



Wisconsin Department of Transportation

www.dot.wisconsin.gov

Jim Doyle
Governor

Frank J. Busalacchi
Secretary

Division of Motor Vehicles
Records & Licensing Information Section
P O Box 7995
Madison, WI 53707-7995

BDS321 9/2003

Telephone: (608) 266-2353
Teletypewriter (TTY): (608) 267-3636
E-mail: dotrlisd@mail.state.wi.us

**THIS NOTICE IS FOR WISCONSIN CDL HOLDERS WITH A
HAZMAT ("H") ENDORSEMENT - FOR INFORMATION ONLY
NO ACTION IS REQUIRED AT THIS TIME**

The Transportation Security Administration (TSA) passed a Federal Interim Rule that originally had a November 3, 2003 effective date, but that date has been delayed, and a new date has not been announced. The following information will apply to CDL holders with a hazmat ("H") endorsement when that date is determined. WisDOT wants you to know that these changes are coming. Once TSA provides a new implementation date to the states, WisDOT will alert you immediately.

*** CHANGES YOU NEED TO KNOW RELATING TO YOUR "H"
ENDORSEMENT ***

1. To keep your "H" endorsement, the USA Patriot Act requires a security background check by the Transportation Security Administration (TSA).
2. The background check includes providing a set of your fingerprints to TSA.
3. CDL holders without an "H" endorsement are not affected by this new rule.
4. Certain criminal offenses will require CDL holders to surrender the "H" endorsement.
5. The definition of hazardous materials has been expanded to include, "transporting any quantity of a material listed as a select agent or toxin under 42 CFR part 73". If you have questions, check with your employer or the Madison office of the Federal Motor Carrier Safety Administration (FMCSA) at 608-662-2010.

See Reverse Side

You will not be able to obtain, renew, or transfer an “H” endorsement if you:

- are not a U.S. citizen or lawful permanent resident;
- have a disqualifying criminal offense or felony;
- are ruled mentally incompetent or involuntarily committed to a mental institution;
- pose a threat of terrorism or a threat to national or transportation security as determined by TSA.

If you have been notified by the TSA that you are not eligible to hold an “H” endorsement, you may request an appeal or waiver directly from TSA. An appeal can be requested if the information used to disqualify you is incorrect. However, a waiver must be requested if the information used to disqualify you is correct, but there were justifiable circumstances.

Waiver and appeal requests must be filed with TSA within 15 days of notification. TSA must respond to your appeal or waiver request within 30 days.

Once TSA determines new dates for an interim final rule, it will publish guidelines and procedures for states to follow. At that time, WisDOT will send you an “H” endorsement application and fingerprint procedure at least 180 days before the expiration of your “H” endorsement. This will allow you time to submit your fingerprints and receive a response from TSA before your “H” endorsement expires.

Your first “H” endorsement could be valid for up to 5 years (depending upon the expiration date of your existing license). All future “H” endorsements are valid for 4 years. A background check and fingerprinting will be required every time you renew your “H” endorsement.

WisDOT will work to keep you posted about important changes affecting your “H” endorsement by updating its Web site (<http://www.dot.wisconsin.gov/drivers/drivers/apply/types/commercial.htm>), and through updates with your driver license renewal notice. If you need more information please visit our website or call us at (608) 266-2353.