



December 3, 2020

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### **WV Motor Fuel Tax**

Effective January 1, 2021, the total tax on motor fuel in West Virginia will be \$0.357 cents per gallon. This includes the new variable rate of \$0.152 and the fixed rate of \$0.205 per gallon. This applies to all gallons of gasoline, diesel, kerosene and related products sold, purchased or used in West Virginia during the period of January 1, 2021 and ending December 31, 2021. [Click here](#) to view the Administrative Notice from the West Virginia State Tax Department.

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### **TSA Allows States to Extend Expiring HME Endorsements for CDL Drivers Through 12/31/20**

*From EMA*

The Transportation Security Administration (TSA) has granted an extension of the exemption that allows state motor vehicle licensing agencies to extend expiring CDL driver hazardous material endorsements through **December 31, 2020**. The current HME extension was set to expire on October 30, 2020. The TSA action is important to petroleum marketers and heating fuel dealers because it ensures CDL drivers with expiring HMEs can maintain their licensure without interruption during the coronavirus emergency.

EMA has been working closely with the TSA for the past month gathering survey information about state licensing agency processing delays. The survey revealed that states are still experiencing closures and extended processing delays due to the ongoing COVID-19 emergency. Many drivers are reporting processing delays and appointments for renewal that extend out months after their HME expiration date. Last month, the Federal Motor Carrier Safety Administration (FMCSA) extended the CDL licensure exemption through December 31, 2020. EMA successfully argued that the TSA extension should mirror the FMCSA CDL extension date due to the ongoing processing delays seen nationwide.

### ***FURTHER STATE ACTION REQUIRED***

Under TSA regulations, a state may not issue or renew an HME for a CDL unless the state first receives a Determination of No Security Threat on the driver from the TSA. Drivers renewing their HME are required to initiate an STA at least 60 days before expiration. The process of initiating an STA requires drivers to submit information either to the state licensing agency or to TSA enrollment center, including fingerprints and background information.

However, measures to prevent the spread of COVID-19 make this process difficult if not impossible for drivers.

The validity of an HME that expired between **March 1, 2020 and July 3, 2020** is extended for an additional 180 days. This extension is in addition to the prior extension of 180 days. An HME that has expired or will expire between **July 4, 2020 and December 31, 2020** is extended for 180 days.

All HME holders receiving the extension must hold a valid CDL and initiate the process of renewing their security threat assessment no later than 60 days before the extended HME expiration date.

CDL holders' current HME expiration date is printed on their CDL. Any extensions to the expiration date can be viewed online by accessing their MyDMV account.

Below are examples:

- **March 1 and July 3:** CDL holders with HMEs expiring between these dates have an additional 180 days added to the prior 180 days, effectively 360 days, beyond the HME expiration date to renew.
- **July 4 and December 31:** Those with HMEs expiring between these dates will have up to 180 days beyond the HME expiration date to renew.
- **After December 31:** Those with an HME expiring after December 31 must renew the HME before the expiration date shown on the CDL.

Information regarding all extensions is available on the DMV COVID-19 response webpage: [www.dmvNOW.com/covid19](http://www.dmvNOW.com/covid19)

**IMPORTANT!** The TSA announcement does not provide an automatic extension of HMEs nationwide. Instead, each state must issue their own waiver for the automatic extension to become effective within the state. States are expected to grant similar waivers given the inability of drivers to initiate an STA due to COVID-19 closures. EMA association executives seeking to obtain an HME extension must go through their state agencies responsible for CDL HME licensure. The TSA announcement can be downloaded [here](#).

**IMPORTANT!** TSA continues to urge drivers to begin the renewal process 60 days prior to their HME expiration date.

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## SE Petro Food Expo May 20-21

The dates for the 2021 SE Petro Food Expo have been moved to May 20-21. This show is co-sponsored by VPCMA and our counterpart associations in North and South Carolina. We are pleased to report that the headquarters hotel, the Sheraton, will be honoring the special \$135 room rate offered for the March show dates. You can go to [www.sepetro.org](http://www.sepetro.org) to register, reserve a room or an exhibit space. While the dates have moved, those participating in the show will be required to comply with all Covid-19 protocols to participate.