MONTANA
Department of Transportation

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Subject: Fuel Tax requirements for “Open to Public Travel” routes

Each year the Montana Department of Transportation (MDT) is required to determine fuel tax allocations distributed to Montana’s cities, counties, and consolidated city-county governments set forth in 15-70-101 MCA, as amended.

One of the factors used to calculate the amount allocated to each local entity is “open to public travel” road mileage.

MDT conducts field inventories yearly to collect spatial representations (using GPS) and to ensure newly added roads truly are “open to public travel”.

> Open to Public Travel is defined as a segment of road available for public use except during periods of extreme weather or emergency conditions, passable by a 2-wheel drive passenger car and open to the general public.

Restrictions:

- Not passable by two-wheel-drive passenger car
- Primitive trails
- Driveway to a single residence
- Field access roads
- Parking lot
- Restrictive gates
- Roads in Cemetery
- Orange markings on post (MCA: 45-6-201)
- “No Trespassing” sign (MCA 45-6-201)

These routes meet “Open to public travel” requirements to be used for Fuel Tax Allocations and do not indicate public access, ownership or maintenance responsibility. Maintenance is not a factor in Fuel Tax Allocations nor are the local governments required to maintain these routes. The mileage of these routes is one factor used to determine the percentage of the overall allocations that the local government will receive according to 15-70-101 MCA.



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