

CHAPTER 18B

PESTICIDE CONTROL

18B.30 Pesticide use license requirement.
18B.305 Pesticide education and training.

18B.33 Commercial applicator license.
18B.36 Private applicator certification.

18B.30 PESTICIDE USE LICENSE REQUIREMENT.

A person may not use a restricted use pesticide without a license or certification required under sections 18B.29 to 18B.35 and the use may only be done under conditions prescribed by the commissioner.

History: 1997 c 131 s 2

18B.305 PESTICIDE EDUCATION AND TRAINING.

[For text of subs 1 and 2, see M.S.1996]

Subd. 3. Pesticide applicator education and examination review board. (a) The commissioner shall establish and chair a pesticide applicator education and examination review board. This board, consisting of 15 members, must meet at least once a year before the initiation of pesticide educational planning programs. The purpose of the board is to discuss topics of current concern that can be incorporated into pesticide applicator training sessions and appropriate examinations. This board shall review and evaluate the various educational programs recently conducted and recommend options to increase overall effectiveness.

(b) Membership on this board must include applicators representing various licensing categories, such as agriculture, turf and ornamental, aerial, aquatic, and structural pest control and private pesticide applicators, and other governmental agencies, including the University of Minnesota, the pollution control agency, department of health, department of natural resources, and department of transportation.

(c) Membership on the board must include representatives from environmental protection organizations.

(d) This board shall review licensing and certification requirements for private, commercial, and noncommercial applicators and provide a report to the commissioner with recommendations by January 15, 1998. This board shall review category requirements and provide recommendations to the commissioner. This board expires on June 30, 2001.

History: 1997 c 192 s 13

18B.33 COMMERCIAL APPLICATOR LICENSE.

Subdivision 1. Requirement. (a) A person may not apply a pesticide for hire without a commercial applicator license for the appropriate use categories or a structural pest control license or aquatic pest control license.

(b) A person with a commercial applicator license may not apply pesticides on or into surface waters without an aquatic pest control license under section 18B.315, except an aquatic pest control license is not required for licensed commercial applicators applying pesticides for the purposes of:

- (1) pest control on cultivated wild rice;
- (2) mosquito and black fly control operations;
- (3) pest control on rights-of-way;
- (4) aerial pest control operations for emergent vegetation control;
- (5) aerial application of piscicides; and
- (6) pest control for silvicultural operations.

(c) A commercial applicator licensee must have a valid license identification card when applying pesticides for hire and must display it upon demand by an authorized representative of the commissioner or a law enforcement officer. The commissioner shall prescribe the information required on the license identification card.

[For text of subds 2 to 7, see M.S.1996]

History: 1997 c 7 art 1 s 8

18B.36 PRIVATE APPLICATOR CERTIFICATION.

Subdivision 1. **Requirement.** (a) Except for a licensed commercial or noncommercial applicator, only a certified private applicator may use a restricted use pesticide to produce an agricultural commodity:

- (1) as a traditional exchange of services without financial compensation;
- (2) on a site owned, rented, or managed by the person or the person's employees; or
- (3) when the private applicator is one of two or fewer specified individuals employed as agricultural labor as defined by section 268.04, subdivision 12, paragraph (15), clause (a), and the owner or operator is a certified private applicator or is licensed as a noncommercial applicator.

(b) A private applicator may not purchase a restricted use pesticide without presenting a certified private applicator card or the card number.

[For text of subds 2 and 3, see M.S.1996]

History: 1997 c 131 s 3