



ADMINISTRATIVE RULES OF MONTANA



17.4.301 PURPOSE

- (1) This subchapter implements 75-1-1001 and 82-4-1001, MCA, which provide factors for calculating penalties assessed under:
 - (a) Title 75, chapters 2, 5, 6, 11 and 20, MCA;
 - (b) Title 75, chapter 10, parts 2, 4, 5 and 12, MCA;
 - (c) Title 76, chapter 4, MCA; and
 - (d) Title 82, chapter 4, parts 1, 2, 3, and 4, MCA.
- (2) The purpose of the penalty calculation process is to calculate a penalty that is commensurate with the severity of the violation, that provides an adequate deterrent, and that captures the economic benefit of noncompliance. The department shall provide a copy of the penalty calculation to the alleged violator.
- (3) The department may not assess a penalty that exceeds the maximum penalty amount authorized by the statutes listed in (1).

Authorizing statute(s): 75-2-111, 75-2-112, 75-2-503, 75-5-201, 75-6-104, 75-10-204, 75-10-405, 75-10-503, 75-10-1202, 75-11-204, 75-11-505, 75-20-105, 76-4-104, 82-4-112, 82-4-205, 82-4-321, 82-4-422, MCA

Implementing statute(s): 75-1-1001, 82-4-1001, MCA

History: NEW, 2006 MAR p. 1139, Eff. 5/5/06; AMD, 2024 MAR p. 253, Eff. 2/10/24.