



# MODOT-Motor Carrier Services

## FORM HW-1 INSTRUCTIONS - Application for Hazardous Waste License

If you have a user id and password for MoDOT Carrier Express, you can complete the application for waste tire license electronically at <https://mcs.modot.mo.gov/mce>. If you do not have a user id and password you can request one by sending an email to [contactmcs@modot.mo.gov](mailto:contactmcs@modot.mo.gov).

### READ THE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE APPLICATION.

Complete the application in its entirety for transporting hazardous waste. Incomplete sections will delay processing of the application. If an item is not applicable or the correct response is NONE, please write N/A or NONE accordingly. Retain a copy of the completed application for your records.

*If you have a license to transport hazardous waste and need to a 30-day temporary license or to add or replace power units please fill out a HW-2 – Supplemental License Certificate for Transporting Hazardous Waste form.*

### SECTION 1 – TYPE OF REGISTRATION

- A. TYPE OF TRANSPORTER:** Check ALL boxes that apply.
- B. HAZARDOUS MATERIALS:** Check ALL types of hazardous materials you transport. If you transport all divisions within a class check the box titled “All Divisions”. **The classes and divisions selected MUST be registered with the Federal Motor Carrier Safety Administration (FMCSA).**

**NOTE:**

- If the material you transport is not listed check the box titled “Other” and list the material in the space provided.
- Even though Infectious Waste is not considered hazardous waste under federal law, Missouri law requires a Hazardous Waste License Certificate for the transportation of this material.

### SECTION 2 – GENERAL INFORMATION

- **USDOT Number** – A USDOT number is required to transport hazardous waste in the state of Missouri. If you DO NOT have a USDOT number, you must apply for one. You can do this online at [www.safer.fmcsa.gov](http://www.safer.fmcsa.gov) or by filing a paper version of form MCS150. You can obtain a paper version of this form at [www.modot.org/mcs](http://www.modot.org/mcs) or by dialing 1.866.831.6277, option 7. You can return the MCS-150 along with your completed HW-1 form to MoDOT Motor Carrier Services.
- **FEIN Number** – An FEIN number is a federal tax id number. If you are a sole proprietor and do not have an FEIN number enter your Social Security Number. If you have an FEIN number you do not need to provide a Social Security Number.
- **EPA ID Number** – An EPA number is required for the transportation of hazardous waste, except for infectious waste. If you do not have an EPA Number you must complete Form MO-780-1164. This form can be obtained from the Missouri Department of Natural Resources (DNR) at [www.dnr.mo.gov](http://www.dnr.mo.gov).
- **Name of Carrier** – This is the Company Name or Legal Name you use to do business. This name MUST be the same as the name registered with FMCSA and the Missouri Secretary of State’s Office (if applicable). *All Limited Partnerships, Corporations, and Limited Liability Companies MUST register their name with the Missouri Secretary of State unless their principal place of business is outside of the state of Missouri and they participate in interstate commerce as defined in section 390.020, RSMo. You can register your name at [www.sos.mo.gov](http://www.sos.mo.gov) or by calling 1.866.223.6535.*
- **Trade or DBA (Doing Business As) Name** – DBA stands for “doing business as”, and is a name that a company may use that is different from their legal company name. *If using a DBA name, it MUST be registered with the Missouri Secretary of State unless your principal place of business is outside of the state of Missouri and you participate in interstate commerce as defined in section 390.020, RSMo. You can file a fictitious name registration [www.sos.mo.gov](http://www.sos.mo.gov) or by calling 1.866.223.6535.*
- **Principle Place of Business Address** – The Principle Place of Business address is the location where the safety records of the company are kept or can be made available. This must be a physical location, not a post office box.
- **Mailing Address** – Enter if your mailing address is different than your Principle Place of Business address.
- **Missouri Branch Offices, Terminals, & Transfer Station Addresses** – list the addresses of all branch offices, terminals, or transfer stations you have in the state of Missouri. **If you have none, check the box that states you have no branch offices, terminals, or transfer stations in the state.**

**PROVIDE A FAX OR E-MAIL ADDRESS FOR FASTER SERVICE!**

Once your license is issued we can fax or e-mail it to you!

**SECTION 3 – PUBLIC LIABILITY SECURITY-INSURANCE:** Your insurance company must file the required forms BEFORE a Hazardous Waste license will be issued. This form MUST include:

- The correct Motor Carrier Name
- The DBA name (if applicable), and
- The business address as reflected in Section 2 of this form.

This **MUST** be the same as the information registered with FMCSA and the Missouri Secretary of State's Office (if applicable).

