

BEFORE THE DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT AND
ARM 24.101.402 definitions and the) ADOPTION
adoption of New Rule I applicants with)
criminal convictions)

TO: All Concerned Persons

1. On October 9, 2020, the Department of Labor and Industry (department) published MAR Notice No. 24-101-309 regarding the public hearing on the proposed amendment and adoption of the above-stated rules, at page 1821 of the 2020 Montana Administrative Register, Issue No. 19.

2. On November 5, 2020, a public hearing was held on the proposed amendment and adoption of the above-stated rules in Helena. One comment was received by the November 6, 2020 deadline.

3. A summary of the comment and the department's response are as follows:

COMMENT 1: One commenter requested the department amend the reference in NEW RULE I(4)(c) (ARM 24.101.406) of "submission date" to "application date." The commenter stated this language is consistent with similar time parameters in (5)(a) and (b) and will reduce ambiguity in this rule.

RESPONSE 1: The department agrees and is amending the rule accordingly.

4. The department has amended ARM 24.101.402 exactly as proposed.

5. The department has adopted NEW RULE I (24.101.406) with the following changes, stricken matter interlined, new matter underlined:

NEW RULE I (24.101.406) APPLICANTS WITH CRIMINAL CONVICTIONS

(1) through (4)(b) remain as proposed.

(c) misdemeanor driving violations, including driving under the influence, if sentenced more than five years before ~~the submission date~~ of the application date.

(5) through (7) remain as proposed.

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ BRENDA NORDLUND
Brenda Nordlund, Acting Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State November 10, 2020.