

COMMENTS - DOCKET #FMCSA-2001-11117-13

The proposed rule requiring all CDL drivers renewing their Hazardous Material Endorsement, to submit to fingerprints and a background check, serves absolutely no purpose. This rule will not increase security in our transportation system or establish any safeguards for the transportation of dangerous commercial products. Any terrorist planning on using a commercial vehicle in an act of terrorism, is not going to submit fingerprints, wait for a 90 day background check, and then go back to get his Haz Mat endorsement on his CDL. At best, the terrorist will steal an unattended commercial vehicle. More realistically, they will put a bullet in the driver's head at a rest area or truck stop, and then steal the vehicle.

In the construction industry, many drivers only need their Haz Mat endorsement a few times a year. A lot of our drivers are seasonal and only transport small quantities of fuel in tanks on service trucks and fuel carts for the purpose of filling equipment on the jobs. Some of these units are only on public roadways when we move from job to job. This rule will create a lot of inconvenience and financial liability for our occasional drivers as well as the company.

Although I disagree with the background check, I think a more convenient and less costly system is already in place. I am asking that you consider using the National Instant Check System (NICS).

The NICS;

- (1) Can be done at the point of contact.
- (2) Can be done instantly.
- (3) Already has funding.
- (4) Is free to applicants.
- (5) Database already exists.
- (6) Has already proven that it works in the firearms industry.

End.