

CDOT Flagger Training Entity Terms and Conditions



COLORADO
Department of Transportation

Flagger Training Entity

Entity Name:		Date of Application:	
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Pursuant to Colorado Revised Statute (CRS) 43-5-308(2)(b), CDOT authorizes public and private entities to conduct flagperson (aka flagger) certification training. In adherence with CRS 43-5-308(2)(b), the application for **CDOT Flagger Training Entity Certification** shall be completed, submitted, and approved before an entity may conduct flagger training and flagger certification in the state of Colorado.

CDOT Flagger Training Entities shall recertify annually. The CDOT Flagger Training Entity recertification shall be completed, submitted, and approved so the entity may continue to conduct flagger training and flagger certification in the state of Colorado.

All flaggers in the state of Colorado shall be trained and certified per the CDOT Flagger Program rules.

These terms and conditions apply to the CDOT Flagger Program and are a required supplement to the CDOT Flagger Training Entity application for certification and recertification.

PART 1 of this document defines the entity's requirements, terms, and conditions for; obtaining and maintaining certification in the program; providing flagger training, examinations, certification, and reporting.

PART 2 of this document details the processes for expiration, denial, suspension, revocation, and/or resignation of an entity certification.

PART 3 of this document requires the entity to fill out the required information and sign and date for acceptance of the **CDOT Flagger Training Entity Certification Terms and Conditions** and to initial each page.

The entity shall submit the completed, signed, and initialed **CDOT Flagger Training Entity Terms and Conditions** with the initial certification and recertification applications.

CDOT Flagger Program
2829 West Howard Place
Denver, CO 80204

1-888-639-3271
dot_cdoflagger@state.co.us
<https://www.codot.gov/safety/traffic-safety/traffic-operations-technology/flagger-program/main>

PART 1 – ENTITY REQUIREMENTS

The entity and/or instructor shall:

Apply for certification (initial application) and recertification (every subsequent annual application) in the CDOT Flagger Training Entity Program, which authorizes certified entities to administer flagger training and flagger certification. If approved, the entity will receive a written certification or recertification approval from CDOT.

This program includes training and certifying flaggers, which may or may not be limited to an entity’s own employees.

Entity certification and recertification authorization granted by CDOT is valid for one (1) year unless otherwise suspended, revoked, resigned, and/or expired. Recertification in the program shall be applied for annually by the entity’s due date. The due date can be found on the entity’s approved certification/recertification form.

Submit a completed **CDOT Flagger Training Entity Certification Application** for annual recertification, and all required supplemental documents.

Designate an entity representative to be the main point of contact with CDOT regarding submittal and retention of required documentation for this program.

Notify CDOT of any changes to the following information within fourteen (14) days: designated representative, entity contact information (address, phone, email), and flagger instructor(s). These changes must be submitted to the CDOT Flagger Program using the **Entity Change Form**.

Designate a custodian of records responsible for securely maintaining all flagger training entity records.

Maintain all flagger training entity records for five (5) years and submit copies of training, testing, and certification records as required and requested by the CDOT Flagger Program.

Employ at least one CDOT approved flagger instructor.

Allow CDOT or its representative(s) to perform audits, with or without notification. Audits may include but are not limited to; entity CDOT Flagger Program records, in-person flagger training classes, and flagger certification written and practical examinations.

Allow CDOT or its representative(s) to perform audits of online flagger training classes and online flagger certification examinations at no cost to CDOT.

Written CDOT approval shall be obtained for online flagger training and certification classes before an entity can begin using the internet website format, and after updates to course material have been made.

Comply with the flagger training and certification online class requirements on CDOT’s website.

Comply with all federal, state, and local municipality laws, mandates, regulations, and codes.

Required flagger training and certification steps:

- Schedule and notify CDOT of upcoming flagger certification classes.
- Register flagger students.
 - The flagger student to flagger instructor ratio is 20:1.

PART 1 – ENTITY REQUIREMENTS

The entity and/or instructor shall:

- Administer flagger certification training.
- Administer, grade, and record flagger exams.
- Administer class surveys.
- Issue flagger certification cards to students that pass the flagger written and practical exams.
- Issue receipts for flagger class and/or flagger replacement flagger cards if applicable.

