



## Commercial Driver's License (CDL) & Hazardous Materials Endorsements (HME) Requirements

This renewal notice is for all CDL holders. The purpose is to inform you about Federal and State requirements for fingerprint-based background checks required by the USA Patriot Act (Public Law 107-56, Section 1012) and the new requirements regarding maintaining a valid Medical Examiners Certificate (DOT Card) and SPE or waiver/exemption if required as well as declaring a self-certification category relating to your type of Interstate/Intrastate commerce.

**Note: If you wish to remove a current HAZMAT endorsement, please advise the MVA staff when you come in for a CDL renewal. You will not be required to have a fingerprint/background check.**

**Individuals renewing a CDL or conducting any CDL transaction are required to present a valid medical examiners certificate (DOT card), SPE or waiver/exemption if required.**

### REQUIREMENTS FOR CDL DRIVERS AND HME HOLDERS

Individuals who drive vehicles with a gross vehicle weight rating or gross combination weight rating of 26,001 or more pounds, vehicles designed to transport 16 or more passengers, including the driver, and/or vehicles required to be placarded for HME are required to have a CDL. All CDL holders must have a valid medical certification (DOT card), SPE and waiver/exemption as required.

- If you have a CDL, which authorizes you to operate a CMV in **interstate commerce**, you are required to have a valid Federal Department of Transportation (DOT) physical card in your possession while operating the CMV. The CMV in interstate commerce includes vehicles with a Gross Vehicle Weight Rating (GVWR) of 10,001 pounds or more.
- If you operate a CMV, with a GVWR between 10,001 and 26,000 pounds in **intrastate commerce**, you may do so on a non-commercial Class C license [unless the CMV requires the HME, Passenger, or Passenger and School Bus endorsement(s)] provided you have a valid DOT physical card in your possession while operating a CMV.
- CDL holders who do not meet the physical qualifications required to operate a CMV may apply for an interstate waiver by calling the Federal Highway Administration at 410-962-2889. Information on intrastate waivers may be obtained by calling the MVA at 410-768-7000.
- Drivers of school buses are required to pass an annual physical examination in accordance with 49CFR 391.41 (b). CDL drivers with an **intrastate** waiver are **not** eligible to hold the Hazmat, Passenger or School Bus endorsements.
- CDL holders are required to submit updated medical certification (DOT card) and SPE or waiver/exemption, if required, for the duration of their license and they must declare a self-certification category relating to their type of Interstate/intrastate commerce.

### FINGERPRINT / BACKGROUND CHECK REQUIREMENTS FOR HME HOLDERS "ONLY"

- You will need to schedule an appointment for your MVA Fingerprint/Background check. Visit our website at <https://mvascheduling.mdota.state.md.us> to register for an appointment, then click on the Scheduling Appointment link located in the upper left portion of the screen and follow the directions provided to make an appointment at one of the following MVA offices: **Glen Burnie, Bel Air, Frederick, Salisbury or Waldorf.**
- You may start the background check process at any time after receiving this notice, but it is recommended that you do so no later than 30 days prior to the expiration date of your license.
- On your appointment day, you will visit a designated MVA location to be fingerprinted and begin the fingerprint background check and CDL renewal process. **You must bring documented proof of your U.S. citizenship or lawful permanent resident status, your current Maryland CDL and a valid medical certification (DOT card) with your federal waiver/exemption if required. \*Note: Birth Registration Notices and hospital issued birth certificates are not acceptable. Acceptable sources of proof are:**

#### U.S. Citizen • Valid, unexpired U.S. Passport

- Certified copy of a birth certificate filed with a State Office of Vital Statistics or equivalent agency in the individual's State of birth, Puerto Rico, the Virgin Islands, Guam, American Samoa or the Commonwealth of the Northern Mariana Islands.
- Consular Report of Birth Abroad (CRBA) issued by the U.S. Department of State.
- Certificate of Naturalization issued by the U.S. Department of Homeland Security (DHS).
- Certificate of Citizenship issued by DHS.

#### Lawful Permanent Resident • Valid, unexpired Permanent Resident Card, issued by USCIS or INS.

- On your appointment day, you must pass the CDL HAZMAT knowledge test in order to renew your CDL with HME. You must present a VALID DOT physical card and federal exemption/waiver if required.
- You will be charged for two separate transactions at the MVA: 1). the MVA CDL renewal fee is payable by cash, check, money order, Master Card, Visa or American Express. 2). the State and federal fingerprint/background checks and the TSA processing fee is \$90.50. This fee may be paid by Master Card, Visa or Discover credit cards or by check or money order payable to the CJIS Central Repository. CASH is NOT accepted.
- Your fingerprint records will be forwarded to the Maryland Department of Public Safety & Correctional Services Criminal Justice Information Systems for a Federal and State criminal background check.
- The TSA determines the final security threat assessment of all HAZMAT applicants. You MUST receive a "0"-zero TSA assessment.

