



# PUBLIC SCHOOLS OF NORTH CAROLINA

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DEPARTMENT OF PUBLIC INSTRUCTION :: Patricia N. Willoughby, *State Superintendent*

May 10, 2005

## MEMORANDUM

TO: All Transportation Directors

FROM: Derek Graham, Section Chief  
Transportation Services

Dr. Ben Matthews, Director  
School Support Division

SUBJECT: Federal Security Threat Assessment for CDL HAZMAT Endorsement

At the time of their license renewal, holders of a Commercial Driver's License (CDL) with a Hazardous Materials (HAZMAT) endorsement are being provided information about a new security threat assessment that is now required by the Transportation Security Administration (TSA) of the U.S. Department of Homeland Security. A Division of Motor Vehicles memorandum dated February 11, 2005 (posted at [www.ncbussafety.org](http://www.ncbussafety.org)) explains the details, including the following:

1. TSA has contracted with Integrated Biometric Technology (IBT) to collect the required \$94 non-refundable fee and to collect the application data, signature and fingerprints.
2. The memo includes a list of HAZMAT Endorsement Disqualifying Crimes.
3. Federal regulations require renewal applications to be filed no later than 30 days prior, but it may take TSA 120 days to process an application.
4. Individuals who have a CDL with a HAZMAT endorsement who do not meet the requirements are required to surrender their CDL with the HAZMAT endorsement.

There is no provision for an exemption from the federal security threat assessment for holders of a CDL with HAZMAT endorsement. Any CDL driver requiring the HAZMAT endorsement must pay the \$94 fee and submit to the assessment.

However, employees of the school system are exempt from having the "H" endorsement as long as they are driving for the city, county, state and federal government and the load is not being transported to be sold (which would be considered for commerce). This is the same government exemption that applies to most Federal Motor Carrier Safety Regulations. Similarly, the fuel trucks used for a government purpose do not have to display a placard.

LEAs are encouraged to be aware of the TSA requirements and the obvious reasons for these regulations and to make informed decisions on whether or not to require drivers of county fuel trucks to obtain a HAZMAT endorsement for their CDL.

... **DIVISION OF SCHOOL SUPPORT, TRANSPORTATION SERVICES**

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