

S 1750

Hazmat Endorsement Requirements Act

**Congress:** 107 (2001–2003, Ended)

**Chamber:** Senate

**Policy Area:** Transportation and Public Works

**Introduced:** Nov 30, 2001

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 550.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 550. (Aug 1, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/senate-bill/1750>

Sponsor

**Name:** Sen. Hollings, Ernest F. [D-SC]

**Party:** Democratic • **State:** SC • **Chamber:** Senate

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Breaux, John B. [D-LA]	D · LA		Nov 30, 2001
Sen. McCain, John [R-AZ]	R · AZ		Nov 30, 2001
Sen. Smith, Gordon H. [R-OR]	R · OR		Nov 30, 2001
Sen. Hatch, Orrin G. [R-UT]	R · UT		Dec 17, 2001

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Aug 2, 2002

Subjects & Policy Tags

**Policy Area:**

Transportation and Public Works

Related Bills

No related bills are listed.

Hazmat Endorsement Requirements Act - Amends the Federal transportation code, as amended by the USA PATRIOT Act, with respect to hazardous materials (hazmat) transportation. Requires States to: (1) implement a program of background records checks for operators of commercial motor vehicles transporting a hazardous material; and (2) deny a hazmat endorsement for the license of any otherwise qualified commercial driver unless the Secretary of Transportation has determined that the individual does not pose a security risk warranting such denial.

(Sec. 2) Prohibits denial of a hazmat endorsement for an otherwise qualified individual unless within ten years before application for a background investigation the individual was convicted (or found not guilty by reason of insanity) of one or more specified criminal offenses, or acts for which the individual may be denied admission to, or removed from, the United States under the Immigration and Nationality Act.

Allows the Secretary of Transportation to consider mitigating circumstances from which it may be reasonably concluded that the individual does not pose a security risk warranting denial of endorsement.

Requires the Attorney General, upon a State's request, to conduct a background records check and, if appropriate, take criminal enforcement action required by any information developed in the course of the check. Specifies the contents of any such check.

Denials availability to the public under the Freedom of Information Act of any information the Attorney General or the Secretary obtain in the course of a check. Requires the Secretary to maintain confidentiality about such information.

Permits the Secretary to waive State compliance with the requirement of prior background checks before renewing an endorsement or license to the extent necessary to avoid the interruption of service by a license holder while a background check is being completed, unless such interruption is due to the license holder's failure to: (1) comply with renewal requirements; or (2) furnish necessary documentation in a timely manner.

(Sec. 3) Prohibits individuals from operating a commercial motor vehicle transporting hazardous materials without a proper hazmat endorsement or license issued by a State, Canada, or Mexico after a background check meeting the requirements of this Act.

(Sec. 4) Prescribes criminal penalties for the fraudulent issuance, renewal, upgrade, or transfer of a commercial driver's license or endorsement, or the attempt to commit any such offenses.

(Sec. 5) Directs the Secretary to assess and report to specified congressional committees on the security risks associated with motor carrier transportation and develop prioritized recommendations for improving the security of hazmat shipments by motor carriers, among other things.

(Sec. 6) Requires the Secretary to research and test the feasibility, costs, and benefits of requiring motor carriers transporting certain hazardous materials to install ignition or engine locking devices, silent alarms, satellite technology, or other mechanisms to increase security. Authorizes a pilot program to assess such devices.

## Actions Timeline

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- **Aug 1, 2002:** Committee on Commerce, Science, and Transportation. Reported by Senator Hollings with an amendment in the nature of a substitute. With written report No. 107-241.
- **Aug 1, 2002:** Committee on Commerce, Science, and Transportation. Reported by Senator Hollings with an amendment in the nature of a substitute. With written report No. 107-241.
- **Aug 1, 2002:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 550.
- **Apr 18, 2002:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Nov 30, 2001:** Introduced in Senate
- **Nov 30, 2001:** Sponsor introductory remarks on measure. (CR S12252-12253)
- **Nov 30, 2001:** Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR S12253-12254)