



ADMINISTRATIVE RULES OF MONTANA



17.36.115 CERTIFICATION OF INDEPENDENT REVIEWERS AS THE REVIEWING AUTHORITY

- (1) An engineer or sanitarian may be certified as an independent reviewer to review files under 76-4-104(4), MCA, subject to the requirements in this rule.
- (2) An engineer or sanitarian must complete the following before becoming certified as an independent reviewer to perform subdivision reviews:
 - (a) complete a training program developed by the department; and
 - (b) pass, with a score of at least 90 percent, a written examination administered by the department that demonstrates knowledge of:
 - (i) Title 76, chapter 4, MCA;
 - (ii) this chapter;
 - (iii) applicable department circulars;
 - (iv) Title 75, chapter 5, MCA;
 - (v) ARM Title 17, chapter 30, subchapters 5 and 7; and
 - (vi) other applicable laws and regulations.
- (3) An independent reviewer is subject to the limitations and requirements set forth in 76-4-104(12) through (15), MCA.
- (4) To maintain certification, an independent reviewer must have completed at least one subdivision review in the preceding two years. Independent reviewers who have not completed at least one subdivision review in the preceding two years shall satisfy the requirements in (2)(b) prior to performing subdivision review.
- (5) The department may suspend or revoke the certification of an independent reviewer if the department determines that the independent reviewer has not complied with the Sanitation in Subdivisions Act or other applicable statutes or rules.

Authorizing statute(s): 76-4-104, MCA

Implementing statute(s): 76-4-104, MCA

History: NEW, 2023 MAR p. 1861, Eff. 12/23/23.