

# ***PMAA REGULATORY ALERT***

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## ***TSA EXTENDS EXPIRED HAZARDOUS MATERIAL ENDORSEMENTS THROUGH OCTOBER 29, 2020***

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### **TSA Issues 90-day Extension of Exemption that Allows States to Extend Validity of Expiring Hazardous Material Endorsements**

The Transportation Security Administration (TSA) is extending an exemption that will allow states to recognize the validity of expired hazardous material endorsements (HMEs) through **October 29, 2020**. The original TSA exemption was issued in April and is set to expire on July 31<sup>st</sup>. PMAA worked closely with the TSA to obtain the extension because many drivers are still unable to renew their HME due to state motor vehicle licensing agency closures, shortened hours of operation or appointment only processing.

#### **TSA Exemption**

The TSA is exempting drivers from the federal requirement that they must first undergo and pass a security threat assessment (fingerprinting and background check) before a state can issue an HME renewal. By waiving the federal security threat assessment requirement, the TSA is opening the door for state motor vehicle licensing agencies to recognize the validity of expired HMEs over the same period of the exemption. States would not have the authority to extend the validity of expired HMEs without the TSA first exempting drivers from the federal security threat assessment requirement.

Under the TSA exemption, the validity of expired HMEs is extended through October 29, 2020 **provided:**

- The state where the driver is licensed **chooses** to extend the validity of expired HMEs, and
- The driver's HME expired on or after March 1, 2020.

***Important!*** This is not a blanket extension of expired HMEs. Each state motor vehicle licensing agency has the **sole discretion** to decide whether or not it will extend the validity of expired HMEs issued by their state. States are likely to make that decision based on the access drivers have to HME renewal locations.

***Important!*** Drivers in states **not** extending the validity of expired HMEs **must** undergo the TSA security threat assessment as a precondition for HME renewal.

### **State Notification**

The TSA requires states adopting an extension to notify drivers that expired HMEs remain valid for the duration of the extension period. States may notify drivers individually or by posting on a state website.

### **FMCSA Waivers**

The TSA exemption is important because it runs concurrent with the duration of the Federal Motor Carrier Safety Administration's waiver extending expiring CDL licenses and driver medical certificates through September 30, 2020.

The TSA exemption will appear in the Federal Register next week

***Got Questions? Contact Mark S. Morgan, Regulatory Counsel at [mmorgan@pmaa.org](mailto:mmorgan@pmaa.org)***