



ADMINISTRATIVE RULES OF MONTANA



42.12.110 SERVICE OF NOTICES

- (1) A notice of proposed adverse action issued pursuant to 16-4-107, 16-4-406, 16-4-407, or 16-4-1008, MCA, shall be served upon the licensee or registrant of record or, in the case of an application for a new license, on the applicant, by sending a copy of the notice to the licensee, registrant, or applicant by U.S. mail to the mailing address on file with the department or by electronic means if the licensee, registrant, or applicant consents in writing.
- (2) Service by mail shall be considered complete upon mailing the notice. Service by electronic means shall be considered complete upon transmission but is not effective if the department learns that it did not reach the person to be served. Service shall not be considered incomplete because of refusal to accept delivery of the notice.
- (3) The licensee, registrant, or applicant must respond to the department in writing within 23 days of service of the notice of proposed adverse action. Failure to respond will result in the enforcement of the administrative action proposed in the notice.

Authorizing statute(s): 16-1-303, MCA

Implementing statute(s): 2-4-601, 16-4-107, 16-4-406, 16-4-407, 16-4-1008

History: NEW, 2005 MAR p. 269, Eff. 2/11/05; AMD, 2012 MAR p. 1846, Eff. 9/21/12; AMD, 2024 MAR p. 2303, Eff. 9/21/24.