



U.S. Dept of Transportation Hazardous Materials Training Requirements *Executive Briefing on the training requirements of 49 CFR 172.700*

What is “HM-126F and HazMat-181”

These are VERY out of date terms. Don't use them.

What companies are effected by the training law?

Any company that ships, offers, or accepts hazardous materials for transport. This includes companies freight forwarders who many not even physically handle the freight, but offer hazmat to a carrier.

What commodities are effected by this law?

Anything that is considered a hazardous material. For example: **ground shipments** of **ORM-D Consumer Commodities** like Aerosols, Paint, Perfume or other items such as dry ice, batteries, cosmetics, safety equipment, medical or cleaning supplies. This includes air and ocean as well.

Which employees of mine have to be trained?

1. Anyone who **physically handles** a package of consumer commodity or any other hazmat in transportation (note this definition may not include receiving personnel).
2. Anyone who **operates a forklift or vehicle** handling shipments (even operating a pallet jack).
3. Anyone who **inspects a shipment** to determine that it's marked and labeled correctly.
4. Anyone who **signs a shipping paper for hazmat** or inspects a shipping paper. Or:

Any person “who directly affects” the safety of a hazmat in transportation. (Ref “Hazmat Employer, 49 CFR 171.8”)

When does this training have to be done?

All employers **MUST** train and **TEST every** hazardous materials employee within 90 days in the job. Recurrent training is required every three years (2 years under IATA/ICAO Air Rules) and may be required sooner if they change job categories. Temporary workers can work under the supervision of a trained employee for 90 days.

Can I use an employee trained by another company?

Not really. Technically it can be done but you'd need copies of their exam, their materials and you'd have to evaluate if the previous training was really suitable for your needs.

What happens if I don't train my people?

It depends... if you know you have to train them but don't, that's a *criminal* violation and a manager or employer could be prosecuted (for example if there were to be an incident involving an untrained employee)

Otherwise if it's an honest mistake it could be a civil penalty and involve a fine. The fines run up to a maximum of \$55,000 per violation, per day.

What type of training is required?

The law requires these types of training:

General Awareness, Safety, HazMat Security and Function Specific Training.

The degree of training that an employee requires is determined by his job responsibilities. A driver for example, may require "functional" training on loading and handling dangerous goods, cargo compatibility, shipping papers, and emergency response procedures. *A different driver, who is actually responsible for inspecting a shipment before it goes to an airline, may need a 3 day IATA class. It just depends.*

How long does the training take?

Awareness training and Security Training can be done in a few hours. “Function specific” training may take a couple of hours to a few days, it depends on what's being shipped.

What does it mean to be “certified”

This means that the **employer** has certified that the employee is properly trained for their job function.

Can I train my employees by computer?

Yes. We offer computer based training as well as conveniently scheduled classroom seminars.

If I use a packing company, am I still liable?

Absolutely. Using a 3rd party does nothing to change your hazmat liability.

What are the penalties for failure to comply?

\$55,000 per day, per violation is the maximum penalty. Unless there is a serious incident (then it is \$100,000) Most cases involve several different violations, i.e. an undeclared hazmat package involves no less than 6 separate violations (failure to identify, classify, pack, mark, label and document).

To view recent penalties visit **hazmat-news.com** or **dgtraining.com** or call **800-949-4834**