



ADMINISTRATIVE RULES OF MONTANA

12.14.110 EXCEPTIONS TO APPLICABILITY OF COMMERCIAL USE RULES

- (1) These commercial use rules do not apply to commercial activities or uses that are initiated or invited by the department for the purpose of manipulating, enhancing, or otherwise improving the habitat of a site. Such uses shall continue to be governed by the department's land lease-out policy. Examples include but are not limited to livestock grazing, farming, haying, fencing, and timber harvest.
- (2) These commercial use rules do not apply to the leasing of department land for communication towers, utility easements, and granting of right-of-way. These types of commercial use shall continue to be governed by the department's land lease-out policy.
- (3) These commercial use rules do not apply to the leasing of department oil and gas reserves. These uses shall continue to be governed by the department's oil and gas reserves leasing policy.
- (4) These commercial use rules do not apply to the transferring of vehicles or people to or from a department site.
- (5) These commercial use rules do not apply to the collection of antlers.
- (6) These commercial use rules do not apply to trapping or commercial activities under Title 87, chapter 4, parts 2 through 10, MCA (taxidermists, fur dealers, alternative livestock, shooting preserves, fish ponds, sale of game, menageries and zoos, game bird farms, and fur farms), except commercial dog training and field trials conducted for commercial purposes.
- (7) These commercial use rules do not apply to the press or the news media when photographing, filming, or reporting on activities that occur on department land.
- (8) These commercial use rules do not apply to consignment sales when the department sells merchandise on behalf of a business and a portion of the revenue is allocated to the department.
- (9) These commercial use rules do not apply to commercial activities or uses that are initiated or invited by the department for the purpose of addressing public safety concerns. Examples include but are not limited to hazardous tree removal and fuel reduction efforts to reduce fire danger.
- (10) These commercial use rules do not apply to fishing tournaments conducted by nonprofit organizations.
- (11) These commercial use rules do not apply to an individual photographer or videographer operating on his or her own without the use of models, props, crew members, or clients.
- (12) These commercial use rules do not apply to block management lands.
- (13) These rules do not apply to concession contracts as described in ARM 12.14.155.

Authorizing statute(s): 23-1-105, 23-1-106, 23-1-111, 87-1-301, 87-1-303, MCA

Implementing statute(s): 23-1-105, 23-1-106, 87-1-303, MCA

History: NEW, 2007 MAR p. 88, Eff. 1/26/07; AMD, 2014 MAR p. 2648, Eff. 10/24/14.