



ADMINISTRATIVE RULES OF MONTANA

4.10.102 CONDITIONS OF FINANCIAL RESPONSIBILITY

- (1) The insurance policy must cover the applicator, their operators and all business employees.
- (2) The insurance policy must provide coverage for each and every pesticide the applicator may choose to apply.
- (3) The financial responsibility requirement imposed by ARM 4.10.101 must be maintained in full force and effect during each entire licensing period except for seasonal applicators. The licensing period shall be from the date of the license issuance through December 31 of that calendar year.
- (4) An applicator who applies pesticides seasonally may cancel or put on hold their financial responsibility (in effect, terminating their license) the day after their last pesticide application. In the event of a lapse, suspension, or termination in the means assuring financial responsibility, the applicator's license(s) will automatically terminate, coinciding with the lapse, suspension, or termination of financial responsibility, and the licensee and any employees must immediately cease all applications of pesticides. In the event a previously licensed applicator whose license(s) was terminated by the provisions of this rule desires to have their license reissued for the balance of the calendar year, they must notify the department and demonstrate, to the satisfaction of the department, that they once again meet the financial responsibility requirements of ARM 4.10.101. Upon approval by the department, the applicator's license(s) may be reissued unless some other legal or regulatory cause exists for non-issuance.
- (5) The applicator has the duty and responsibility to ensure that the insurance policy obtained to provide financial responsibility is in the minimum amounts as required under ARM 4.10.101 and covers each and every pesticide proposed to be applied during the licensing period.
- (6) Nothing in these regulations shall be construed to relieve any person, landowner, or applicator from liability for any damage to the person, lands, or property of another, caused by their use of pesticides even though such use conforms to the rules of the department.

Authorizing statute(s): 80-8-105, MCA

Implementing statute(s): 80-8-214, MCA

History: NEW, 1979 MAR p. 437, Eff. 5/11/79; AMD, 1986 MAR p. 1007, Eff. 6/13/86; AMD, 2019 MAR p. 537, Eff. 5/11/19; AMD, 2025 MAR, 4-24-284, Eff. 1/25/25.