



ADMINISTRATIVE RULES OF MONTANA



23.16.1931 INSPECTION AND SEIZURE

- (1) The department has the right during the licensee's normal business hours to inspect any EPRS, AARS, CTVS, or VGM. Such right of inspection includes immediate access to each EPRS, AARS, CTVS, or VGM and unlimited inspection of all VGM parts. The department may immediately seize and remove any EPRS, AARS, CTVS, or VGM or device that violates state law or these rules.
- (2) Given reasonable cause, the department may remove any EPRS, AARS, CTVS, or VGM or parts from a VGM for laboratory testing and analysis.
- (3) The department may seal any EPRS, AARS, CTVS, or VGM left on the licensee's premises pending the department's investigation. Breaking or removing the department's seal will subject the licensee to seizure of the entire EPRS, AARS, CTVS, or VGM and suspension or revocation of any permit or license issued by the department.

Authorizing statute(s): 23-5-115, 23-5-602, 23-5-621, MCA

Implementing statute(s): 23-5-113, 23-5-602, 23-5-603, 23-5-608, 23-5-611, 23-5-613, 23-5-621, MCA

History: EMERG, NEW, 1985 MAR p. 1623, Eff. 11/1/85; TRANS, from Dept. of Revenue, Ch. 154, L. 1987, Eff. 3/22/87; AMD, 1987 MAR p. 1972, Eff. 10/30/87; TRANS, from Dept. of Commerce, Ch. 642, L. 1989, Eff. 7/1/89; AMD, 1990 MAR p. 828, Eff. 4/27/90; AMD, 2005 MAR p. 1281, Eff. 7/15/05; AMD, 2011 MAR p. 1681, Eff. 1/1/12; AMD, 2018 MAR p. 1958, Eff. 10/6/18; AMD, 2022 MAR p. 48, Eff. 1/15/22.