

## **US HAZMAT Deadline Looms Without Decision on Canadian Driver ID**

### ***CTA Hoping Proposed FAST Card Solution Will Meet US Requirements***

(Ottawa: May 24, 2006) -- It's taken five years of perseverance and a whole lot of frustration, but the Canadian Trucking Alliance is hoping that very soon it will have confirmation that it's proposed solution to US hazardous material background check requirements will be formally adopted.

Shortly after the events of Sept. 11, 2001, the United States passed the Patriot Act, a sweeping piece of legislation designed to prevent further terrorist acts from occurring on US soil. An important component of the law is the need for security checks on commercial truck drivers moving hazardous materials. A regulation made pursuant to the Patriot Act established a process whereby US drivers either applying for or renewing a hazardous materials endorsement on a state-issued drivers license would be required to undergo a background security check. A phase in of the process for US drivers began in May 2005, and Canadian drivers have until Aug. 10 of this year to comply.

The problem for Canadian carriers and drivers is that neither the Patriot Act nor the regulation outlined how foreign drivers moving hazardous materials can comply with the background check requirement. In order to break the impasse -- and knowing that the US trucking industry will not tolerate a situation where US drivers have to meet requirements that Canadian drivers do not -- CTA proposed Canadian drivers use their FAST cards as evidence of having undergone security checks.

"We saw it as a win-win proposition," said CTA CEO David Bradley. "It would satisfy US government concerns about security checks for hazmat drivers and it would provide further value to the FAST card."

It seems most agreed with CTA, but getting a decision out of Washington has been a frustrating process.

Now, almost five years since CTA first made the proposal, it appears as if the United States is about to make a final decision. According to a statement issued today by Transport Canada: "...it is expected that, on an interim basis, the Free and Secure Trade (FAST) commercial driver card will be accepted as proof that drivers registered to operate in Canada have met the new U.S. requirements. In addition, it is expected that this interim solution will also apply to drivers hauling explosives into and throughout the U.S., instead of the TC-ERD drivers list [a process jointly operated by Transport Canada and NRCAN to permit Canadian driver compliance with the US Safe Explosives Act.]

"While final acceptance by the United States Government has not been finalized nor is it guaranteed, the Government of Canada is confident that the FAST card will meet the new TSA requirements for background checks for dangerous goods drivers as required by SAFETEA-LU. In order to meet the Aug. 10, 2006 deadline, it is strongly recommended that dangerous goods drivers licenced in Canada apply as soon as possible to allow for adequate processing time of a potentially large number of new FAST applicants."

But a final decision should have been made by now, said Bradley, who nevertheless expects the US government will finally accept the FAST card.

“It’s taken an awfully long time to reach this stage, and frankly we are frustrated that a final decision has still not been made less than three months prior to the deadline. Drivers and carriers should have had more time to prepare themselves to comply with the law. However, our sources in government tell us it is just a matter of time before the US announces that the FAST card will, indeed, be accepted as proof of compliance. This is something CTA has long fought for, not because we are anxious to have more drivers security screened, but because we see little other option in the short term. An infrastructure to issue the cards already exists, and more than 65,000 are already in the hands of commercial truck drivers.”

With the Aug. 10 deadline looming, and four to six weeks processing time required to obtain a card, CTA is urging carriers to follow Transport Canada’s advice and have hazmat drivers enrolled in the FAST program.

“It is not the ideal situation, and we know sending drivers now to obtain a FAST card comes with some risks,” said Bradley. “But the continued delays have pushed the industry into a corner. Those who don’t act now could find their hazmat drivers shut out of cross border traffic in less than three months.”

Information on how to apply for a FAST card can be obtained from the Canada Border Services Agency at <http://www.cbsa-asfc.gc.ca/import/fast/menu-e.html>

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The **Canadian Trucking Alliance** is a federation of provincial trucking associations. CTA represents a broad cross-section of the trucking industry—some 4,500 carriers, owner-operators and industry suppliers. With our head office in Ottawa and provincial association offices in Vancouver, Calgary, Regina, Winnipeg, Toronto, Montreal and Moncton, CTA represents the industry’s viewpoint on national and international policy, regulatory and legislative issues that affect trucking. [www.cantruck.com](http://www.cantruck.com)