



ADMINISTRATIVE RULES OF MONTANA



24.183.1108 GENERAL PRINCIPLES

- (1) Boundary location and monumentation are considered the practice of land surveying.
- (2) National Geodetic Survey (NGS) is considered authoritative; however, their land surveyors, when acting under government authority, are not required to be a professional land surveyor to perform geodetic control surveys.
- (3) Numerical accuracy, for example, submeter, is not a basis for consideration as to whether a professional land surveyor is required.
- (4) Consideration of what is being mapped is not a basis for determining whether a professional land surveyor is required. Consideration of what the information will be used for should determine whether a professional land surveyor is required. In other words, it is not what is mapped, but the intended use for the data that determines whether or not a professional land surveyor is required.
- (5) Preparation of legal descriptions for transfer of interest in real property is limited to professional land surveyors.
- (6) Anyone may use land surveying methods for their own personal needs on their own property. Examples include assessing probable property lines, topography, and locations of physical features.
- (7) Anyone can use land surveying methods to determine dynamic perimeters such as fire fronts, weather fronts, moving vehicles, etc., for reporting to the public, posting on the Internet, or any other use not prohibited by these guidelines.
- (8) These guidelines do not preclude surveys performed by professional engineers or other legally recognized professions or trades as allowed by state law or administrative rule.

Authorizing statute(s): 37-1-131, 37-67-202, MCA

Implementing statute(s): 37-1-131, 37-67-101, 37-67-301, MCA

History: NEW, 2011 MAR p. 385, Eff. 3/25/11.