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## **NEFI COMPLIANCE BULLETIN**

June 30, 2021

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### **ANNUAL HAZMAT TRANSPORTATION REGISTRATION**

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#### **ANNUAL HAZMAT REGISTRATIONS FOR 2021-2022 REGISTRATION YEAR DUE JULY 1:**

**BACKGROUND:** The U.S. DOT's Pipeline and Hazardous Materials Safety Administration (PHMSA) requires hazardous material shippers and transporters to register and pay a fee each year in return for a certificate of operation. PHMSA began mailing the 2021-2022 registration information to HAZMAT transporters earlier this year. Only those with expiring DOT PHMSA HAZMAT registration certificates must re-register before July 1, 2021 or risk losing authority to operate and pay substantial civil penalty. The validity of HAZMAT registration certificates are checked at roadside inspections.

#### **Who must register and pay the fee?**

**HAZMAT Transporters** - Any business (intrastate or interstate) shipping or transporting hazardous materials requiring a U.S. DOT placard must register each year and pay the fee. Heating oil dealers, common carriers of petroleum products and propane suppliers who ship their products in trucks must register and pay the fee.

#### **What happens if I don't register?**

**Loss of Operating Authority** - You may not transport a hazardous material or offer a hazardous material to be transported by another carrier unless you have on file with PHMSA a current Certificate of Registration. This applies to both *intrastate* and *interstate* commerce. Your authority to operate is the certificate you receive from PHMSA once you register and pay the fee. A current certificate must be kept in the cab of each HAZMAT vehicle at all times. If you are subject to a roadside inspection or DOT audit and do not have a current certificate your authority to operate may be revoked and you could be fined up to \$3,500 plus \$1,000 for each additional year of violation.

#### **Why is the U.S. DOT collecting the fee?**

**Emergency Response Funding** -The money collected from the registration program is given back to state emergency response authorities in the form of training grants for fire and police and emergency preparedness organizations.

#### **How do I know my registration is current or not?**

**Registration Look-up** - Registration status may be checked on line by clicking here: [Registration Search](#). Enter either your company name, U.S. DOT number or zip code in the data fields provided to check whether your HAZMAT registration certificate is current.

## How do I register?

**Online Registration** - Online registration is available by clicking here: [Online Registration](#). Online registration allows you to register, pay the fee and download your operating certificate. You may file an initial registration or renew your registration on this site.

## When is the HAZMAT registration deadline?

**Deadline** - July 1, 2021 for those who have expiring certificates

**IMPORTANT!** Since registrations can be multiyear, not all certificates will expire on July 1. Check the expiration date on your HAZMAT certificate or information in the Registration Look-Up link above before registering by mail or online.

## What documentation should I put in my trucks after July 1, 2021?

**Certificate Documentation** - Place a photocopy of the updated certificate in the cab of each HAZMAT motor vehicle by July 1, 2021.

## How much is the annual HAZMAT registration fee?

**Two-Tiered Fee System** - The annual registration fee is based on business size

**Small Business Registration Fee** - For registration year 2021-2022 the fee for small businesses is \$275 for one year, \$525 for two years (2021-2023), and \$775 for three years (2021-2024).

**Large Business Registration Fee** - For large businesses, the fee is \$2,600 for one year (2021-2022), \$5,175 for two years (2021-2023), and \$7,750 for three years (2021-2024).

## How do I determine the size of my business so I know which fee to pay?

**Business Size Calculation for Determining the Fee Amount** - It is very likely that your business qualifies for the **lower** registration fee. Determining size is left up to the company applying for the registration certificate. PHMSA follows Small Business Administration (SBA) size categories to classify whether a business is large or small for the purposes of determining the amount of the annual registration fee. The SBA determines business size according to NAICS (North American Industrial Classification System) codes based on either the *number of employees* in the company or on *annual gross receipts*. The following NAICS codes and size criteria apply when calculating which fee to pay:

**NAICS CODE 424710 - Petroleum Bulk Stations or Terminals:** Petroleum marketers in this category are considered small businesses and must pay the \$275 fee if the company employs 200 or fewer employees.

**NAICS CODE 424720 - Petroleum and Petroleum Product Wholesalers (no bulk storage):** Petroleum marketers in this category are considered small businesses and must pay the \$275 fee if the company employs 200 or fewer employees.

**NAICS CODE 454310 - Heating Fuel Dealers:** Heating oil dealers and propane dealers in this category are considered small businesses and must pay the \$275 fee if the company employs 100 or fewer employees.

**GOT QUESTIONS?** Contact Rick Schweitzer, NEFI Regulatory Counsel, at [rpschweitzer@rpslegal.com](mailto:rpschweitzer@rpslegal.com) or (202) 223-3040.