FAQ 16: How are the recommendations from FMCSA’s study of the HMSP program being implemented?

Answer: FMCSA has separated the initial application requirements from those for maintenance and renewal of a HMSP. Therefore, the conditions set forth in section 385.407 apply only to initial applicants and Temporary HMSP holders.

Once the HMSP goes into a non-temporary status, it is then subject to the conditions for suspension and revocations in section 385.421. Specifically, for implementation of the recommendations mentioned in Question 3, section 385.421(a)(5) is used as the basis for determining whether a carrier is identified for enhanced oversight.

Basically, FMCSA has added 3 conditions to SMS in order to identify carriers for “enhanced oversight.” These conditions are:

a. The Hazardous Materials (HM) Compliance BASIC is above threshold for 2 consecutive months;

b. Two BASICs, other than the HM Compliance BASIC, are above threshold for 2 consecutive months; or

c. There is insufficient data (no BASIC scores) for 48 consecutive months and the safety rating is ≥ 4 years old.