

**§ 172.702 Applicability and responsibility for training and testing.**

(a) A hazmat employer shall ensure that each of its hazmat employees is trained in accordance with the requirements prescribed in this subpart.

(b) Except as provided in §172.704(c)(1), a hazmat employee who performs any function subject to the requirements of this subchapter may not perform that function unless instructed in the requirements of this subchapter that apply to that function. It is the duty of each hazmat employer to comply with the applicable requirements of this subchapter and to thoroughly instruct each hazmat employee in relation thereto.

(c) Training may be provided by the hazmat employer or other public or private sources.

(d) A hazmat employer shall ensure that each of its hazmat employees is tested by appropriate means on the training subjects covered in §172.704.

[Amdt. 172–126, 57 FR 20952, May 15, 1992; 57 FR 22182, May 27, 1992, as amended by Amdt. 172–149, 61 FR 27173, May 30, 1996]