

# CDOT Flagger Training Entity Terms and Conditions



Flagger Training Entity			
Entity Name:		Date of Application:	

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 are required to recertify annually. The CDOT Flagger Training entity recertification shall be completed, submitted, and approved by the Entities anniversary date 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.

## **CDOT Flagger Training Entity Terms and Conditions**

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

**PART 2** of this document details the processes for expiration, denial, suspension, revocation, and/or resignation of an entity certification in the CDOT Flagger Training Program.

**PART 3** of this document requires the entity read these terms and conditions, complete the required information on pages 1 and 11, initial all 11 pages in the lower right-hand corner of each page, then sign and date on page 11 for acceptance of the **CDOT Flagger Training Entity Certification Terms and Conditions**.

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

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CDOT Flagger Program  
2829 West Howard Place  
Denver, CO 80204

(303) 757-9664 or 1-888-639-3271

[dot\\_cdot\\_flagger@state.co.us](mailto:dot_cdot_flagger@state.co.us)

<https://www.codot.gov/safety/traffic-safety/traffic-operations-technology/flagger-program/main>

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**PART 1 – ENTITY REQUIREMENTS**

**PART 1A – Entity Certification in the CDOT Flagger Training Program**

The entity and/or flagger instructor shall:

Apply for certification (initial application) and recertification (every subsequent annual application) in the CDOT Flagger Training Entity Program by submitting the following completed forms and supplemental documents:

- **CDOT Flagger Training Entity Certification Application**
- **CDOT Flagger Training Entity Terms and Conditions**
- **CDOT Flagger Instructor Agreement** – separate agreements are required for each Flagger Instructor
- Valid Flagger Instructor Certification for each Flagger Instructor
- Valid Flagger Certification for each Flagger Instructor

If approved, the entity will receive a copy of their approved certification from CDOT which authorizes entities to administer flagger training and flagger certification.

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.

Designate a representative to be the main point of contact for the CDOT Flagger Program.

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

**PART 1B – Flagger Instructor Requirements**

The entity and/or flagger instructor shall:

Employ at least one CDOT approved flagger instructor.

All Flagger Instructors shall:

- Maintain a valid CDOT or CDOT approved Flagger Instructor certification.
- Maintain a valid CDOT or CDOT approved Flagger certification
  - Due every 2 years.
  - Flagger Instructors cannot be trained and certified by their own entity or entity’s instructors.
  - Flagger Instructors cannot train and certify themselves.
  - Must pass the written flagger exam with a score of 90% or better.
- Sign and adhere to the Flagger Instructor Agreement.
- Conduct at least one flagger training and certification class per year.

**PART 1C – Flagger Program Records**

The entity and/or flagger instructor shall:

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

Notify CDOT of any changes to the following information within fourteen (14) days: designated representative, entity contact information (address, phone, email), and flagger

**PART 1 – ENTITY REQUIREMENTS**

instructor(s). These changes must be submitted to the CDOT Flagger Program using the **Entity Change Form**.

Submittals for adding new a Flagger Instructor to your Entity must be accompanied with a completed Flagger Instructor Agreement and a copy of their Flagger Instructor Certification.

Flagger Instructors are not allowed to train and certify flaggers until they have been approved by the CDOT Flagger Program.

Allow CDOT or CDOT representative(s) to perform audits, with or without notification, of the Entity Flagger Program records.

**PART 1D – Rules for all Flagger Training and Certification Formats in Colorado**

The entity and/or flagger instructor shall:

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 registered with ATSSA and/or NSC to use their 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 and when working within the CDOT right-of-way (ROW).

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

Schedule and notify CDOT of upcoming flagger training and certification classes.

- The flagger student to flagger instructor ratio is 20:1.

Verify that flagger students:

- Are at least 18 years of age.
  - Verify age using valid government-issued photo identification, i.e., driver's license, state-issued identification card, passport, military ID card, or other valid government-issued identification.
- Use their legal name on their flagger certification card.
- Meet the qualifications as outlined in Section 6E.01 of the current MUTCD.

