



ADMINISTRATIVE RULES OF MONTANA



4.10.1008 DEGREE OF CARE - VIOLATIONS OTHER THAN MISUSE

- (1) For purposes of 80-8-306(5) (b) (ii) through (vi) , MCA a violation is deemed to have occurred if the conduct falls under any of the enumerated categories, without regard to the standard of care exercised. However, the department may consider evidence thereof for purposes of determining and mitigating the amount of penalty. To the extent they are applicable, the department will evaluate the standard of care in the same manner as is stated for determining misuse under ARM 4.10.1007.

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

Implementing statute(s): Sec. 80-8-306, MCA

History: NEW, 1986 MAR p. 1013, Eff. 6/13/86.