

# Minnesota Commercial Truck and Passenger Regulations

## Fact Sheet

### Hazardous Materials Record Keeping Requirements

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The [Federal Hazardous Material Regulations \(HMR\) in 49 CFR](#), Parts 107, 171, 172 and 177, include requirements for shippers and transporters of regulated hazardous materials (HM) to create and maintain certain records. Most of these records must be maintained at the company's principal place of business (PPOB) and must be made available for inspection by appropriate local, State, or Federal authorities. Some of these records must be kept in the motor vehicle transporting the HM and are subject to inspection by appropriate authorities.



#### HM Shipping Documents (See 172.200, 172.202 and 177.817)

- **Hazardous Materials Shipping Papers**

**HM Shippers** must retain copies of shipping papers for **2 years** after the HM is accepted by the initial motor carrier. **HM Carriers** must retain copies of shipping papers for **1 year**. Private HM Carriers are also HM Shippers. The driver of a motor vehicle containing HM requiring a shipping paper must ensure that the shipping paper is readily available to, and recognizable by authorities in the event of an accident or inspection (see 177.817(e) for specifics).

- **Use of Permanent Shipping Documents**

Carriers who use "permanent" shipping papers for shipments of the same HM for multiple days (for example, fuel delivery services that use laminated cards that are carried in the vehicle and don't change from day to day) must maintain a copy of that document **plus** a separate record that includes; date of shipment, amount carried, and the proper shipping name and ID number of the material transported. The **HM Shipper** must retain a copy of these records for **2 years**. These records must be kept at their PPOB. Use of permanent shipping papers is not allowed for hazardous waste shipments.

#### HM Training Documentation (See 172.704(d) and 177.816(d))

HM Employers must create and maintain at their PPOB, specific records of their HM Employees current training. The records must be kept for 3 years from the date of training and for 90 days after an employee no longer performs HM functions for that employer. The records must include:

- Employee name;
- Completion date of the training;
- A description, a copy, or the location of training materials used;
- The name and address of trainer; and,
- Certification that the employee has been "**trained and tested**" as required.

## HM Incident Reports (See 171.16 and HM Incident Reporting Fact Sheet)

- Each person in physical possession of a HM at the time of a qualifying transportation incident (see 171.16(a) (1)) must file an incident report (DOT Form F 5800.1) with the USDOT Pipeline and Hazardous Materials Safety Administration (PHMSA). A copy of the report must be retained at the person's PPOB for a period of **2 years**. Supplemental reports, if and when required, must also be maintained for **2 years**. There are limited exceptions to filing and maintaining incident reports (see 171.6(d)). There is no longer a requirement for filing incident reports with MnDOT. For electronic filing of Form F 5800.1, see [phmsa.dot.gov/hazmat/program-development/incident-reporting](http://phmsa.dot.gov/hazmat/program-development/incident-reporting).

## HM Carrier and Shipper Registration (See Part 107, Subpart G)

- USDOT PHMSA registration certificates **and** registration statement must be maintained at the company's principal place of business for **3 years** after the date of issuance; and, copies of the USDOT PHMSA Registration Certificate (or registration number) must also be carried on any vehicle transporting HM subject to these requirements, and be made available for inspection upon request.

## Cargo Tank Facility Registration (See 107 Subpart F)

- Each person who manufactures, assembles, repairs, certifies, tests, or inspects a DOT specification cargo tank must submit a registration statement to PHMSA. Upon determination that the registration statement is complete, PHMSA will issue a receipt and assign a registration number to each location where that person performs those activities. Each registrant shall maintain a current copy of the registration statement and a copy of the registration number issued by PHMSA at the location where the activities are performed for as long as the registration number is current and for 2 years thereafter.

## Cargo Tank Certification and Cargo Tank Testing and Inspection Records (See 180.417)

- Cargo tank **owners and users**: A copy of the tank manufacturer's certificate (also known as a **certificate of origin** or **certificate of compliance**), the ASME U1A Data Report (where applicable) and all papers related to certification of a specification cargo tank, must be maintained **throughout ownership or use of the cargo tank, and for 1 year after change of ownership**.
- Cargo tank test & inspection reports must be retained **until the next test or inspection of the same type is successfully completed**. The reports must include specific information (see 180.407(b)).

**There are additional requirements for Specification MC 330 & MC 331 cargo tanks.** Additional requirements include a report that must be retained by the carrier at its PPOB **during the period the cargo tank is in service and for 1 year thereafter**. The report must include:

- Carrier's name, address of principal place of business & telephone number;
- Complete identification plate data;
- Carrier's equipment number;
- Statement indicating whether or not the tank was stress relieved after fabrication;
- Name and address of the person performing the test and the date of the test;
- Statement of the nature and severity of any defects found;
- Statement indicating the methods employed to make the repairs, who made the repairs, and the date completed;
- Statement of the disposition of the cargo tank e.g. "tank scrapped" or "returned to service"; and,

- Statement if tank used in anhydrous ammonia, liquefied petroleum gas or any service that may cause stress corrosion cracking.

### Summary of Record Retention Requirements

- HM Shipping Papers: **HM shippers 2 years, HM carriers 1 year**
- Hazardous Waste Manifests: 3 years
- HM Training Records: All current certificates (inclusive of the past 3 years) and 90 days after a trained employee leaves your service
- HM Incident Reports: 2 years
- Hazmat Registrations: 3 years
- Cargo tank facility registration records: Current copies at location of testing/inspections and for 2 years thereafter
- Cargo tank certificates: Throughout ownership and 1 year thereafter
- Cargo tank tests and inspections: Until the next test/inspection is due

This Fact Sheet is intended as a resource. It is not intended to explain all the requirements of Minnesota or Federal law or regulations. For additional assistance contact the US DOT Pipeline and Hazardous Materials Safety Administration at 800-467-4922 or [www.phmsa.dot.gov/hazmat](http://www.phmsa.dot.gov/hazmat), the Federal Motor Carrier Safety Administration at 651-291-6150 or [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov), or MnDOT's Office of Freight and Commercial Vehicle Operations at 651-215-6330.