

Fishing License Exemption for Participants in Educational Programs

The fishing license requirement has long been an obstacle for those providing angler education and other aquatic programs targeted at older youth and adults. Act 211 of 2012 resulted in changes to the section in the Fish and Boat Code related to exemptions from the fishing license requirements. Section 2709 (e) establishes a free educational exemption to the fishing license requirements.

Section 2709 (e) now reads:

Participants in educational programs.--A participant in an educational program shall not be required to possess a fishing license while participating in the educational program provided that the program meets the standards established by the executive director and is under the direct supervision of an instructor who possesses a valid fishing license and the program sponsor has applied for and received the written permission of the executive director.

Prior to Act 211, these exemptions were only available to schools and universities. This limitation prevented many programs from taking place that were done outside the school system or those aimed at adults. Now, participants age 16 and older can participate if they do not have a fishing license when the program has received the written permission of the Executive Director

Who can request the exemption?

Individuals, schools and other organizations conducting angler or aquatic education programs may apply for the exemption. Examples include PFBC trained instructors, sportsman's clubs, PFBC Cooperative Nurseries, conservation organizations, nature centers and state, county and local parks and recreation departments.

However since the exemption only applies to the participants, the instructor directly supervising or leading the program MUST possess and display a valid PA fishing license. In addition, participants and instructors must abide by all other fishing regulations. Refer to the current year summary guide or the PFBC website for more details on these regulations.

How do I apply for the exemption?

Application forms are available on the PFBC website or from Commission region education or law enforcement staff. The application must be complete and submitted no less than 4 weeks prior to the event. Completed applications may be sent by mail or faxed. PFBC contact information is on the form. PFBC certified instructors using the on-line program registration form do not need to apply separately IF they provide the required information.

What information is needed for the application?

- Lead instructor's name, address, telephone number and Customer Identification Number from a valid PA fishing license
- Program date(s). Your application may include multiple dates, and/or ranges of dates. However, all dates must be within the same calendar year. The permit cycle is in conjunction with the fishing license year, January-December. Program location including county, waterway name, site name or location
- Program name or title, and a brief description of the activity

What do I get in return?

If the application is approved, a Type IV special permit from the PFBC will be mailed to the instructor's address provided on the application. This permit must be with the instructor while the program is conducted. The exemption is only valid for the date(s) and program(s) listed on the written approval. The permit cycle is in conjunction with the fishing license year, January-December.

The PFBC can add dates and/or locations to your Type IV permit, if you want to add dates after receiving the permit. Provide the PFBC with a listing of the additional date(s), county, water and activity description for each addition. Include your Type IV permit number on this listing and fax or mail to the address on the application.

What types of programs are eligible?

Angler education programs that include hands on fishing experiences are eligible if the program includes instruction in fishing and related skills and the time spent on that education makes up at least 30% of the total program length. Programs that do not include fishing but include the collection of aquatic organisms are also eligible, including stream or lake studies, water quality testing, or other related activities.

What programs are ineligible?

Programs where there is no instruction are not eligible for this educational exemption.

Other types of programs are not eligible for the exemption and include:

- Fishing derbies or other programs that do not include any formal instruction and where participants are only provided the opportunity to fish. Derbies where prizes are awarded are also ineligible.
- Tournaments or any competitive fishing event.
- Contests or events where prizes are awarded for catch.
- Fishing clubs or camps and other recurring activities reaching the same participants multiple times over several days.
- Program scheduled for any opening day or any Mentored Youth Day(s).
- Any program planned for waters closed to all fishing due to PFBC regulations.
- Activities where participants are charged a fee, when
 - The fee charged by commercial or for-profit entities is beyond normal costs for fishing supplies or refreshments served.
 - Fee charged as a fund-raising campaign for a not-for-profit organization not involved in fishing, boating or natural resources conservation.

Questions?

Contact your Region Education Specialist or Regional Law Enforcement Office. Information on the educational exemption is also available on the Commission's website.

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