Use one of the following flagger program training options for flagger training and certification:

- Colorado Department of Transportation (CDOT), or
- American Traffic Safety Services Association (ATSSA) *, or
- National Safety Council (NSC) *

* Entity must be certified to use their organizations materials.

Follow the current Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD), Part 6 requirements and amendments (if applicable.)

Instruct flagger students that they shall follow the current CDOT Standard Specifications on contract work awarded by CDOT.

CDOT Standard Specifications can be found at <https://www.codot.gov/business/designsupport/cdot-construction-specifications>, Section 630.

Verify that flagger students:

- Have presented a valid government-issued photo identification (i.e., driver's license, state-issued identification card, passport, military ID card, or other valid government-issued identification) to verify that they are at least 18 years of age, and to verify their legal name which will be used on their flagger certification card when/if issued.
- Meet the qualifications as outlined in Section 6E.01 of the current MUTCD.
- Have read and understood the training materials, understand the safety hazards of flagging, and are capable of performing flagger activities.
- Have watched the current version of the CDOT flagger video, unless using the ATSSA and/or NSC flagger training materials.
- Have attended the required flagger training class prior to taking the practical and written examinations.
- Have demonstrated proper Flagging techniques for the hands-on practical exam *.
- Have passed the written flagger examination with a score of 85% or better.
 - The written exam can be open-book and open-notes.
 - Instructors shall give students test one (1), two (2), or three (3), and shall alternate exams so students sitting adjacent to one another are not taking the same exam.
- Have been informed by the instructor that flaggers must:
 - Maintain the flagger certification card on their person while engaged in flagging activities.

PART 1 – ENTITY REQUIREMENTS

The entity and/or instructor shall:

- Not engage in flagging activities with an expired or lost card.

* The hands-on practical exam does not apply to on-line flagger training. The online training must include pictures or an interactive way for students to choose and/or demonstrate correct flagging procedures and techniques.

Issue flagger certification cards within 48 hours to flagger students who successfully pass the flagger exams. The flagger certification cards are valid for two (2) years and shall include the following information:

- Printed legibly or typed on the front of the card – Date Issued, Expiration Date, Flagger Name.
 - The name on the flagger certification card should match the name on the flagger’s government-issued identification.
- Printed legibly or typed on the back of the card – Certifying Entity Expiration Date, Certifying Entity Name, Instructor’s (aka Proctor’s) Name.
- Flagger and Instructor/Proctor signatures in the appropriate boxes.

Flagger certification cards shall not be issued prior to completing the required flagger training class and passing the examinations. If flagger training and examination requirements have not been met prior to issuing flagger certifications, CDOT will immediately suspend the entity’s certification in the CDOT Flagger Training Program.

Allow a flagger student to retest one time if they fail the practical and/or written exams.

A flagger student cannot retake the same written exam but instead shall take an alternate exam.

The second exam shall be taken on the same day, or within seven (7) days business days of the flagger class. If the flagger student fails a second time, they will need to retake the flagger class and exams.

Ensure that the instructor is physically present throughout the entire hands-on practical and written examination processes to ensure that students are not cheating or talking.

Instructors shall not help students during the written and practical examinations.

Maintain the confidentiality of the training materials, exams, and answer keys.

No cell phones and/or cameras shall be used by the students during the exam process. Exam materials shall be distributed immediately prior to the testing session and collected immediately after the testing.

Must use the latest versions of the CDOT Flagger Training Program materials, forms, rules, terms and conditions, procedures, etc.

Not alter forms, exams, documents, flagger certification cards, etc., or falsify documentation, dates, signatures, etc.

PART 1 – ENTITY REQUIREMENTS

The entity and/or instructor shall:

Submit flagger class records per the following requirements.

All flaggers trained and certified to work in Colorado must be reported to CDOT.

Reporting Requirements for Entities Using ATSSA and NSC Flagger Training Materials

When using ATSSA or NSC materials for flagger training and certification, the entity shall submit required flagger student information within seven (7) business days of teaching each flagger class. The required information is listed in the *Roster for Flagger Class* spreadsheet as provided on the CDOT Flagger Program website. One roster spreadsheet shall be used for each class taught.

and/or

Reporting Requirements for Entities Using CDOT Flagger Training Materials

When using CDOT materials for flagger training and certification, the entity shall submit copies of the following documentation within seven (7) business days of teaching each flagger class. This documentation will be applied to the entity’s annual recertification.

