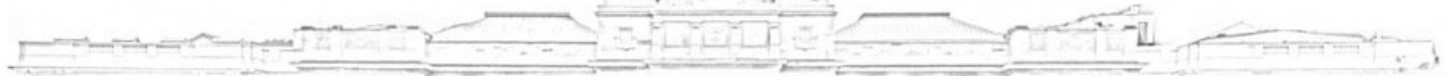




ADMINISTRATIVE RULES OF MONTANA



23.13.218 PROCEDURE FOR OBTAINING POST CERTIFICATION

- (1) Except as provided in (3), POST will automatically issue basic certificates to public safety officers who meet the minimum requirements outlined in these rules.
- (2) Officers who believe they are eligible for an intermediate, advanced, supervisory, command, or instructor certificate must submit a completed application, with appointing authority approval, to the director. Applications are available from POST staff or on the POST website.
 - (a) The director or the director's designee will then review the application and approve or reject the application, unless the director determines, as a matter of discretion, that the council's review is necessary due to extenuating circumstances.
 - (b) Upon approval by the director, the certificate becomes valid unless the council takes further action.
 - (c) Upon rejection by the director, a public safety officer may request reconsideration by the council pursuant to ARM 23.13.704.
- (3) POST will not automatically issue a basic certificate to:
 - (a) reserve officers; or
 - (b) any public safety officer against whom POST has received allegations of misconduct which may be a violation of the code of ethics in ARM 23.13.803 or constitute grounds for denial, sanction, suspension, or revocation in ARM 23.13.702.
 - (c) Upon notice of the reserve officer's qualification, made by the reserve officer's agency head to the director on a form approved by the council, POST will issue a reserve officer basic certificate to the reserve officer.
 - (d) The director and the Case Status Committee will review the qualifications of an officer accused of violations of ARM 23.13.702 or 23.13.803, pursuant to these rules.
- (4) POST will not consider any application for certification or recertification when the applicant's certification has previously been denied or revoked as defined in these rules, and a final agency decision, including any appeal, regarding the denial or revocation has been entered.

Authorizing statute(s): 2-15-2029, MCA

Implementing statute(s): 44-4-403, MCA

History: NEW, 2024 MAR p. 607, Eff. 3/23/24.