

	<h2 style="text-align: center;"><i>DOT Safety Alert</i></h2>
<p style="text-align: center;">30 December 2020</p>	<ul style="list-style-type: none"> • DOT Issues Enforcement Discretion on Medical Gas Cylinder Requalification • TSA Will Not Continue Authority to Extend HME Validity for CDL Drivers

DOT Issues Enforcement Discretion on Medical Gas Cylinder Requalification

In response to continuing concerns about the COVID-19 public health emergency, the Pipeline and Hazardous Materials Safety Administration of DOT has issued a notice stating the agency will not take enforcement action against any person who fills a DOT-specification cylinder used to transport Division 2.2 non-flammable medical gas provided the cylinder meets all requirements of the Hazardous Materials Regulations (HMR; 49 CFR parts 171 through 180) except that the cylinder is overdue for periodic requalification by no more than 12 months.

The enforcement discretion is valid through June 30, 2021. A copy of the notice is [attached here](#).

Prior to filling, all cylinders must receive and pass a pre-fill inspection in accordance with 49 CFR 173.301(a)(2).

This notice is limited to the filling and offering of cylinders containing Division 2.2 nonflammable medical gases when such cylinders are no more than 12 months past their periodic requalification test date.

TSA Will Not Continue Authority to Extend HME Validity for CDL Drivers

The Transportation Security Administration has confirmed that after December 31, 2020, the agency will not continue authorization of State Driver Licensing Agencies to extend the validity of Hazardous Materials Endorsements that have expired.

The exemption was from renewal of the HME Security Threat Assessment for certain individuals that the agency published on April 8, 2020, which was extended and is now scheduled to expire on December 31, 2020.

This information was developed to assist GAWDA members in complying with government regulations; it does not constitute legal advice, and users are advised to obtain legal counsel to develop their individual compliance programs. Additionally, GAWDA does not guarantee that use of this material will ensure compliance with any regulatory or legal standard.

Under this exemption, states may extend the expiration date of HMEs that expire on or after March 1, 2020, for 180 days, due to restrictions and business closures in place in response to the COVID-19 pandemic. If a state grants an extension, the individual with an expired HME must initiate the process of renewing his or her security threat assessment (STA) for the HME no later than 60 days before the end of the state-granted extension.

Although companies are still reporting difficulty in arranging Security Threat Assessments in some States, drivers whose HMEs expire after January 1, 2021 must meet the fingerprint and background check requirements to renew their HMEs as scheduled.

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