

## ATTENTION FIRST TIME HAZARDOUS MATERIAL ENDORSEMENT APPLICANTS

The New Jersey Motor Vehicle Commission is providing this notice to inform all Commercial Driver License (CDL) applicants of federal requirements that may affect your ability to obtain a CDL with Hazardous Material Endorsement (HME).

A person convicted of certain offenses is prohibited from holding a CDL with HME under the Federal Threat Assessment Standards, which require that any driver who has been convicted or found not-guilty-by-reason-of-insanity (by a military or civilian court) in the past seven years of a disqualifying felony (listed below), or was released from prison in the past five years, or is wanted or under indictment for committing any disqualifying felony, or has been found mentally incompetent, will not be permitted to obtain, retain, transfer or renew the HME for their CDL.

### **DISQUALIFYING FELONIES:**

- Violent acts (against others) including rape or sexual assault, kidnapping or hostage taking, arson, robbery and assault with intent to kill.
- Identity theft, fraud, money laundering, extortion and/or bribery
- Immigration violations, smuggling and/or violations of the RICO Act
- Distribution of, intent to distribute, or importation of a controlled dangerous substance
- Unlawful possession, use, sale, purchase, distribution, receipt, or transfer of a firearm
- Fraudulent entry into a seaport
- Conspiracy to commit any of these crimes

Additionally, the Federal Threat Assessment Standards require that a driver also be disqualified from holding an HME if he or she was ever convicted or found not-guilty-by-reason-of-insanity of any of the following crimes:

- A federal crime of terrorism or comparable state law
- Crimes involving a transportation security incident
- Unlawful use, possession, sale, distribution or manufacturing of an explosive device
- Improper transportation of hazardous materials
- Espionage, sedition or treason
- Murder
- Making any threat, or conveying false information concerning the deliverance, placement, or detonation of an explosive or other lethal device in or against a place of public use, a state or government facility, a public transportation system, or an infrastructure facility.
- Conspiracy or attempt to commit any of these crimes

Currently, persons who have the above disqualifications **are not** prohibited from holding a basic CDL or applying for other endorsements. **If, however, you have any of the disqualifications as explained above, do not apply for a Hazardous Material Endorsement.**

In order for you to obtain an HME on your CDL, you must complete the Transportation Safety Administration (TSA) application form electronically, submit your fingerprints and pass the HME Knowledge Test (administered at an MVC Driver Testing Center). In New Jersey, TSA's vendor will collect fingerprints and background check fees. Please contact TSA's fingerprint vendor, **Morpho Trust USA** at 1-855-347-8371, or access their web site at <https://universalenroll.dhs.gov> to complete the application process and to obtain fee and fingerprint collection information. Fingerprinting fees are to be paid directly to Morpho Trust USA. You are required to present your NJ CDL or CDL permit at time of fingerprinting. **Please visit the TSA website at <https://www.tsa.gov/for-industry/hazmat-endorsement> for additional proof of identity documents.** While conducting business with the NJ Motor Vehicle Commission, you must also comply with the "6 Point ID Verification" program and provide proof of your Social Security Number.

If you are cleared to hold an HME, TSA will report the results to you and the MVC. Provided you have met and completed all other CDL requirements (i.e., applications, fees, permit, testing, medical), you will be issued a CDL with HME and all other endorsements you are qualified to hold. Commercial Driver Licenses are issued at any of the 39 Motor Vehicle Agencies.

If you receive an Initial Threat Determination and believe an error was made, you may appeal to TSA at the address noted below. The MVC cannot make determinations regarding qualification or disqualification for HME. If you are uncertain about these requirements, or have any general questions about the Patriot Act rule, please contact the TSA at: [patriotact@dhs.gov](mailto:patriotact@dhs.gov). Individuals with questions about the Waiver/Appeals process should contact the TSA at: [hazmatwaiver@dhs.gov](mailto:hazmatwaiver@dhs.gov). Waiver requests and appeals should be sent Federal Express only to the following address:

**Transportation Security Administration  
TSA HAZMAT Processing Center  
P.O. Box 8117  
Fredericksburg, VA 22404-8117**

Federal requirements include penalties for drivers who have disqualifying offenses but knowingly apply for and hold an HME or intentionally provide inaccurate information. The penalties may include imprisonment for up to five years, a fine of up to \$250,000, or both.