Allow CDOT or CDOT representative(s) to perform audits of all forms of flagger training classes and flagger certification exams at no cost to CDOT.

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

**PART 1 – ENTITY REQUIREMENTS**

**PART 1E – CDOT Flagger Training Course** (this section does not apply to ATSSA and NSC)

The entity and/or flagger instructor shall:

Administer the CDOT Flagger course and exams using the most current versions of the following materials:

- CDOT Flagger Class Agenda and Syllabus
- CDOT Flagger Training Manual
- CDOT Flagger Training Video
- MUTCD
- Written and practical exams and answer keys
- Course evaluation form
- CDOT Flagger Certification cards

The CDOT Flagger Training and Certification course is designed to last approximately 4 hours. Smaller class sizes may not need the entire 4-hours, but all flagger classes must cover all flagger class content per the CDOT Flagger Class Agenda and Syllabus.

Administer flagger certification training and verify students:

- Completed the flagger training course within seven (7) business days of testing.
- Have read and understand the training materials.
- Understand the safety hazards of flagging.
- Appear to be physically capable of performing flagger activities – standing for long periods of time, able to use their arms and legs for appropriate flagger duties, etc.

**PART 1F – Flagger Exams** (some items may not apply to ATSSA and NSC)

The entity and/or flagger instructor shall:

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

- Instructors shall not help students during the written and practical exams, although they can clarify questions from students regarding exam questions if there is confusion.
- Instructors should report concerns regarding the legitimacy of materials to CDOT immediately so they can be addressed and/or corrected.

Maintain the confidentiality of the flagger exams and answer keys, both blank and completed.

- No cell phones or cameras shall be used by the students during the exam processes.
- Exam materials shall be distributed immediately prior to the testing session and collected immediately after the testing.
- Students are not allowed to retain originals, copies, or pictures of their flagger exams.

Use the latest versions of the CDOT Flagger Training materials, exams, answer sheets, and course evaluation forms.

These documents shall not be altered by anyone except for CDOT Flagger Program personnel.

**PART 1 – ENTITY REQUIREMENTS**

Administer flagger certification practical exam and verify students:

- Have demonstrated proper Flagging techniques for the hands-on practical exam\*.
  - Books and notes are not allowed during the practical exam.
  - Instructors will record students’ practical exam skills (pass or fail) on the CDOT Flagger Demonstration Exam sheet.

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

Administer flagger certification exams and verify students:

- Have passed the written flagger exam with a score of 80% or better. Flagger Instructors are required to pass the written flagger exam with a score of 90% or better.
  - The written exam is open book and open notes.
  - Flagger Instructors shall give students exam one (1), two (2), or three (3), and shall alternate exams so students sitting adjacent to one another are not taking the same exam.

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

Grade Flagger Exams:

- Written exams need to be graded by clearly. If an answer is incorrect, mark the correct answer with an “X” in red pen/pencil.
- Calculate the written exam score and record the number of incorrect answers and the grade in designated boxes on the **Flagger Exam Answer Sheet**.
- Record all flagger exam results (including failed exams) and required information on the CDOT Roster.
- Administer and collect course evaluations.

**PART 1G – Flagger Certification** (some items may not apply to ATSSA and NSC certifications)

The entity and/or flagger instructor shall:

Use the most recent version of the CDOT Flagger Certification cards available.

- Entities request flagger certification cards via email, and must provide their entity name, estimated number of flagger certification cards needed for 6-12 months, and verify their street address (cards are sent via FedEx).
- Entity personnel may also pick up flagger certification cards from the CDOT Headquarters building but must coordinate with the CDOT Flagger Program as to when they would be available for pick up.

Flagger certification cards are the sole property of CDOT. Blank certification cards shall not be copied, duplicated, or used as a template. Violation is grounds for revocation from the Flagger Training Program.

## PART 1 – ENTITY REQUIREMENTS

The Entity is allowed to make copies of issued flagger certification cards for their own records, for proof of flagger certification on construction and maintenance jobs, and for submission to the CDOT Flagger Program for reporting purposes.