- *Roster for Flagger Class* spreadsheet (MS Excel format) as provided on the CDOT Flagger Program website. One roster spreadsheet shall be used for each class taught.
- Document order for flagger students must correspond with the roster. Documents for each student shall be in PDF or hard copy format (without staples), items on pages must be upright, and in the following order:
 - Written flagger exam with grade written in the top right section of the page (including student exams with failing scores.)
 - Flagger exam class survey.
 - Frontside and backside of flagger certification card issued (not applicable for students that did not pass the exams.)
 - Receipt for training and testing if the student has been charged.

Replace lost or damaged flagger certification cards to certified flaggers if their certification is still current.

If an entity charges a flagger for a replacement flagger certification card, they must provide copies of the receipts to CDOT with their recertification submittals.

PART 2 – EXPIRATION, DENIAL, SUSPENSION, REVOCATION, AND/OR RESIGNATION OF ENTITY CERTIFICATION

Part 2 and its subsections details the processes for expiration, denial, suspension, revocation, and/or resignation of an entity certification. The provisions of § 24-4-104, C.R.S. shall apply to the appeal from CDOT’s denial of an entity certification, denial of renewal, revocation, or immediate suspension.

PART 2A – EXPIRATION OF ENTITY CERTIFICATION

Expiration is when an entity’s flagger training certification has lapsed.

An entity has a 15-day grace period after their CDOT Flagger Training Entity certification/recertification due date to submit for recertification.

If required submittals are not received by CDOT by the end of the grace period, the entity’s flagger training certification is considered expired, and CDOT will immediately revoke the entity. CDOT will not accept or consider objections by the Entity.

The notification of entity expiration and revocation from the CDOT Flagger Program will be mailed via USPS Certified Mail or FedEx’s Direct Signature option.

Upon revocation of the entity’s certification in the CDOT Flagger Training Program, the entity shall:

- Return all unused flagger certification cards to the CDOT Flagger Program within seven (7) business days.
- Cease using and destroy all unused flagger exams, answer keys, and blank answer sheets immediately.

If an entity is interested in reinstatement to the CDOT Flagger Training Entity Program after revocation, see PART 2F for application conditions.

PART 2B – DENIAL OF ENTITY CERTIFICATION/RECERTIFICATION

Denial is when an entity applies for certification and/or recertification, and the CDOT Flagger Program does not accept the application.

An entity certification/recertification application may be denied for multiple reasons. The entity will have two opportunities to resubmit their complete application and required documentation. If, after two attempts the submittals are not complete, the application for certification will be denied, or the recertification will not be approved, and CDOT will immediately revoke the entity. CDOT will not accept or consider objections by the entity.

Some potential reasons for denial include, but are not limited to:

- The entity does not meet minimum qualifications.
- The entity does not agree to the terms of this program.
- The entity submits incomplete application information.
- The entity submits false information.
- No having at least one CDOT approved flagger instructor.

CDOT will send a notice of denial to the entity via USPS Certified Mail or FedEx’s Direct Signature option.

PART 2C – SUSPENSION OF ENTITY CERTIFICATION

Suspension is the temporary prevention of the entity’s and/or instructor’s authorization to perform flagger training and certification.

An entity certification will be suspended if the entity does not meet the terms and conditions of this program. The entity will have an opportunity to submit data, views and arguments to contest and potentially reinstate their certification in the CDOT Flagger Training Program.

During the suspension period, the entity shall not perform flagger training and certification.

A suspension is temporary, but the entity’s certification may be revoked if requirements are not met.

An instructor certification will be suspended if the instructor does not meet the terms and conditions of this program. The instructor will have an opportunity submit data, views and arguments to contest and potentially reinstate their ability to train and certify flaggers in the CDOT Flagger Training Program.

During the suspension period, the instructor shall not perform flagger training and certification.

A suspension is temporary, but the instructor’s certification may be revoked if requirements are not met.

CDOT will send a notice of suspension to the entity or instructor via USPS Certified Mail or FedEx’s Direct Signature option.

