

**ISSUE NUMBER**

23-014-DRV

**ISSUE NAME**

OOSC, Part I, Item 3. Commercial Driver's License, c. Endorsements and Restrictions - Hazmat Endorsement

**STATUS**

Closed

Driver-Traffic Enforcement Committee

**NAME**

Master Trooper Jason Lambert

**AGENCY**

Maryland State Police - Commercial Vehicle Enforcement Division

**ADDRESS**6855 Deerpath Road, Suite G  
Elkridge, Maryland 21813  
United States**PHONE**

443-677-7490

**EMAIL**[jason.lambert@maryland.gov](mailto:jason.lambert@maryland.gov)**SUMMARY OF ISSUE**

Part 383 allows states to issue a CDL with an 8-year expiration date. (383.73(b)(9)) The Hazmat Endorsement (H) is only valid for a period of 5 years because of the requirements of the TSA screening requirements. (383.141(d)) The H endorsement's expiration date differs from the CDL expiration date, and there is no guidance for an inspector roadside.

**JUSTIFICATION OR NEED**

Not having the proper endorsement, when required, is an out-of-service condition for the driver. The different expiration date has caused confusion with roadside inspectors. If the TSA screening is expired, the driver does not have a Hazmat Endorsement (H), which should be noted as out-of-service on the inspection report. The lack of inspection guidance or notation in the out-of-service criteria has caused differing enforcement roadside.

**REQUEST FOR ACTION**

Addition of a "note" under Part I, 3. Commercial Driver's License, c. Endorsements and Restrictions that provide guidance to inspectors that an expired TSA Hazmat Determination/TSA Screening means the Hazmat Endorsement is expired resulting in an out-of-service condition.

Suggested language: NOTE: A U.S. Driver's Hazardous Materials (H) endorsement requires a TSA Screening/Hazmat Determination to be completed every five (5) years. Declare driver out of service if Nlets or CDLIS shows the TSA Screening/Hazmat Determination is expired.

**ACTION TAKEN BY COMMITTEE**

HM endorsements require a TSA screening every five years, however, CDLs may be valid beyond five years. A note was needed to clarify that if a driver fails to update their TSA screening, the HM endorsement is no longer valid. A note was added stating that the driver would be placed out of service if the driver is transporting HM in a quantity requirement that requires placards. Action item submitted to CVSA Board of Directors and passed unanimously.

NOTE: A U.S. driver's hazardous materials (H) endorsement requires a TSA screening/HM determination to be completed every five years. Declare driver out of service if Nlets or CDLIS shows the TSA screening/HM determination is expired and the driver is transporting HM in a quantity that requires a HM endorsement.