Issue flagger certification cards within 48 hours to flagger students who successfully pass the written and practical 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 date issued must match the date the student took and passed the exams.
  - The expiration date must be two (2) years from the date issued.
  - The name on the flagger certification card must 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 Flagger Instructor signatures in the appropriate boxes.

Flagger certification cards shall not be issued prior to completing the required flagger training class and passing the exams. If flagger training and exam requirements have not been met prior to issuing flagger certifications, CDOT will immediately suspend the entity and flagger instructor from the CDOT Flagger Training Program.

\* The Flagger Instructor has the ultimate judgement on issuing flagger certification cards but must be aware of prohibitions of discrimination per Title VII and Title II of the Civil Rights Act of 1964: Title VII prohibits discrimination against employees and applicants on the basis of race, color, sex (including pregnancy, sexual orientation and gender identity), national origin, and religion.

If a Flagger Instructor has any questions regarding issuance of a flagger certification card, please email or call the CDOT Flagger Program at [dot\\_cdot\\_flagger@state.co.us](mailto:dot_cdot_flagger@state.co.us) or (303) 757-9664.

Inform flaggers that they must:

- Maintain the flagger certification card on their person while engaged in flagging activities.
- Not engage in flagging activities with an expired or revoked card.

Replacement Flagger Certification Cards

- An entity can replace lost or damaged flagger certification cards as long as the flaggers certification is still current.
- The entity must provide a copy of the reissued flagger certification card to CDOT.
- If an entity charges a flagger for a replacement flagger certification card, they must provide a copy of the receipt to CDOT.

**PART 1 – ENTITY REQUIREMENTS**

**PART 1H – Flagger Training Reporting**

The entity and/or flagger instructor shall:

Submit flagger class records per the following requirements.

All flaggers trained and certified to work in Colorado must be reported to CDOT per state law (CRS) 43-5-308.

ATSSA and NSC Flagger Reporting Requirements

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 **CDOT Flagger Class Roster** spreadsheet (MS Excel format) as provided on the CDOT Flagger Program website. CDOT must receive separate Rosters for each flagger class taught. The Rosters must be in the format provided by CDOT, no alterations allowed, and must be submitted in MS Excel format. This documentation is part of the entity’s annual recertification.

or

CDOT Flagger Reporting Requirements

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 is part of the entity’s annual recertification.

- **CDOT Flagger Class Roster** spreadsheet (MS Excel format) as provided on the CDOT Flagger Program website.
  - Separate Rosters are required for each flagger class taught.
  - Rosters must be in the format provided by CDOT (no alterations allowed).
  - Rosters must be submitted in MS Excel format.

Rosters shall have the following naming convention:

YYYY-MM-DD (class date) Entity Name\* AM or PM (if more than one class in a single day) Flagger Instructor name

Example 1: *2022-12-28 Flaggers-R-Us AM Jill Doe*

Example 2: *2022-12-28 Flaggers-R-Us Jill Doe*

- **Flagger student documentation**
  - Submit one PDF document for each student.
  - All pages must be legible, upright, and in the following order:
    - Written flagger exam. Also include failed exam if applicable.
    - Practical exam.
    - Frontside and backside of flagger certification card issued (not applicable for students that did not pass the exam/s).
    - Flagger course evaluation.
    - Receipt for training and testing if the student has been charged.

Student PDF document names shall have the following naming convention:

YYYY-MM-DD (class date) Entity Name\* AM or PM (if more than one class in a single day) students name

Example 1: *2022-11-01 Flaggers-R-Us John Smith*

Example 2: *2022-11-01 Flaggers-R-Us AM John Smith*

Example 3: *2022-11-01 Flaggers-R-Us PM Jane Smith*

\* Entities with long names are allowed to use abbreviations.



**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.
- The entity does not have 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**

<b>Name:</b> _____	<b>Phone:</b> _____
<b>Title:</b> _____	<b>Email:</b> _____
<b>Signature:</b> _____	<b>Date:</b> _____