



Florida Department of Agriculture and Consumer Services
 CHARLES H. BRONSON, Commissioner
 The Capitol • Tallahassee, FL 32399-0800

Please Respond to:

August 7, 2003

Ms. Toni Caithness
 Florida Pest Management
 6882 Edgewater Commerce Parkway
 Orlando, Florida 32810-4281

Dear Ms. Caithness.

Toni

As a result of September 11, multiple Domestic Security initiatives have been established to address potential problems in various areas. One in particular is the U. S. Patriot Act passed in 2002 by Congress, which pertains to hazardous materials endorsement for commercial truck drivers. The U. S. Transportation Security Administration has just completed the rules for this initiative and is beginning to implement the process. The Florida Department of Highway Safety and Motor Vehicles (FDHSMV) recently sent out notification of rule changes to 175,000 holders of Commercial Drivers Licenses with a hazardous material endorsement.

I am attaching a copy of the letter that was sent by the FDHSMV as you may find that this Act affects some of your members whose employees or contractual drivers carry Hazmat endorsed Florida Commercial Drivers Licenses. The Department of Highway Safety and Motor Vehicles has assured us that they are continuing their efforts to work with all related parties to ensure a smooth implementation of these new Federal requirements.

If any questions arise from your members regarding the implementation of the new CDL/Hazmat requirements, please contact Mr. Skip Hood with the FDHSMV at (850) 922-9064.

Sincerely,

Charles H. Bronson

CHARLES H. BRONSON
 COMMISSIONER OF AGRICULTURE

CHB/cg
 Attachments



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This notice is intended to prepare you for any changes in your CDL status. CDL holders without Hazmat endorsements will not be affected. If you currently have a Hazmat endorsement on your CDL and wish to keep it, or if you want a Hazmat endorsement in the future, the *USA Patriot Act* now requires a federal security check.

On May 5, 2003, the Transportation Safety Administration (TSA) and the Federal Motor Carrier Safety Administration (FMCSA) published the standards, procedures, and schedules that state driver licensing authorities and Hazmat-endorsed CDL holders must follow. The most current, detailed information may be viewed through the Department's web site at www.hsmv.state.fl.us. The following is a summary of pertinent information:

Beginning September 2, 2003, drivers qualified to hold Hazmat-endorsed CDLs must meet these standards:

- 1) US citizen or lawful permanent resident
- 2) No disqualifying criminal offenses
- 3) Not adjudicated mentally incompetent or committed to a mental institution
- 4) Not assessed by TSA as posing a threat of terrorism, a threat to national security, or to transportation security

TSA is presently conducting name-based background checks on all Hazmat-endorsed CDL holders. If they determine that a driver fails to meet the criteria for retention of his or her Hazmat endorsement, TSA will notify the affected driver and the Department of Highway Safety and Motor Vehicles (DHSMV). An affected driver will have the option to appeal the decision with TSA. If and when TSA notifies the DHSMV that the determination of ineligibility is final, DHSMV will withdraw the driver's Hazmat endorsement.

Drivers are also asked to self-report and surrender their Hazmat endorsements if and when any disqualifying condition(s) occur. The necessary forms and procedures are under development.

Beginning November 3, 2003, TSA will require a fingerprint-based background check for drivers renewing CDLs with Hazmat endorsements and drivers seeking to obtain a Hazmat endorsement. The application process, including fingerprinting, will be offered at selected Florida Driver License Offices. There will be an application fee to cover the charges of various agencies involved in conducting the background checks. Exact amounts have not been determined, but are expected to range from \$50 to \$100.

Drivers with existing Hazmat endorsements will be notified 180 days in advance of their renewal dates to allow time for completion of the security check before their licenses expire. DHSMV will extend expiration dates during the start-up phase to allow the full 180 days notice. DRIVERS WHO FAIL TO APPLY IN TIME RISK A LAPSE IN THEIR ELIGIBILITY TO TRANSPORT HAZARDOUS MATERIALS.

The background checks must be repeated with each renewal of a Hazmat-endorsed CDL. Due to the maximum interval allowed between background checks, all Hazmat-endorsed Florida CDLs will expire in four years from their dates of issuance.

The Department will provide further information on procedures to renew your Hazmat-endorsed CDL in your mailed renewal notice. TO AVOID MISSING INFORMATION THAT MAY AFFECT YOUR LIVELIHOOD, PLEASE BE SURE TO KEEP YOUR DRIVER RECORD UPDATED WITH YOUR CURRENT ADDRESS, AS REQUIRED BY LAW. Your driver record address may be updated in any Florida Driver License Office.

Thank You.