



ADMINISTRATIVE RULES OF MONTANA



37.112.121 TEMPORARY OR MOBILE ESTABLISHMENT

- (1) A temporary or mobile establishment may be operated if:
 - (a) the operator submits to the department or its designee a written plan that demonstrates how the temporary or mobile establishment will meet the provisions of these rules, or will use alternatives that provide equivalent protection as provided by these rules; and
 - (b) the department or its designee issues written approval of the plan.
- (2) A temporary or mobile establishment that cannot provide mechanically heated water may provide temperate water for hand washing as long as the water is provided in a system that is constructed and operated in accordance with applicable state and local laws for potable water.
- (3) A temporary or mobile establishment that cannot meet ARM 37.112.115(1) regarding sewage systems may use an acceptable portable toilet unit with final waste disposal that complies with applicable state and local laws.
- (4) Mobile establishments, such as a trailer, mobile home, or mobile vehicle, must have four solid walls. Outdoor tents are prohibited.
- (5) Mobile establishments must be equipped with a gravity or pressurized water storage tank. The water storage tank, or tanks, shall be sufficient capacity to meet the peak water demands of the body art establishment.
 - (a) Mobile establishments using disposable equipment only must have a water storage tank, or tanks, with a capacity of at least 38 liters (10 gallons) for handwashing.
 - (b) Mobile establishments that reuse equipment must have a water storage tank, or tanks, with a capacity of at least 151 liters (40 gallons) for handwashing, equipment washing, and sanitizing purposes.
- (6) The venue for a temporary event must be approved by the department or local health authority prior to the event. The venue must be indoors and meet all requirements of ARM 37.112.117.
- (7) Temporary or mobile establishments must be used solely for the purpose of body art procedures. Food prep and habitation are prohibited.
- (8) Mobile and temporary establishments must properly sterilize instruments and provide evidence of a spore test performed on sterilization equipment no later than 30 days prior to the date of the event. Otherwise only single-use, prepackaged, sterilized instruments marked with a expiration date, lot number, and method of sterilization can be used. A clean room is required if equipment is reusable, cleaned and sanitized.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.