



ADMINISTRATIVE RULES OF MONTANA



2.59.1740 STANDARDS FOR DETERMINING FINANCIAL RESPONSIBILITY

- (1) The department shall find an individual lacks the required financial responsibility if a pattern of disregard is shown regarding the management of the individual's personal financial affairs.
- (2) In determining whether an individual has shown a pattern of disregard regarding their own personal financial affairs, the department shall consider the following factors:
 - (a) the existence of outstanding judgment(s), excluding judgments resulting solely from medical expenses;
 - (b) the existence of outstanding tax liens or other government liens or filings;
 - (c) a pattern of delinquency in child support or student loan payments;
 - (d) the existence of outstanding collection actions against the individual unless solely as a result of medical expenses;
 - (e) the existence of outstanding charged-off accounts with a remaining past due balance owed unless solely as a result of medical expenses;
 - (f) the existence of three or more accounts currently 90 days or more past due; and
 - (g) a foreclosure within the past three years.
- (3) The department may not consider a bankruptcy as the sole basis for a finding that an individual lacks the required financial responsibility; however, the department may consider the factors that lead to the bankruptcy.

Authorizing statute(s): 32-9-130, MCA

Implementing statute(s): 32-9-113, 32-9-117, 32-9-120, MCA

History: NEW, 2012 MAR p. 183, Eff. 1/27/12.