



ADMINISTRATIVE RULES OF MONTANA



42.2.104 ACCEPTANCE OR DENIAL OF A PETITION FOR A DECLARATORY RULING

- (1) Upon receipt of a petition, the department will make its best effort to either accept or deny the petition within 60 days of receipt of the petition.
- (2) If the petition is accepted, the department will notify the petitioner of the acceptance and how the department intends to proceed regarding the matter.
- (3) If for good cause shown, the department determines an oral hearing is necessary, the petitioner will be provided notice of the date, time, and place for the hearing.
- (4) If the department denies a petition for declaratory ruling, the department shall mail a copy of the order denying the petition to all persons named in the petition.
- (5) An order denying a petition must include a statement of the grounds for the denial and the petitioner's right to appeal the denial for a declaratory ruling within 30 days to the district court.

Authorizing statute(s): 15-1-201, MCA

Implementing statute(s): 2-4-315, 2-4-501, 2-4-702, MCA

History: NEW, 2000 MAR p. 1340, Eff. 5/26/00.