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PMAA Regulatory Report

PHMSA ISSUES ENFORCEMENT WAIVER FOR CDL HAZMAT DRIVER REOCCURRING TRAINING

March 23, 2020

PMAA Contact: Mark S. Morgan Regulatory Counsel

The Pipeline and Hazardous Material Safety Administration (PHMSA) announced today that the agency will not take enforcement action against any motor carrier or offeror who is unable to provide reoccurring hazardous material training that all CDL HAZMAT drivers (and all HAZMAT employees) must undergo every three years. The PHMSA announcement may be viewed [here](#). The enforcement waiver is in effect for 90 days beginning March 23, 2020.

PHMSA said the enforcement policy is needed because most reoccurring driver training and testing takes place in large classroom settings that are no longer safe given the corona virus outbreak.

Specifically, the temporary enforcement waiver covers only **reoccurring** training under 49 CFR 172.704 (c)(2). The training and testing categories under subpart 172.704 that are subject to the temporary enforcement waiver include:

- General Awareness/Familiarization Training
- Function Specific Training
- Safety Training
- Security Awareness Training
- In Depth Security Training
- OSHA and EPA Training

PHMSA also noted that although the reoccurring training enforcement waiver is in effect, the agency **encourages** the utilization of alternative training delivery methods including; web-based training, self-paced computer instruction, remotely delivered classroom instruction, on the job training even where testing is not possible. However, PHMSA is not **requiring** the use of alternative training methods.

IMPORTANT! The enforcement waiver does not apply to initial driver training. PMAA is seeking an enforcement waiver for initial training as well.

Mark S. Morgan, Regulatory Counsel mmorgan@pmaa.org (202) 364-6767 or (202) 487-4536 (cell)

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