**INSURANCE REQUIREMENTS**

COMMODITY TRANSPORTED	AMOUNT OF REQUIRED INSURANCE	FORM TO BE FILED
Hazardous Materials ( <b>Bulk Only – GVWR of 10,0001 or more pounds</b> ) <ul style="list-style-type: none"> <li>• Oil listed in 49 CFR 172.010</li> <li>• Hazardous waste, materials, and substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101 not mentioned below.</li> </ul>	\$1,000,000	Form E or Form G
Hazardous Materials ( <b>GVWR of 10,001 or more pounds</b> ) <ul style="list-style-type: none"> <li>• Hazardous substances as defined in CFR 171.8, transported in cargo tanks or hopper-type vehicles with capacities in excess of 3,500 water gallons.</li> <li>• In Bulk Division 1.1, 1.2, and 2.3 material</li> <li>• Division 2.3 Hazard Zone A material</li> <li>• Division 6.1, Packing Group I, Hazard Zone A material</li> <li>• In Bulk Division 2.1 or 2.2 material</li> <li>• Highway route controlled quantities of a Class 7 material, as defined in 49 CFR 173.403</li> </ul>	\$5,000,000	Form E or Form G
Hazardous Materials ( <b>GVWR less than 10,001 pounds</b> ) <ul style="list-style-type: none"> <li>• Zone A material.</li> <li>• Highway route controlled quantities of a Class 7 material as defined in 49 CFR 173.403</li> </ul>	\$5,000,000	Form E or Form G

**SECTION 4 – REGISTERED AGENT FOR SERVICE OF PROCESS IN MISSOURI:** If your principal place of business is NOT in Missouri you **MUST** provide the name and address of a process agent based in Missouri where service can be made on your business. *This must be the name of an individual, not an organization, and the address must be a physical location, not a PO Box.* The FMCSA provides a list of some process agents on their website: <http://www.fmcsa.dot.gov/registration-licensing/licensing/agents.htm>.

**SECTION 5 – FORM OF BUSINESS**

**A. BUSINESS TYPE:** Check the box that represents the type of business you have. This **MUST** be the same as the type of business registered with the Missouri Secretary of State, if applicable.

Enter the company's:

- Date of Incorporation
- State of Incorporation
- State Registration Number

**B. CERTIFICATE OF GOOD STANDING:** Indicate if you are in good standing with the state in which your business is registered. If you are not required to register with the Missouri Secretary of State, you **MUST** provide a certificate of good standing from the state in which your business is registered. Partnerships must provide a copy of the partnership agreement. (NEW LICENSE ONLY)

**C. NAME OF COMPANY OFFICERS:** List the company's officers, partners, or members and their titles. *This is not required for a sole proprietorship.*

**SECTION 6 – AREA TO BE SERVED:** Select whether you transport hazardous waste or other licensed materials within the state of Missouri or in interstate commerce (through the state of Missouri, making no stops within the state to pick up or drop off materials).

**SECTION 7 – REGULATORY LICENSE FEES:** Your application for a hazardous waste license **MUST** be accompanied with a hazardous waste fee that is calculated in Exhibit D. See the instructions for Exhibit D below for how to properly calculate this fee. Checks can be made payable to **Director of Revenue**.

**SECTION 8 – SAFETY FITNESS:** Read this section carefully before you sign and submit the application. Your company is bound by

Commercial Motor Vehicle Safety Regulations. Information about the safety regulations that apply to your operation can be found in the Safety and Compliance section of the MoDOT Motor Carrier Services website at [www.modot.org/mcs](http://www.modot.org/mcs).

**SECTION 9 – CONSENT TO INVESTIGATE & SIGNATURE:** Read this section carefully before you sign and submit the application. **The application MUST be signed to be accepted.** If an individual other than the applicant, who is also not an attorney, signs the application the individual must have power of attorney to sign on behalf of the applicant. A copy of the power of attorney must accompany the application. If the applicant is a corporation, an officer of the company or an individual authorized to sign on behalf of the company may sign the application. A member or manager of a Limited Liability Company (LLC) may sign the application as long as the member or manager is authorized to sign on behalf of the LLC as stated in the articles of incorporation or operating agreement.

**SECTION 10 – AUTHORIZED 24-HOUR CONTACT PERSON:** Provide the name, address, and phone numbers for the authorized 24-hour contact person. This portion of the application MUST include a 24-hour contact phone number to be accepted.

**SECTION 11 – DESCRIPTION OF EQUIPMENT:** Provide a complete description of each type of cargo equipment to be used under this license for the transport of hazardous waste. *Do not list each piece of equipment in this table.* Copies of DOT exemption papers and extensions, if the exemptions have expired, must be submitted for DOT exempt cargo tanks.

**SECTION 12 – DESCRIPTION OF POWER UNITS:** Provide a description of each power unit to be used under this license for the transport of hazardous waste.

**Gross Vehicle Weight Rating** is defined as the value specified by the manufacturer or manufacturers as the maximum loaded weight of a single or combination vehicle.

**Licensed Vehicle Weight Rating** is the gross weight of the vehicle (power unit) plus the maximum load to be carried or pulled at any one time allowed by MISSOURI law. Please review these carefully. The license weight for Missouri should be one of the following: 6,000, 12,000, 18,000, 24,000, 26,000, 30,000, 36,000, 42,000, 48,000, 54,000, 60,010, 66,000, 73,280, 78,000, or 80,000 pounds. If your licensed vehicle weight is different from those listed, round up to the nearest weight listed.

