

COMMERCIAL DRIVER LICENSE DISQUALIFYING CRIMINAL OFFENSES

A driver will be disqualified from holding a hazardous material endorsement on his/her commercial driver's license if he/she was convicted or found not guilty by reason of insanity within the previous seven years or was released from prison in the last five years for any of the following crimes:

- a) Assault with intent to murder
- b) Kidnapping or hostage taking
- c) Rape or aggravated sexual abuse
- d) Unlawful possession, use, sale, manufacture, purchase, distribution, receipt, transfer, shipping, transporting, delivery, import, export of or dealing in a firearm or other weapon
- e) Extortion
- f) Dishonesty, fraud, or misrepresentation, including identity fraud
- g) Bribery
- h) Smuggling
- i) Immigration violations
- j) Violations of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. 1961, et seq., or a State law that is comparable, other than the violations listed in paragraph (j) of Part B: Permanently Disqualifying Criminal Offenses
- k) Robbery
- l) Distribution of, intent to distribute, or importation of a controlled substance
- m) Arson
- n) Conspiracy or attempt to commit the any of these crimes

Permanently Disqualifying Criminal Offenses:

A driver will be permanently disqualified from holding a hazardous material endorsement on his/her commercial driver's license if he/she was convicted or found not guilty by reason of insanity for any of the following crimes:

- a) Espionage
- b) Sedition
- c) Treason
- d) A crime listed in 18 U.S.C. Chapter 1 113B—Terrorism, or a State law that is comparable
- e) A crime involving a transportation security incident
- f) Improper transportation of a hazardous material under 49 U.S.C. 5124 or a State law that is comparable
- g) Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device
- h) Murder
- i) Conspiracy or attempt to commit any of these crimes
- j) Violations of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. 1961, et seq., or a State law that is comparable, where one of the predicate acts found by a jury or admitted by the defendant, consists of one of the offenses listed in paragraphs (d) or (h) of this section

A driver will be disqualified from holding a hazardous material endorsement on his/her commercial driver's license if he/she is wanted or under indictment in any civilian or military jurisdiction for a felony listed under Part A or Part B until the want or warrant is released.

Permissible Immigration Status to Hold hazardous Materials Endorsement

An applicant for a hazardous material endorsement must be one of the following:

- a) A citizen of the U.S. who has not renounced his/her U.S. citizenship
- b) A lawful permanent resident of the U.S. as defined in section 1 01(a) (20) of the Immigration and Nationality Act
- c) A lawful nonimmigrant in possession of valid, unrestricted employment authorization
- d) A refugee admitted under section 8 U.S.C. 1157 in possession of valid, unrestricted employment authorization
- e) In asylum status under section 8 U.S.C. 1158 in possession of valid, unrestricted employment authorization

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