

# Minnesota Commercial Truck and Passenger Regulations Fact Sheet

## Hazardous Materials Training

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The [Federal Hazardous Materials Transportation Regulations \(HMR\) in 49 CFR](#), Part 172, Subpart H, Sections 172.700 through 172.704, require Hazmat Employers to train, test, and certify their Hazmat Employees. Additional training requirements for Hazardous Materials (HM) drivers are found in Section 177.816.

### Definition

HM training means **a systematic program that ensures** that a HM employee:

1. Has familiarity with the general provisions of the HMR;
2. Is able to recognize and identify HM;
3. Has knowledge of the specific requirements of the HMR applicable to the functions performed by the employee; and,
4. Has knowledge of emergency response information, self-protection measures and accident prevention methods and procedures.

Each HM employer must identify the HM functions that an employee performs, and provide instruction to ensure that the employee complies with all safety and regulatory requirements.

### Hazmat Employer

A HM employer is a person, including a self-employed person, or a business who uses one or more HM employees on a full-time, part-time, seasonal, or temporary basis, to transport HM in commerce; or cause HM to be transported or shipped in commerce, or who manufactures, reconditions, tests, repairs, or certifies packaging, including cargo tanks, as qualified for use in the transportation of HM. This term includes any department or agency of the United States, a state, a political subdivision of a state, or Indian tribe engaged in offering or transporting HM in commerce.

### Hazmat Employee

A HM employee is a person employed by a HM employer, who in the course of employment directly affects HM transportation safety. This term includes an individual, including a self-employed individual, who during the course of employment:

- Loads, unloads, or handles HM;
- Manufactures, tests, reconditions, repairs, modifies, marks, or otherwise represents packaging as qualified for use in transportation of HM;



- Prepares HM for transportation, including hazard communications, packaging, or loading and securing HM in a vehicle;
- Is responsible for safety of transporting HM; and or;
- Operates a vehicle used to transport HM.

### **HM Training Must Include:**

1. **General Awareness/Familiarization Training:** To provide employees with familiarity with the requirements of the HMR and enable the employee to recognize and identify HM consistent with the hazard communications standards.
2. **Function Specific Training:** To thoroughly instruct employees in the requirements of the HMR and applicable Motor Carrier Safety Regulations that apply to the specific HM job function(s) that the employee performs. For an employee who is a driver this includes the additional, specific requirements found at 177.816.
3. **Safety Training:** Including emergency response information required in 49 CFR 172.802, and measures needed to protect the employee from the hazards associated with the HM they may be exposed to in the workplace, including specific measures the HM Employer has implemented to protect the HM employee, and methods for avoiding accidents such as proper procedures for handling packages of HM.
4. **Security Awareness Training:** That provides awareness of security risks associated with HM transportation and methods designed to enhance transport security, and how to recognize and respond to security threats. Security awareness training is required for all HM employees of all HM employers.
5. **In-depth Security Training:** Each HM employee of a person required to have a HM Security Plan (See 172, Subpart I) who handles HM covered by the plan, performs a regulated function related to those materials covered by the plan, or is responsible for implementing the plan, must be trained on the plan and its implementation. Training must include company security objectives, organizational security structure, specific security duties and responsibilities of each employee, and specific actions to be taken during a security breach. If the security plan is revised, HM employees must be trained within 90 days on details of the revised plan.

### **OSHA, EPA, and training required by other agencies**

Training conducted by HM employers to comply with the requirements of other government agencies, including security training, may be used to satisfy DOT HM training requirements to the extent that it addresses the training components listed in paragraphs 1 through 5 above.

### **Testing, Certification and Documentation**

The HM employer must test the HM employee by appropriate means in the 5 subject areas noted above. A record of current training, including a written certification that the employee has been trained, must be maintained. The training record must include:

- The HM employee's name;
- The most recent training completion date;
- A description of, a copy of, or the location of the training materials used;

- The name and address of the person providing the training; and
- Certification that the employee has been trained and tested (by appropriate means) as required.

#### **Initial and Recurrent Training:**

- New HM employees or those newly transferred to HM job functions must complete HM training, including security training, within 90 days of becoming a HM employee.
- DOT HM transportation training must be provided at least once every 3 years. Training records are required to be maintained for 3 years.
- Employees required to have in-depth security training must have that training at least once every 3 years, or within 90 days of implementation of a revised security plan.

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.