



ADMINISTRATIVE RULES OF MONTANA



42.12.109 PROTESTS

- (1) A protest letter as described in 16-4-207, MCA, must:
 - (a) contain statement(s) of the writer's intent that the letter be considered a protest;
 - (b) describe the reason for protesting the granting of a license;
 - (c) identify the appropriate action by:
 - (i) providing the license number and accurate trade name or applicant name in a case of a transfer; or
 - (ii) the trade name and applicant name and stating that it is for a new application for an original Montana all-alcoholic beverages license; and
 - (d) be received by the department by the published protest letter deadline.
- (2) A protest letter containing multiple signatures is considered one protest letter.
- (3) If the grounds stated in the protest letter contain public convenience and necessity issues, the prerequisite number of protest letters required to initiate a public convenience and necessity hearing, as defined in 16-4-207, MCA, must be received.
- (4) Pursuant to 16-4-203, MCA, protests are limited to the operation of the alcoholic beverage license only.
- (5) A protest letter which fails to meet the criteria in (1) through (4) will not be considered.

Authorizing statute(s): 16-1-303, MCA

Implementing statute(s): 16-4-203, 16-4-207, MCA

History: NEW, 2000 MAR p. 1762, Eff. 7/14/00; AMD, 2003 MAR p. 21, Eff. 1/17/03; AMD, 2024 MAR p. 2303, Eff. 9/21/24.