



TEAMSTERS **Safety &** **Health** **FACTS**

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Medical Certification Requirements for CDL Qualified Drivers

The Federal Motor Carrier Safety Administration (FMCSA) recently amended its regulations (FMCSRs) to require interstate commercial driver's license (CDL) holders who are subject to the physical qualification requirements of the FMCSRs to provide a current original or copy of their medical certificate to the State Driver Licensing Agency (SDLA) that issued their CDL. The SDLA is required to record this information on the Commercial Driver License Information System (CDLIS) driver record.

Current CDL Holders with a Medical Certification:

Starting on January 30, 2012, if a CDL driver:

- Renews a CDL
- Applies for a higher class of CDL
- Applies for a new endorsement on a CDL, or
- Transfers a CDL from another state

The driver must notify the SDLA of the driver category to which he/she is classified, based on the categories as defined in the regulation (see below for information on categories). The SDLA must receive this information no later than January 30, 2014, unless the driver is involved in one of the actions described above.

Additionally, each driver will be required to submit a copy of his/her medical certification to the licensing State DLA prior to January 30th 2014. If a driver fails to submit a copy of the medical certificate the CDL license will be downgraded, this means that the issuing State will be required to remove the CDL driving privileges from his/her driver license and the driver will no longer be permitted to legally operate a commercial motor vehicle.

If a driver is not required to obtain a medical card, he/she must self-certify with the licensing state-based on the categories listed below. The States must report this information to the CDLIS 10 days after submission.

New CDL Applicants before January 30th 2012

If a driver is applying for a new CDL prior to January 30th, 2012 and he/she expects to operate in interstate or foreign commerce, or is otherwise subjected to the medical certifications of §391 he/she must certify that he/she meets the medical qualifications prior to obtaining a CDL.

If the driver is not subjected to the medical requirements of §391 and expects to operate entirely in intrastate commerce he/she must certify that he/she is not subject to §391 prior to obtaining a CDL.

New CDL Applicants on or after January 30th 2012

If a person is a new applicant seeking to obtain a CDL and it is on or after January 30th 2012 he/she will be required to certify the driver category (Category 1-4, please find a description of each Category below) in which he/she wishes to obtain the CDL.

Each new CDL applicant who certifies that he or she will operate CMVs in non-excepted, interstate commerce must provide the State with a copy of a medical examiner's certificate prior to obtaining a CDL.

CATEGORIES

Category 1: Non-Excepted Interstate: A person must certify that her or she operates or expects to operate in interstate commerce, is both subject to and meets the qualification requirements under 49 CFR part 391, and is required to obtain a medical examiner's certificate by §391.45.

- All Class A, B, and C drivers who do NOT fall under any of the other categories
- All Class A, B, and C drivers granted a medical variance, federal vision or diabetes exemptions, or Skill Performance Evaluation certificate (SPE) (V restriction)

Category 2: Excepted Interstate: A person must certify that he or she operates or expects to operate a commercial vehicle in interstate commerce (across state lines) but engages in operations exclusively excepted under 49 C.F.R. 390.3(f), 391.2, 391.68 or 398.3. And, that her or she is excepted from all or parts of the medical qualification requirements of 49 CFR 391, and is therefore not required to obtain a medical examiner's certificate.

- (1) All school bus operations as defined in §390.5;
- (2) Transportation performed by the Federal government, a State, or any political subdivision of a State;
- (3) The occasional transportation of personal property by individuals not for compensation nor in the furtherance of a commercial enterprise;
- (4) The transportation of human corpses or sick and injured persons;
- (5) The operation of fire trucks and rescue vehicles while involved in emergency and related operations;
- (6) The operation of commercial motor vehicles designed or used to transport between 9 and 15 passengers (including the driver), not for direct compensation;
- (7) The operation of commercial motor vehicles designed or used to transport between 9 and 15 passengers (including the driver) for direct compensation, provided the vehicle is not being operated beyond a 75 air-mile radius from the driver's normal work-reporting location;
- (8) Either a driver of a commercial motor vehicle used primarily in the transportation of propane winter heating fuel or a driver of a motor vehicle used to respond to a pipeline emergency;
- (9) Farm custom operations;
- (10) Apiarian industries; or
- (11) Farm vehicle driver except a farm vehicle driver who drives an articulated (combination) commercial motor vehicle, as defined in §390.5.

Category 3: Non-Excepted Intrastate: A person must certify that her or she operates only in intrastate commerce and therefore is subject to State driver qualification requirements.

Category 4: Excepted Intrastate: A person must certify that her or she operates in intrastate commerce, but engages exclusively in transportation or operations excepted from all or parts of the State driver qualification requirements.

Additional Information

Maintaining the medical certification status

In order to maintain a medical certification status of “certified,” after January 30, 2012, a CDL holder who certifies that he or she will operate CMVs in non-excepted, interstate commerce must provide the State with an original or copy (as required by the State) of each subsequently issued medical examiner’s certificate.

Beginning January 30, 2012, if a driver’s medical certification expires the licensing State must notify the CDL holder of his or her CDL “not-certified” medical certification status and that the CDL privilege will be downgraded from the driver license unless:

- The driver submits a current medical certificate within 60 days;
- Submits a current medical variance (diabetes exception, vision exception); or
- Changes his or her self-certification to driving only in excepted or intrastate commerce (if permitted by the State).

Downgraded for the purposes of this regulation will mean that the driver loses the privilege to drive a CMV that requires a CDL until he/she submits a current medical certificate, a current medical variance, or changes he or her self-certification as intrastate as discussed above. Downgraded does not mean that the driver will lose his or her CDL license.

Medical Examination Certificate

The FMCSA will require interstate drivers subject to the CDL regulations and the physical qualification requirements to retain a paper copy of the medical examiner's certificate until January 30th, 2014. Interstate motor carriers will also be required to retain a copy of the medical certificate in the driver qualification files.

If a driver qualifies for the medical examiner's certificate by obtaining a medical variance from the FMCSA, in the form of an exemption letter (diabetes, vision) or a skill performance evaluation certificate, must have on his or her person a copy of the variance documentation when on-duty.