**EXHIBIT D – LICENSE FEE CALCULATION FOR TRANSPORTING HAZARDOUS WASTE:** No carrier will be required to pay more than \$25,000 per year for a license to transport hazardous waste. Carriers who pay this amount are not required to complete Exhibit D.

For your first year of operation you will need to estimate miles and loads if unknown. If estimates are used to obtain your initial Hazardous Waste License, adjustments will be made upon renewal after your first year of operation for any amount over or under the fee paid using the actual amounts from your initial year of operation. You will receive a voucher with estimated figures to be adjusted for actual tonnage and mileage.

For your second year renewal you must report actual Missouri Mileage and Total Miles for the preceding year. The preceding year is the 12 consecutive months immediately prior to July 1 prior to the hazardous waste license year. A voucher will be used to adjust for any amount owed or credited for the second year to be included on lines 11 or 12 if estimates were used on the initial year.

**Total Missouri Miles:** For initial application for new carriers, estimated miles are acceptable. Missouri miles are the same as reported for the International Registration Plan (IRP) when you obtained your apportion license plate(s). For carriers not reporting IRP mileage, include all mileage from, to, or through Missouri. Additionally, all miles traveled transporting containers with residues of these materials, as defined in 49 CFR 171.8, will be included in the Missouri hazardous waste mileage. *(This includes the hazardous materials remaining in packaging, including a tank car, after its contents have been unloaded to the maximum extent practicable and before the packaging is either refilled or cleaned of hazardous material and purged to remove any hazardous vapors.)*

**Total Miles:** This equals total IRP miles. For those carriers who do not report mileage under IRP, the total miles should be determined by using the beginning and ending odometer readings from the vehicles operated in your fleet from July 1 through June 30.

**Number of Missouri Hazardous Waste Shipments:** Use hazardous waste manifests, used oil logs, or infectious waste shipping papers to determine the number of hazardous waste shipments transported from, to, or through Missouri for the preceding year.

**Total Number of Missouri Shipments:** Use the total number of manifests, shipments, and bills of lading for any property transported from, to, or through Missouri for the preceding year.

**Preceding Year:** The period of 12 consecutive months immediately prior to July 1, immediately preceding the commencement of the license year for which the license is being sought.

**Sample Exhibit D**

1. Total Licensed Vehicle Weight (in pounds) of Your Power Units Listed in Section 12.		400,000 lbs.
2. Total Missouri Miles (use Missouri IRP miles – see instructions below)	25,000	
3. Total Miles (Use total IRP miles – see instructions below)	100,000	
4. Missouri Miles Divided by Total Miles (line 2 divided by line 3, round up to two decimal places. Example: .233 would be .24; .056 would be .06)		.25
5. Total Missouri Hazardous Waste Shipments (see instructions below)	60	
6. Total Number of Missouri Shipments (see instructions below)	300	
7. Hazardous Waste Shipments Divided by Missouri Shipments (line 5 divided by line six, round up to two decimal places. See example on line 4)		.25
8. Use Fee Factor		.0425
9. Calculated User Fee (line 1 times line 4 times line 7 times line 8. Round up to next whole dollar)		\$ 850.00
10. Application Fee		\$ 200.00
11. Underpayment of Fees from Estimate of First Year (Enter amount from line 14 of voucher)		\$ n/a
12. Overpayment of Fees from Estimate of First Year (Enter amount from line 15 of voucher)		\$ ( n/a)
13. Total Calculated Fee (add line 9 plus line 10 plus line 11, subtract line 12)		\$ 1,050.00
14. Total Cap Fee		\$ 25,000.00
15. Total Due to the State of Missouri (if line 13 is larger than line 14, enter the amount on line 14. Otherwise enter amount from line 13)		\$ 1,050.00

**IMPORTANT:** Keep a copy of Sections 11 & 12 and Exhibit D to determine how fees will be calculated for any additional equipment added during your license year. The carrier must be prepared to supply documentation to support worksheet calculations during a records review.

<p><b>MAIL</b> the completed application and any fees due to:  <b>MoDOT MCS</b>          PO Box 270, 830 MoDOT Drive          Jefferson City, MO 65102-0270</p>	<p>You may <b>FAX</b> the application to:          (573) 522-6708</p>
<p>Fees due may be paid via phone using a credit card or electronic check. Convenience fees will apply. For your safety, <b>DO NOT</b> write credit or debit card information on this application.</p>	
<p><b>Our business hours are 7:30 a.m. to 4:00 p.m., Monday through Friday</b>          If you want to send us questions after our business hours, send us an e-mail <a href="mailto:contactMCS@modot.mo.gov">contactMCS@modot.mo.gov</a> and we'll respond to your questions the next business day.</p>	
<p><b>VISIT OUR WEB SITE</b> at <a href="http://www.modot.org/mcs">www.modot.org/mcs</a>          Links to federal web sites are available online as well as MoDOT-MCS Rules and Regulations.</p>	