

### **Transportation**

California's response to the COVID-19 pandemic is an unprecedented undertaking. Providing necessary regulatory relief, especially related to the transportation of commodities, hazardous materials, livestock, or emergency aid involves the coordination of not only California's transportation and safety agencies, but also those of the federal government. One such example is the Hazardous Agricultural Material Certificate, or HAM Certificate, which was previously called *Hazmat Training for Agricultural Employees* and offered by the California Highway Patrol (CHP) until 2018.

Existing California law provides an exemption for individuals from the requirement to obtain a hazardous material (HM) endorsement on their driver's license, including if an individual:

- Is employed in agricultural operation.
- Is driving a vehicle which does not require a commercial driver license and is controlled by a farmer.
- Is transporting agricultural products or machinery to or from a farm.
- Has completed training meeting the requirements outlined in federal regulation.
- Possesses a verification of training document, commonly known as a HAM Certificate, when operating a vehicle requiring the display of placards.
- Is operating the vehicle at a distance of not more than 50 miles from farm to farm or from point of distribution to point of application.
- Is in possession of a CHP 344, Hazardous Materials Transportation Basic Incident Safety Procedures.

For all other individuals, if a driver's license is required to operate a vehicle, or a combination of vehicles, and placards are required to be displayed, a commercial driver's license with an HM endorsement is required.

A HAM certificate is valid three years from the date of issuance. Federal regulation requires an individual to participate in hazardous material training at least once every three years. An applicant is then required to provide the California Department of Motor Vehicles (DMV) a valid medical clearance and verify that they are 21 years of age or older. Due to DMV field office closures related to the COVID-19 pandemic, the appropriate HAM documentation could not be processed. In some cases, this resulted in the expiration of an individual's HAM certification, or the inability to acquire a new certification from the department.

The state's efforts to control the spread of the virus, resulted in many operational difficulties for agricultural businesses; especially related to the processing of applications and certification renewals. Based on feedback from members, Farm Bureau worked with the Newsom administration to secure an extension of the HAM medical certificate to reduce disruptions in the agricultural supply chain during this critical time. On April 16, 2020 Governor Newsom issued Executive Order N-52-50, which addressed the renewals of commercial driver's license hazardous material medical certificates. According to the Executive Order, "holders of current commercial driver's licenses or certificates, whose required medical certificate has or will expire on or after March 1, 2020, the timeframes set forth in Vehicle Code section 12804.9(c), and accompanying regulations, pertaining to possessing a valid medical certificate in order to maintain a valid commercial driver license or certificate, are waived until June 30, 2020."

Additionally, as of this morning, DMV will also begin to allow HAM certificate applicants to mail the necessary documentation and fee for processing the certification. This is in lieu of requiring

individuals to physically go to a DMV field office. The mailing information and required documentation is included for reference below:

**DMV – Issuance**  
**2570 24<sup>th</sup> Street M/S G204**  
**Sacramento, CA 95818**

1.	A carbon copy of the HAM Certificate (DL 267). *Remind the driver to keep a copy of the certificate with their driver license.
2.	A completed, readable <i>Health Questionnaire (DL 546)</i> for non-commercial drivers.
3.	Check or money order in the amount of \$12.00 made payable to “DMV”.