



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Montana/Dakotas State Office  
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Billings, Montana 59101  
<http://www.blm.gov/montana-dakotas>

May 20, 2020

In Reply Refer To:  
9212 (MT911) P

ORDER NUMBER MT-LLMT911-2020-01

## Fire Prevention Order

Under authority of the Federal Land Policy and Management Act of 1976 (Title 43, United States Code, §1701, et. seq.) pursuant to Title 43, Code of Federal Regulations (CFR) § 9212.2(a), it is the policy of the Bureau of Land Management (BLM) to take all necessary actions to protect human life, the public lands, and the resources and improvements thereon through the prevention of wildfires, while also complementing and supporting state and local wildfire prevention actions.

### Prohibited Acts

Pursuant to Title 43, CFR § 9212.2(a), **Fire Prevention Order MT-LLMT911-20-01** prohibits the following acts on BLM administered lands in Montana, North Dakota, and South Dakota:

- Discharge, use, or possess any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, including but not limited to, any pyrotechnics, fireworks, or exploding targets;
- Discard any item that is smoldering or has open flame attached to it, including, but not limited to, smoking materials, cigarettes, luminaries, wish lanterns, or any unmanned balloons using fire underneath for propulsion;
- Burn or cause to burn any wire, magnesium, or any other hazardous materials; and
- Operate any internal combustion engine without a properly installed spark arrester as described in Title 43, CFR § 8343.1. (Note: A spark arrester is not required when an off-road vehicle is being operated in an area which has three (3) or more inches of snow on the ground.)

Pursuant to Title 43, CFR § 9212.1, the following acts are **always** prohibited on public lands:

- Cause a fire, other than a campfire, or the industrial flaring of gas, to be ignited by any source;
- Fire a tracer or incendiary device;
- Burn timber, trees, slash, brush, tundra, or grass except as used in campfires;
- Leave a fire without extinguishing it, except to report it if it has spread beyond control;
- Build, attend, maintain or use a campfire without removing all flammable material from around the campfire adequate to prevent its escape;

- Resist or interfere with the efforts of firefighters(s) to extinguish a fire;
- Enter an area which is closed by a fire prevention order; and
- Perform any act restricted by a fire prevention order.

### **Exemptions**

Pursuant to Title 43, CFR § 9212.2, the following persons are exempt from this order:

- Any federal, state, or local officer or member of an organized rescue or firefighting force in the performance of an official duty.
- Persons with a BLM-issued permit specifically authorizing an otherwise prohibited act.

### **Penalties**

In accordance with Title 43, CFR § 9212.4, any person who knowingly and willfully violates any portion of this Fire Prevention Order shall, upon conviction, be subject to a fine of not more than \$1,000 or to imprisonment of not more than twelve (12) months, or both.

### **Effective Dates**

This Fire Prevention Order will remain in effect from May 12, 2020 until rescinded by the authorized official.



Signed by:  
John Mehlhoff  
State Director

Authenticated by:  
Deborah Jackson  
Staff Assistant (MT911)