



The Montana Department of
**Natural Resources
& Conservation**

Proposed Amendments to Recreational Use Rules

August 2024

Summary

The proposed rulemaking is largely a cleanup effort necessary for consistency and clarity between statute and administrative rule. In addition to alignment with existing statute, the proposed rules also adopt food storage requirements in grizzly bear habitat. The exact language for amendments can be viewed in the Notice of Public Hearing on Proposed Amendments (Proposal Notice).

The proposed rule amendments accomplish the following:

1. Incorporate provisions of **House Bill 521 (2023 legislature)** which:
 - Modified licensing requirements for the public.
 - Rule changes clarify that if FWP and DNRC have an agreement in place per statute (77-1-815), a conservation license authorizes general recreational use on trust land.
 - Modified penalties for violations of recreational use rules.
 - Rule changes clarify that if FWP and DNRC have an agreement in place per statute (77-1-815), violations of recreational use rules are misdemeanors.
2. Incorporate provisions of **Senate Bill 326 (2015 legislature)** which:
 - Modified certain permitted activities for recreationists.
 - Rule changes allow for overnight horseback use.
 - Rule changes expand overnight recreational use on unleased lands from 14 consecutive days to 16 days per 30-day period.
 - Rule changes clarify that pets must not be allowed to harass wildlife.
 - Modified signage requirements for recreational use closures.
 - Rule changes add the department as a party that can post signs for recreational closures or restrictions.
3. Incorporate provisions of **Senate Bill 65 (2009 legislature)** which:
 - Eliminated the recreational use account and incorporated the trust land administration account.
 - Rule changes correct the account referenced.
4. Enact **food storage requirements** for public safety within grizzly bear habitat.
 - The addition of food storage requirement language is necessary to meet obligations within the Interagency Grizzly Bear Committee, and provide consistency with rules already in place for both FWP managed lands, and federal lands.