
Rules of
Department of Transportation
Division 10—Missouri Highways and Transportation
Commission
Chapter 23—Technician Certification Program

Title	Page
7 CSR 10-23.010 Definitions	3
7 CSR 10-23.020 Certification/Recertification for Qualified Sampling and Testing Technician.....	3
7 CSR 10-23.030 Decertification Procedures and the Appeal Process for Technicians.....	4

**Title 7—DEPARTMENT OF
TRANSPORTATION**

**Division 10—Missouri Highways and
Transportation Commission
Chapter 23—Technician Certification
Program**

7 CSR 10-23.010 Definitions

PURPOSE: This rule provides definitions of terms applicable to the Missouri Department of Transportation's technician certification program.

- (1) Apprentice certification. Temporary certification usually used for qualifying new hires, summer students, and seasonal workers.
- (2) District coordinator. Missouri Department of Transportation (MoDOT) employee responsible for coordinating the Technician Certification Program (TCP) training activities within a district.
- (3) Evaluator. An individual who has been approved by the materials qualification engineer (MQE) to administer performance evaluations.
- (4) Materials qualification engineer (MQE). Missouri Department of Transportation employee responsible for coordinating the TCP training activities statewide.
- (5) Review board. A board chaired by the State Project Operations Engineer that is responsible for oversight of the TCP and who makes decisions regarding decertification.
- (6) Technician. An individual trained to perform sampling and acceptance testing of materials used in transportation construction projects.
- (7) Technician Certification Program (TCP). A program administered by MoDOT to certify technicians who perform sample and acceptance testing of certain materials used in transportation construction projects.
- (8) Trainer. An individual who has been approved by the MQE to perform classroom instruction and administer written examinations and performance evaluations.

AUTHORITY: sections 226.020, 226.130 and 227.030, RSMo 2000 and 23 CFR Ch. 1, Part 637. Original rule filed May 7, 2002, effective Dec. 30, 2002.

*Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; 227.030, RSMo 1939.

7 CSR 10-23.020 Certification/Recertification for Qualified Sampling and Testing Technician

PURPOSE: This rule provides for individuals to become certified or recertified as qualified sampling and testing technicians as required by federal regulation at Title 23 Code of Federal Regulations, Ch. 1, Part 637.

- (1) Applicability. This rule applies to all individuals seeking an initial certification or recertification from Missouri Department of Transportation (MoDOT) as a qualified sampling or testing technician.
- (2) Applications. Any individual seeking an initial certification, recertification, or apprentice certification status shall complete either an Application for the MoDOT Technician Certification Program or Application Form—Apprentice Technician. The application forms can be obtained from the Internet at the MoDOT website at <http://www.modot.state.mo.us> or by contacting the materials qualification engineer (MQE). Completed applications are to be forwarded to the MQE.
- (3) Initial Certification Requirements. Any individual seeking to be certified shall—
 - (A) Complete an Application for MoDOT Technician Certification Program in accordance with section (2) of this rule;
 - (B) Attend the required classroom instruction;
 - (C) Pass the written and performance examination given at the end of the classroom instruction;
 - (D) Certifications will be valid for three (3) years. Certification may be renewed in accordance with section (4) of this rule; and
 - (E) Certifications may be revoked pursuant to 7 CSR 10-23.030.
- (4) Recertification Requirements. Any technician seeking to be recertified shall—
 - (A) Complete an Application for MoDOT Technician Certification Program in accordance with section (2) of this rule;
 - (B) Attend a classroom instruction in the subject which certification is due to expire:
 1. To qualify for recertification, the classroom instruction must be taken no later than ninety (90) days after the current certification expiration date;
 - (C) Pass the written and performance examination given at the end of the classroom instruction;
 - (D) Recertification shall be valid for three (3) years from the date of recertification; and
 - (E) Recertifications may be revoked pursuant to 7 CSR 10-23.030.

(5) Apprenticeship Requirements. Any individual seeking apprentice certification shall—

- (A) Complete an Application for MoDOT Technician Certification Program in accordance with section (2) of this rule;
- (B) Attend classroom instruction in the test methods which certification is being requested;
- (C) Pass the written and performance examination given at the end of the classroom instruction;
- (D) Apprentice certification shall be valid until March 1 of the following year from the date of examination; and
- (E) Certifications may be revoked pursuant to 7 CSR 10-23.030.

(6) Classroom Instruction. Classroom instruction is required for certification and recertification.

(A) Course Schedule. The course schedule and list of locations shall be available to any interested person. It is available on the Internet at the MoDOT website at <http://www.modot.state.mo.us> or by contacting the MQE.

(B) Application. To apply for a course, an application must be completed and submitted pursuant to section (2) of this rule.

(C) Costs. A fee schedule for courses can be found at the MoDOT website at <http://www.modot.state.mo.us> or by contacting the MQE. Charges for the courses will be invoiced upon acceptance of enrollment. Fees are forfeited if cancellation is not made within the time prescribed below in subsection (6)(D).

