



REGULATORY ALERT

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TSA ALLOWS STATES TO EXTEND EXPIRING HME ENDORSEMENTS FOR CDL DRIVERS THROUGH 12/31/20

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The Transportation Security Administration (TSA) has granted an extension of the exemption that allows state motor vehicle licensing agencies to extend expiring CDL driver hazardous material endorsements through **December 31, 2020**. The current HME extension was set to expire on October 30, 2020. The TSA action is important to petroleum marketers and heating fuel dealers because it ensures CDL drivers with expiring HMEs can maintain their licensure without interruption during the coronavirus emergency.

The Energy Marketers of America (EMA) has been working closely with the TSA for the past month gathering survey information about state licensing agency processing delays. The survey revealed that states are still experiencing closures and extended processing delays due to the ongoing COVID-19 emergency. Many drivers are reporting processing delays and appointments for renewal that extend out months after their HME expiration date. Last month, the Federal Motor Carrier Safety Administration (FMCSA) extended the CDL licensure exemption through December 31, 2020. EMA successfully argued that the TSA extension should mirror the FMCSA CDL extension date for due to the ongoing processing delays seen nationwide.

FURTHER STATE ACTION REQUIRED

Under TSA regulations, a state may not issue or renew an HME for a CDL unless the state first receives a Determination of No Security Threat on the driver from the TSA. Drivers renewing their HME are required to initiate an STA at least 60 days before expiration. The process of initiating an STA requires drivers to submit information either to the State licensing agency or to TSA enrollment center, including fingerprints and background information. However, measures to prevent the spread of COVID-19 make this process difficult if not impossible for drivers.

IMPORTANT! The TSA announcement does not provide an automatic extension of HMEs nationwide. Instead, each State must issue their own waiver for the automatic extension to become effective within the State. States are expected to grant similar waivers given the inability of drivers to initiate an STA due to COVID-19 closures. EMA association executives seeking to obtain an HME extension must go through their State agencies responsible for CDL HME licensure. The TSA announcement can be downloaded [here](#).

IMPORTANT! TSA continues to urge drivers to begin the renewal process 60 days prior to their HME expiration date.