Idaho Transportation Department Division of Motor Vehicles provides the following comment to the Federal Motor Carrier Safety rule 49 CFR Part 383 and 384: Limitations on the Issuance of Commercial Driver's Licenses with a Hazardous Materials Endorsement; Interim Final Rule:

- When moving to another state, license CDL holders are required to transfer their CDL in the new state of residence within thirty days. [FMCSA Safety Regulations § 383.71(b)]. Under the new TSA rule, CDL drivers with hazmat endorsements are required to obtain a security risk assessment when transferring from another state. The security risk assessment could take 90 days to complete, and the new state cannot issue a CDL with a hazmat endorsement until the security risk assessment is completed. If hauling hazmat is the driver's occupation, the new regulations force the individual to not work until the security risk assessment is complete. States will be blamed for this inconvenience. Idaho finds this provision to be unreasonable. There should be coordination of regulations to either change the 30 day requirement in the FMCSA regulation or allow a waiver of the security risk assessment if the driver had an assessment submitted and completed in the previous state within the prior five years.
- The CDLIS flag for security risk assessment results will be a useful tool, but, TSA needs to notify the driver one way or the other of the security risk assessment results. Currently the regulation only calls for the driver to be notified if TSA sends out a final notification of threat assessment. Drivers also need the "notification of no security threat" to be sent directly to them, to know when to return to the DMV to obtain their driver's license. By requiring the state to do this notification, there could be potential delay, not to mention the needless cost of postage and programming. Preparation for states to implement the TSA rule much simpler without needing to create program triggers, letter printing programs and notification programs. It is unreasonable and inefficient to require 50+ states and jurisdictions to individually create this programming, when TSA could streamline and do the programming and notification, once and for all.
- TSA has not specified how the application form from the driver is transmitted with the fingerprints.
- If a state is not in compliance by November 3rd, 2003, and does-not initially require the security risk assessment until a later date, it is unclear as to how that state could later come into compliance. Would any CDLs with a hazmat endorsement issued after November 3, 2003 have to be cancelled to come back into compliance?
- Idaho has no renewal notice for CDLs. It is believed that federal funding should be provided for costs related to programming for creation of renewal notices and ongoing postage costs.