

# **TWIC/MTSA POLICY ADVISORY COUNCIL**

**February 10, 2009  
Updated May 28, 2009**

## **Policy**

### **Limited Equivalent Security Measure for Truck Drivers with HME on a CDL or FAST Card 04-09 Change 2**

**Issue** – Due to the high level of card transactions currently being processed by the Transportation Security Administration (TSA), it is possible than an individual who has applied for their TWIC well in advance (more than 30 days) of their Captain of the Port (COTP) Zone compliance date or national compliance date of April 15, 2009, may not have their credential in time.

The TSA has recently taken significant steps to ensure the resources are in place to manage a last minute demand from workers as we transition towards the national TWIC compliance date. Although individuals have had over a year to enroll and activate their credential, the CG recognizes that truck drivers may be limited by the nature of their work to be available for a visit to an enrollment center more often than once a month to obtain their TWIC once ready for pick-up.

When applying for a hazardous material endorsement (HME) on a commercial driver's license (CDL) or a Free and Secure Trade (FAST) card, drivers undergo a security threat assessment (STA) and name based check similar to the checks used to obtain a Merchant Mariner Credential or a TWIC. Is there any regulation that allows truck drivers to use the comparable endorsements on their license and proof of TWIC enrollment to gain unescorted access to Maritime Transportation Security Act (MTSA) regulated facilities currently in compliance and those soon coming into compliance?

**Background** – TSA reviews and approves comparability assessments for other security threat assessments conducted by a governmental agency; if approved, a comparable security threat assessment allows the holder the opportunity to obtain a reduced fee TWIC based upon successful completion of a STA. However, an applicant who has completed a security threat assessment that is determined to be comparable must still complete the enrollment process and provide biometric information to obtain a TWIC, if the applicant seeks unescorted access to a secure area of a MTSA regulated facility (49 CFR 1572.5(e)(4)).

TSA has determined that the STA for an HME endorsement on a CDL and a FAST card is comparable to the security threat assessment conducted for TWIC (49 CFR 1572.5(e)(5)&(6)). Under current regulations however, unless the driver holds a valid TWIC, unescorted access to secure areas of MTSA regulated facilities cannot be granted (33 CFR 105.255).

**Policy** – In order to minimize disruptions to commerce, as a result of card issuance challenges, the U.S. Coast Guard has developed an alternative method for facility owners/operators to use to grant unescorted access to individuals who are currently required to present a TWIC at MTSA regulated facilities.

At the owner/operators discretion, until July 15, 2009, truckers will be allowed to use their valid CDL with an HME or FAST credential along with proof of enrollment for a TWIC to gain unescorted access to secure areas of the facility. This allows truckers with a comparable threat assessment to be eligible for unescorted access while waiting for their TWIC, provided they have completed the enrollment process. To show proof of enrollment the individual must possess one of the following examples of documents, along with their valid HME on a CDL or FAST card, in order to gain unescorted access:

- 1) Providing the facility security officer (FSO), or other facility employee with security duties, with the individual's TWIC application ID number, which can then be used on the "check card status" feature on [www.twicinformation.com](http://www.twicinformation.com) (acceptable statuses under this PAC include: Application Pending, Card issuance - Card request Initiated, Card Issuance - Card Queued for Printing, Card Issuance - In Transit to Site, Card issuance - Card Ready for Pick-up); or
- 2) Provide the FSO, or other facility employee with security duties, a receipt from the enrollment center as proof of payment for enrollment.

COTPs should work closely with facility owners and operators to ensure that the above policy is implemented to provide equivalent security at MTSA regulated facilities while minimizing impacts on maritime operations and commerce.

**Applicability:**

This PAC will remain in effect until **July 15, 2009** for truck drivers who currently hold a **valid CDL license with a valid HME or FAST card.**

Upon expiration of this PAC (July 15, 2009), only individuals with a valid TWIC will be eligible for unescorted access to a Maritime Transportation Security Act (MTSA) regulated facility.