**A HAZMAT endorsement will not be issued to anyone convicted of the disqualifying crimes or if you do not meet the qualifications below, you are required to immediately surrender the CDL with HME to a MVA office. If you would like more information on the TSA approval process, please go to [www.tsa.gov](http://www.tsa.gov) (Once at the site, use search word "HAZMAT"). For general questions, please visit our website at [www.MVA.Maryland.gov](http://www.MVA.Maryland.gov) or call our CDL Hotline at 1-800-344-7309. Any questions on criminal convictions, please call TSA directly at 866-289-9673.**

### **Section 1: List of Disqualifying Criminal Offenses for Hazardous Materials Endorsement**

#### **Part A. Interim Disqualifying Offenses**

These crimes are only disqualifying if they are considered felonies in the appropriate jurisdiction, civilian or military. A driver will be disqualified from holding a hazmat endorsement if he or she was convicted\* or found not guilty by reason of insanity within the last seven years or was released from prison within the last five years for any of the following crimes:

- Assault with intent to murder
- Kidnapping or hostage taking
- Rape or aggravated sexual abuse
- Unlawful possession, use, sale, manufacture, purchase, distribution, receipt, transfer, shipping, transporting, delivery, import, export, or dealing in a firearm or other weapon.
- Dishonesty, fraud, or misrepresentation, including identity fraud.
- Bribery, Smuggling, Extortion, Arson or Robbery
- Immigration violations
- Violations of RICO (Racketeer Influenced and Corrupt Organizations) Act or a comparable state law of an Interim Disqualifying crime.
- Distributions of, possession with intent to distribute, or importation of a controlled substance (State laws vary on the quantity of marijuana required for the offense to be considered a felony. Typically, however, to be convicted of felony marijuana possession, a person must possess a quantity of marijuana greater than an amount considered for "personal use".)
- Conspiracy or attempt to commit any of these crimes

#### **Part B. Permanently Disqualifying Criminal Offenses**

A driver will be permanently disqualified from holding a hazmat endorsement on a CDL if he or she was ever convicted or found not guilty by reason of insanity of any of the following crimes:

- Espionage, Sedition or Treason
- Any crime listed in 18 U.S.C. Chapter 113B - Terrorism or a comparable state law
- A crime involving a severe transportation security incident (i.e., security incident involving a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area)
- Improper transportation of a hazardous material under 49 U.S.C. 5124 or a comparable state law (minor infractions involving transportation of hazardous materials will not disqualify a driver. For instance, no driver will be disqualified for minor roadside infractions or placarding violations.)
- Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device.
- Murder as defined in 18 U.S.C. 1111
- Conspiracy or attempt to commit any of these crimes.
- Violations of RICO (Racketeer Influence and Corrupt Organizations) Act or a comparable state law of one of these Permanently Disqualifying crimes.

#### **Part C. Under Want or Warrant**

A driver will be disqualified from holding a hazmat endorsement on a CDL if he or she is wanted or under indictment in any civilian or military jurisdiction for a felony listed under Part A or Part B until the want or warrant is released.

**\*Convicted means any plea of guilty or nolo contendere or any finding of guilt.**

**Section 2. Permissible Immigration Status to Hold Hazardous Materials Endorsement** (A customer may **not** apply for a HAZMAT endorsement unless they can provide acceptable proof of U.S. citizenship as listed on the front of this form.)

An applicant for an HME must be one of the following:

- A citizen of the U.S. who has not renounced his/her U.S. citizenship.
- A lawful permanent resident of the U.S. as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101)
- A lawful nonimmigrant in possession of valid, unrestricted employment authorization.
- A refugee admitted under section 8 U.S.C. 1157 in possession of valid unrestricted employment authorization.
- In asylum status under section 8 U.S.C. 1158 in possession of valid, unrestricted employment authorization.

### **Section 3. Privacy Act and Paperwork Reduction Act Notices**

**Privacy Act Notice:** The authority for collecting this information is 49 U.S.C. 114, 40113 and 49 U.S.C. 5103a.

**Purpose:** This information is needed to verify your identity and to conduct a security threat assessment to evaluate your suitability for a hazardous materials endorsement for a commercial driver's license. Your Social Security Number (SSN) or alien registration number will be used as your identification number in this process and to verify your Identity. Furnishing this information, including your SSN or alien registration number, is voluntary; however, failure to provide it will prevent the completion of your security threat assessment, without which you may not be granted a hazardous materials endorsement.

**Routine Uses:** Routine uses of this information include disclosure to the FBI to retrieve your criminal history record; to TSA contractors or other agents who are providing services relating to the security threat assessment; to appropriate governmental agencies for licensing, law enforcement, or security purposes, or in the interests of national security; and to foreign and international governmental authorities in accordance with law and international agreement.



Apply to register to vote with your driver's license transaction. For details ask your customer service representative.