



Reference Guide: Commercial Use Permit for Still Photography and Filming

This reference guide provides information on the permit required to conduct still photography or filming for commercial purposes on Montana State Parks land. Please note that commercial use on all Montana Fish, Wildlife & Parks land is a privilege, not a right. Authorization may be denied, amended, or revoked at any time for cause.

Note: A separate commercial use permit is needed for still photography and filming on Fishing Access Sites (FAS) and Wildlife Management Areas (WMA). Contact FWP Regional Offices for more information.

Permit Requirements

The 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.

A Commercial Use Permit is required to conduct still photography and filming for commercial purposes when using a state park. The size of your crew and the type, timing, and location of your proposed activity will determine the availability of the permit and the permit fee. The following definitions apply:

- Model – a person who is accompanying the photographer/videographer and is the subject of a photo or video.
- Prop – an object brought on location to enhance the photo or video, e.g. a piece of furniture, backdrop, signs, etc. “Prop” does not include a tripod or other piece of photography equipment.
- Client – a person who is compensating a photographer or videographer for their services. A client is not considered a crew member for purposes of determining the permit fee.
- Crew member – a person who is compensated to assist the photographer or videographer. The photographer, videographer, prop or model is considered a crew member for purposes of determining the permit fee.

Permit Application Process

You must submit a completed Commercial Use Permit Application to the state park or regional office that oversees the site where you wish to operate. Applications are available on the Montana State Parks website at <http://stateparks.mt.gov/protect-and-respect/usePermits.html>. Applications are due at least 45 days before the use is intended to begin. Applications received under 5 days to intended use are subject to a rush permit fee of \$25 in addition to applicable use fees.

Permit Fees

1 person operating <u>with</u> use of models, props, crew members, or clients	\$25 per day or \$50 per year
2 to 3 person crew	\$25 per day or \$50 per year
4 to 7 person crew	\$50 per day
8 to 20 person crew	\$200 per day
21 or more person crew	\$500 for first day, \$1,000 per additional day

The permit administrator will determine the total fee based on the information provided in your permit application. Montana State Parks may adjust the fee on a case by case basis when the commercial use permit holder:

- Donates all proceeds, minus expenses, from the use or event to the management or improvement of fish, wildlife, or parks, including the maintenance, management, or the improvement or development of facilities; or
- Donates all proceeds, minus expenses, from the event or activity to a nonprofit organization or charitable cause and is not compensated for the service.
- The department may adjust commercial use fees on a case-by-case basis for special events involving children under the age of thirteen.
- The department may adjust commercial use fees on a case-by-case basis for commercial use when the sole purpose of the use is to promote department land and resources.

Terms and Conditions

The Commercial Use Permit is valid at the location(s) and time period specified on the permit. The terms and conditions are printed on your permit. Your compliance is important to ensure future opportunities to obtain a permit. FWP may require proof of liability insurance that names the State of Montana – FWP as additionally insured. The amount of coverage will vary depending on the type of use you wish to conduct.

For questions, please contact Maren Murphy, Senior Planner, at 406-444-3364 or marenmurphy@mt.gov.