



TEAMSTERS Safety & Health FACTS

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HAZMAT BACKGROUND CHECKS - DISQUALIFYING CRIMES

The list of disqualifying crimes was specifically designed to identify those most likely to endanger the nation's transportation network and is comparable to background reviews applied to millions of airport and airline employees.

These crimes are only disqualifying if they are considered felonies in the appropriate jurisdiction, civilian or military. A driver will be disqualified from holding a hazmat endorsement if he or she was convicted* or found not guilty by reason of insanity within the last seven years, was released from prison within the last five years, or is wanted or under indictment for any of the following crimes:

- Assault with intent to murder
- Kidnapping or hostage taking
- Rape or aggravated sexual abuse
- Extortion
- Robbery
- Arson
- Bribery
- Smuggling
- Immigration violations
- RICO violations
- Distribution of, possession with intent to distribute, or importation of a controlled substance ("simple possession" of a controlled substance *without* an intent to distribute is **not** considered disqualifying)

* Convicted means any plea of guilty or nolo contendere or any finding of guilt

- Dishonesty, fraud, or misrepresentation, including identity fraud (e.g., felony-level embezzlement, tax evasion, perjury, and false statements to the Federal government)
- Unlawful possession, use, sale, manufacture, purchase, distribution, receipt, transfer, shipping, transporting, delivery, import, export of, or dealing in firearms or other weapons
- Conspiracy or attempt to commit any of these crimes

An applicant will be permanently disqualified from holding a HME if he or she was ever convicted* or found not guilty by reason of insanity of any of the following crimes:

- Murder
- Terrorism
- Espionage
- Sedition
- Treason
- Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device
- RICO violations (if the crime underlying the RICO conviction is on the list of permanently disqualifying crimes)
- A crime involving a transportation security incident (i.e., security incident involving a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area)
- Improper transportation of a hazardous material (minor infractions involving transportation of hazardous materials will not disqualify a driver; for instance, no driver will be disqualified for minor roadside infractions or placarding violations)
- Conspiracy or attempt to commit any of these crimes

* Convicted means any plea of guilty or nolo contendere or any finding of guilt.