

BEFORE THE DEPARTMENT OF LABOR AND INDUSTRY
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 24.122.405, 24.122.505,)
24.301.710, and 24.301.714)
pertaining to creation of a limited low-)
pressure boiler operating engineer's)
license, incorporation by reference of)
Boiler and Pressure Vessel Code, and)
fees)

TO: All Concerned Persons

1. On September 10, 2021, the Department of Labor and Industry (department) published MAR Notice No. 24-122-2 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 1113 of the 2021 Montana Administrative Register, Issue Number 17.

2. The department held a public hearing in Helena on October 4, 2021, over the Zoom videoconference and telephonic platform at which no members of the public commented. Written comments were received during the public comment period.

3. The department has thoroughly considered the comments made. A summary of the comments and the department's responses are as follows:

COMMENT 1: One commenter questioned whether the licensing exams would take place online or in-person, and how often the exams will be offered. The commenter also questioned whether a boiler class would be required to qualify for licensure.

RESPONSE 1: The department did not propose amendments to the rule regarding examinations, ARM 24.122.510, which applies to all types of boiler operating engineers licenses. As a matter of department policy and practice, the exams are offered on an as-needed basis at approved testing locations and applicants must be physically present to sit for the paper exam.

Completion of a boiler course is not a requirement to qualify for any type of licensure under 50-74-304, MCA, but does reduce the hours of experience required to qualify for licensure. Also, completion of a boiler course is included in the alternative means of licensure for limited low-pressure engineers in 50-74-304(8), MCA, and low-pressure engineers, agricultural-class engineers, and third-class engineers pursuant to 50-74-304(7), MCA.

4. The department has amended ARM 24.122.405, 24.122.505, 24.301.710, and 24.301.714 as proposed.

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

/s/ LAURIE ESAU
Laurie Esau, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State October 26, 2021.