



ADMINISTRATIVE RULES OF MONTANA



24.183.1110 ACTIVITIES INCLUDED WITHIN SURVEYING PRACTICE

- (1) Activities that must be accomplished under the responsible charge of a professional land surveyor, unless specifically exempted in ARM 24.183.1111, include, but are not limited to the following:
 - (a) The creation of maps and georeferenced databases representing authoritative locations for boundaries, fixed works of engineering, or topography. Examples include:
 - (i) legal boundary surveys;
 - (ii) establishing or locating the extent, alignment, and acreage included in rights of way, easements, or other legal interests in real property;
 - (iii) engineering surveys for designs; and
 - (iv) as-built surveys.
 - (b) Preparing or offering to prepare a certificate of survey or plat.
 - (c) Preparing or offering to prepare legal descriptions or exhibits, and computation of associated acreage of real property boundaries, easements, or other legal interests in real property. Lands acquired for state highways are specifically exempted under 76-3-209, MCA.
 - (d) Original data acquisition or the resolution of conflicts between multiple data sources, when used for the authoritative location of features within data themes. Examples include:
 - (i) elevation and hydrography;
 - (ii) fixed works of engineering;
 - (iii) private and public boundaries; and
 - (iv) cadastral information.
 - (e) Original data acquisition by contract or second parties for authoritative purposes.
 - (f) Authoritative certification of positional accuracy of maps or measured survey data.
 - (g) Authoritative adjustments or authoritative interpretation of survey data.
 - (h) Geographic Information System (GIS)-based parcel or cadastral mapping used for authoritative boundary definition purposes wherein land title or development rights for individual parcels are or may be affected. Examples include:
 - (i) If the boundary of an administrative district is proposed to run "diagonally across section eight from the Northeast to the Southwest corners of said section" and a GIS-

based map showing that line is adopted as the official representation of the boundary, that map must be prepared by, or under the direction of, a professional land surveyor.

- (ii) If the boundary of an administrative district is proposed to run "one-half mile northeasterly of and parallel to County Road #4", and a GIS-based map showing that line is adopted as the official representation of the boundary, that map must be prepared by, or under the direction of, a professional land surveyor.
- (iii) If a GIS-based map is used only to provide a graphical representation of that boundary, but authoritative determination of the boundary location is dependent upon survey of the described off-set line, preparation of the map need not be accomplished under the responsible charge of a professional land surveyor.
- (i) Authoritative interpretation of maps, deeds, or other land title records to document or present evidence to assist in resolving conflicting boundaries.
- (j) Acquisition and or verification of field data required to authoritatively position fixed works of engineering or cadastral data relative to control. Examples include:
 - (i) determination and identification of corner points; and
 - (ii) authoritative collection or calculation and compilation of geodetic coordinates of Public Land Survey System (PLSS) or any monument controlling a property line.
- (k) Analysis, adjustment, or transformation of cadastral data with respect to geodetic control within a GIS, resulting in the certification of positional accuracy.
- (l) Providing or offering to provide geodetic control/survey control and some types of mapping control.
- (m) Establishing ground control and quality control proofing for remote sensing and photogrammetric products when used for authoritative purpose.

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.