The notice of suspension from the CDOT Flagger Program will state the issue(s), the action(s) the entity or instructor needs to take to resolve the issue(s), a due date for the resolution(s), etc.

If the entity or instructor wishes to retain their certification in the CDOT Flagger Training Entity Program, they shall respond to the CDOT letter of suspension by the due date stated in the letter.

The entity’s or instructor’s response must address all issues and questions and provide all required documentation.

If the entity does not provide the required information and documentation to CDOT by the due date, then the entity’s certification will be revoked. See PART 2D – REVOCATION OF ENTITY CERTIFICATION.

If an instructor does not provide the required information and documentation to CDOT by the due date, then the instructor’s certification will remain suspended, and they will not be allowed to train and certify flaggers until the issue(s) have been rectified.

Once the entity or instructor has responded to the notice of suspension, CDOT will review the responses and documentation.

CDOT will issue a final written decision within 30 days of receipt of the entity’s and/or instructor’s response.

PART 2C – SUSPENSION OF ENTITY CERTIFICATION

CDOT’s decision can lift the suspension, allow probationary reinstatement with conditions, or revoke the entity’s flagger training certification. See PART 2D for the revocation process for an entity’s certification.

A flagger instructors training status can be reinstated with probationary and/or retraining conditions as specified by CDOT.

The final decision from the CDOT Flagger Program will be mailed via USPS Certified Mail or FedEx’s Direct Signature option.

PART 2D – REVOCATION OF ENTITY CERTIFICATION

Revocation is the immediate cancellation of the entity’s certification in the CDOT Flagger Training Entity Program.

An entity certification can be revoked if the entity does not meet the terms and conditions of this program. The revocation status would follow the suspension phase unless otherwise stated.

Upon revocation of the entity’s certification in the CDOT Flagger Training Program, the entity shall:

- Return all unused flagger certification cards to the CDOT Flagger Program within seven (7) business days.
- Cease using and destroy all unused flagger exams, answer keys, and blank answer sheets immediately.

CDOT will send a notice of revocation to the entity via USPS Certified Mail or FedEx’s Direct Signature option.

See PART 2F for information regarding the application for recertification after a revocation.

PART 2E – RESIGNATION OF ENTITY CERTIFICATION

Resignation is the voluntary relinquishment of the entity’s participation in the CDOT Flagger Training Program.

The resignation of an entity’s certification shall be sent in writing from Entity to the CDOT Flagger Program.

Upon resignation, the entity shall not conduct flagger training and certification.

Upon the resignation of the entity’s certification in the CDOT Flagger Training Program, the entity shall:

- Return all unused flagger certification cards to the CDOT Flagger Program within seven (7) business days.
- Cease using and destroy all unused flagger exams, answer keys, and blank answer sheets immediately.

PART 2F – APPLICATION FOR RECERTIFICATION AFTER REVOCATION

If an entity wants to re-enter the CDOT Flagger Training Certification Program after revocation, the entity shall wait a minimum of one (1) year to re-apply for recertification.

If CDOT grants an entity recertification after revocation, the entity’s recertification will have a probationary period of six (6) months. During the probation period, the entity must submit all class documentation upon completion of each class for reporting and auditing purposes and provide flagger class schedules to CDOT so CDOT can perform announced and/or unannounced class audit(s).

If the entity does not pass the audit(s), their CDOT Flagger Training Program certification will be permanently revoked. The entity will not be allowed to apply for certification/recertification in the CDOT Flagger Program and can no longer train and certify flaggers in the state of Colorado.

The notification of entity revocation from the CDOT Flagger Program will be mailed via USPS Certified Mail or FedEx’s Direct Signature option.

PART 3 – ACCEPTANCE OF THE CDOT FLAGGER TRAINING ENTITY CERTIFICATION TERMS AND CONDITIONS

This page must be signed by using either the Adobe Acrobat Certificates “Digitally Sign” feature or by signing a hard copy, scanning, and saving as an Adobe PDF. If neither of these signature options is possible, this form will need to be printed, signed, and mailed to our office. Please ensure that you retain a copy of this agreement for your records.

Entity Designated Contact/Representative

Name: _____	Phone: _____
Title: _____	Email: _____
Signature: _____	Date: _____