(D) Cancellation Policy. Cancellations must be made within ten (10) calendar days prior to the scheduled course date.

(7) Written Examination Requirements.

(A) Individuals seeking an initial certification in a course are required to achieve a score for the course taken as defined in subsection (7)(C). If the required score is not achieved they are granted a retest, which must be completed within sixty (60) days of the course date.

(B) Technicians seeking recertification in a course are required to achieve a score for the course taken as defined in subsection (7)(C). If the required score for recertification is not achieved a retest is not granted. If the technician fails the written exam for recertification, the technician must complete the initial certification requirements described in subsection (3)(A) and achieve a score as defined in subsection (7)(C) of this section to maintain their certification.

(C) Scores required for passing the written exam are—



1. For Level 1 Technician, the passing score shall be at least eighty-five percent (85%).

2. For Level 2 Soils, Aggregate or Concrete, the passing score shall be at least eighty-five percent (85%).

3. For Level 2 Bituminous, the passing score shall be at least eighty percent (80%).

4. For Profilograph, Aggregate Specific Gravity or Low Slump, the passing score shall be at least eighty-five percent (85%).

(D) Individuals seeking apprenticeship status must achieve a score of seventy percent (70%) for each test method.

(E) The reported information for the written examination will be Pass or Fail. Actual exam scores are not provided. Exam review is not allowed.

(8) Performance Examinations. The performance examinations given are demonstrations of the test procedure by the individual in the presence of an evaluator or trainer. To pass the performance examination the individual must present a demonstration of all critical items of the test procedure. Individuals are allowed two (2) opportunities to demonstrate the test procedure. If both performance examinations are failed, the individual must complete the initial certification requirements in section (3).

(9) Reciprocity. Any individual certified by any other state may be considered as meeting the Technician Certification Program requirements of MoDOT. Requests for reciprocity shall be submitted in writing to the MQE for consideration. The MQE consideration of granting reciprocity rests with the MQE and his/her interpretation of the program content in which the individual was certified.

AUTHORITY: sections 226.020, 226.130 and 227.030, RSMo 2000 and 23 CFR Ch. 1, Part 637. Original rule filed May 7, 2002, effective Dec. 30, 2002.*

**Original authority: 226.020, RSMo 1939; 226.130, RSMo 1936, amended 1993, 1995; 227.030, RSMo 1939*

7 CSR 10-23.030 Decertification Procedures and the Appeal Process for Technicians

PURPOSE: This rule provides for the Missouri Department of Transportation to suspend or revoke a technician's certification status and the technician's right to appeal the suspension or revocation.

(1) Decertification.

(A) Any technician may have his/her certification suspended or revoked by the review board where:

1. The technician fails to renew their certification after three (3) years or fails to attend and pass the recertification course within ninety (90) days after the expiration date; or

2. The technician is found to have committed fraud, abuse, willful negligence, or has demonstrated incompetence identified by the technician's supervisor or a certified technician, verified by a second certified technician; and

3. Upon written notice by the district coordinator to the review board through the materials qualification engineer (MQE).

(B) At a minimum, if the review board finds that the technician has failed to renew his/her certification or, has failed to obtain recertification in the required time period, or is found to have committed acts described in paragraph (1)(A)2. above, the following actions may be taken:

1. First offense may result in a written reprimand.

2. Second offense may result in a minimum thirty (30)-day suspension of all certifications held by the technician. The review board reserves the right to establish in each case the effective date of any suspension. A technician who has incurred a suspension may also be required to attend a recertification course or courses prior to the reinstatement of his/her certification.

3. Third offense may result in a permanent revocation of certifications.

(C) The MQE must notify the technician in writing within ten (10) working days of any suspension or decertification determinations made by the review board.

(D) Any decertification action taken, other than permanent revocation of certifications, will be removed from technician's record three (3) years after the date of decertification.

(2) Appeal.

(A) Request for Informal Hearing. When the MQE notifies a technician of a decision made by the review board to suspend or revoke its certification, the technician will have the opportunity to present information and arguments and request an informal hearing by the review board. Such request must be submitted in writing to the review board through the MQE within thirty (30) days of the decertification determination made by the review board.

(B) Procedure. If the technician requests a timely informal hearing, the review board, through the MQE, shall advise the technician

of the time, date and place of the informal hearing. This is not a contested case under Chapter 536, RSMo. The rules of evidence shall not apply at the informal hearing.

(C) Recourse. The decision of the review board after an informal hearing is considered final.

AUTHORITY: sections 226.020, 226.130 and 227.030, RSMo 2000 and 23 CFR Ch. 1, Part 637. Original rule filed May 7, 2002, effective Dec. 30, 2002.*

**Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; 227.030, RSMo 1939.*