STATE COMPLIANCE EXHIBIT

MONTANA

Safety & Environmental Management Program | 2026 Edition

Exhibit To	NM&C Safety & Environmental Management Program (PRG-SAF-10282026-01)
Jurisdiction	**Federal OSHA**
Version	1.1
Effective Date	November 16, 2026
Next Scheduled Review	November 16, 2027

HOW THIS EXHIBIT WORKS

This exhibit is part of the NM&C Safety & Environmental Management Program for all commercial construction projects and facility maintenance service calls located in Montana. The master program applies in full; this exhibit adds the Montana requirements that go beyond, or differ from, the federal OSHA baseline used in the master.

When this exhibit, the master program, a local rule, a customer requirement or a contract differ, the most protective requirement applies. This exhibit summarizes key requirements and is not a complete list of every state or local law. Fill-in fields are highlighted in yellow.

1 OSHA JURISDICTION AND SERIOUS INJURY REPORTING

Coverage for NM&C work	Federal OSHA (no OSHA-approved State Plan; private sector covered by federal OSHA)
Serious injury and fatality reporting	Report under federal 29 CFR 1904.39: fatalities within 8 hours and inpatient hospitalizations, amputations or eye losses within 24 hours to federal OSHA (1-800-321-6742 or osha.gov).
Master program sections	Section 35 (Reporting), Section 38 (Recordkeeping) and Section 43 (State Compliance Exhibits).

2 MONTANA REQUIREMENTS

Item / Topic	Requirement
2.1 OSHA Jurisdiction	Montana has no State Plan; federal OSHA enforces 29 CFR 1910/1926 for private employers. (OSHA State Plans)
2.2 Written Program, Committees and Training	The Montana Safety Culture Act (MCA 39-71-1501 to -1508) requires every employer to run a safety training program: a general orientation for new hires, task-specific training before unsupervised work, at least annual refresher training, safety awareness efforts such as periodic safety meetings, and documented self-inspections at least once a year. (Montana DLI, Safety Culture Act)
2.3 Permits, Licenses and Utility Locates	Notify all underground facility owners through Montana 811 before excavating; owners have 2 business days to locate and mark (5 for engineering locates), and a ticket covers work starting within 10 days and finished within 30 days (MCA 69-4-503). (MCA 69-4-503 (Montana Legislature))
2.4 Asbestos, Lead and Environmental	Before any renovation or demolition, a Montana-accredited inspector must inspect the facility and the report must be kept on site. Disturbing more than 10 sq ft, 3 linear ft or 3 cu ft of ACM requires a DEQ asbestos project permit and Montana-accredited workers; demolitions need a DEQ demolition acknowledgment. (Montana DEQ Asbestos Control Program)

2.5 Asbestos, Lead and Environmental	Report hazardous material releases that meet reporting thresholds to the Montana DES 24/7 duty officer at 406-431-0411, who then notifies DEQ (MCA 10-3-1211). (Montana DES State Hazardous Material Plan)
2.6 Workers' Compensation Injury Reporting	Employers must complete the first report of injury/occupational disease and send it to their insurer within 6 days after notice of any on-the-job injury, even if the worker cannot sign or the employer doubts work-relatedness (MCA 39-71-307; DLI form ERD-991). (Montana DLI Employer's First Report (ERD-991) instructions)
2.7 Drug Testing and Cannabis	Non-DOT drug and alcohol testing must follow written policies and procedures that are available for employees to review 60 days before they take effect or change (MCA 39-2-207). (MCA 39-2-207 (Montana Legislature))
2.8 Drug Testing and Cannabis	Employers may not penalize legal off-premises, nonworking-hours use of lawful products, which expressly include marijuana, unless the use affects job performance or co-worker safety or conflicts with a bona fide occupational qualification (MCA 39-2-313). (MCA 39-2-313 (Montana Legislature))
2.9 Driving	No statewide handheld or texting ban: Montana remains the only state without a hands-free or texting-while-driving law (a 2025 hands-free bill was not enacted); some cities and counties have local ordinances. (Montana Dept. of Transportation, Executive Leadership Team minutes (July 2025))

3 PROJECT START-UP CHECKLIST

Project / Customer	Enter	**Work Order / Project No.**	Enter
Site Address	Enter	**City / County**	Enter
NM&C Project Manager	Enter	**Date Reviewed**	Enter

Requirement	Applies?	Action Taken / Notes
2.1 OSHA Jurisdiction: Montana has no State Plan; federal OSHA enforces 29 CFR 1910/1926 for private employers.	Yes / No / N/A	Action / notes
2.2 Written Program, Committees and Training: The Montana Safety Culture Act (MCA 39-71-1501 to -1508) requires every employer to run a safety training…	Yes / No / N/A	Action / notes
2.3 Permits, Licenses and Utility Locates: Notify all underground facility owners through Montana 811 before excavating; owners have 2 business days to…	Yes / No / N/A	Action / notes
2.4 Asbestos, Lead and Environmental: Before any renovation or demolition, a Montana-accredited inspector must inspect the facility and the report…	Yes / No / N/A	Action / notes
2.5 Asbestos, Lead and Environmental: Report hazardous material releases that meet reporting thresholds to the Montana DES 24/7 duty officer at…	Yes / No / N/A	Action / notes
2.6 Workers' Compensation Injury Reporting: Employers must complete the first report of injury/occupational disease and send it to their insurer within 6…	Yes / No / N/A	Action / notes
2.7 Drug Testing and Cannabis: Non-DOT drug and alcohol testing must follow written policies and procedures that are available for employees…	Yes / No / N/A	Action / notes
2.8 Drug Testing and Cannabis: Employers may not penalize legal off-premises, nonworking-hours use of lawful products, which expressly…	Yes / No / N/A	Action / notes
2.9 Driving: No statewide handheld or texting ban: Montana remains the only state without a hands-free or…	Yes / No / N/A	Action / notes
Local (city or county) safety, permit or training requirements confirmed	Yes / No / N/A	Describe local rules

4 REFERENCES

- OSHA State Plans
- Montana DLI, Safety Culture Act

- MCA 69-4-503 (Montana Legislature)
- Montana DEQ Asbestos Control Program
- Montana DES State Hazardous Material Plan
- Montana DLI Employer's First Report (ERD-991) instructions
- MCA 39-2-207 (Montana Legislature)
- MCA 39-2-313 (Montana Legislature)
- Montana Dept. of Transportation, Executive Leadership Team minutes (July 2025)

5 REVIEW AND APPROVAL

Role	Printed Name and Signature	Date
NM&C Project Manager	Name / Signature	Date
Safety Department	Name / Signature	Date