operations conducted in multi-engine aircraft.

3. Operations where any portion of a flight is not entirely within the State of Alaska.
4. Operations where the services do not include both guide services in the field and related overnight accommodations.
5. Operations not incidental to providing those services, such as conducting flightseeing (air tours).

Recommended Action: Pilot(s) in command (PIC) should evaluate their operations considering the statutory and regulatory framework outlined above. Operators and pilots are encouraged to familiarize themselves with the regulatory requirements of Parts 119 and 135 to ensure compliance.

Contact: Direct questions or comments regarding this InFO to the Air Transportation Division's 135 Flight Operations Section, at 9-AFS-200-Correspondence@faa.gov.