

TRUCK TALK

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Medical Certification as Part of the Commercial Driver License

On January 30, 2012, most states' Departments of Transportation implemented a new federal regulation requiring all CDL holders and applicants to certify the type of driving they do, and require interstate CDL holders who carry a Medical Examiner's Certificate to give the DOT a copy of their Medical Examiner's Certificate.

These new regulations DO NOT change who has to obtain a CDL and DO NOT change who has to obtain a Medical Examiner's Certificate. They only require two things:

1. All CDL holders and applicants must self-certify the type of driving they are engaged in.
 2. Drivers that certify to "non-excepted interstate" driving must give the DOT a copy of the Medical Examiner's Certificate and must keep that Medical Examiner's Certificate current.
- All CDL holders must comply by January 30, 2014, regardless of when your CDL expires. If you renew or change your CDL before January 30, 2014, you will be required to comply at the time of your renewal or change. If you do not renew or change your CDL before January 30, 2014, you will need to complete the self-certification and submit the Medical Examiner's Certificate on or before that date, even though your CDL does not expire until later. For example, if your CDL expires in 2015 or 2016, you have to get the self-certification form and medical certificate to the DMV by January 30, 2014. You cannot renew your CDL yet, but you have to submit the self-certification and the medical certificate.
 - The federal regulations require the DOT to downgrade your CDL to a noncommercial license if you do not complete the self-certification of the type of driving you will be engaged in and submit the Medical Examiner's Certificate, if required, before January 30, 2014. There is no correlation between your CDL expiration date and your medical certificate expiration date.
 - The self-certification form that states the kind of driving in which the driver is engaged:
 1. Non-excepted interstate: This driver conducts interstate commerce and must have a Medical Examiner's Certificate per federal regulation. The certificate must be placed on file with the DOT under the new regulations.
 2. Excepted interstate: This driver conducts interstate commerce, but is involved in one of the transportation activities that have a federal exemption from the medical requirements.
 3. Non-excepted intrastate: This driver conducts intrastate commerce within the state and must have a Medical Examiner's Certificate. The certificate does NOT have to be on file with the DOT.
 4. Excepted intrastate: This driver operates within the state but is excepted from the medical requirements.
 - If choice #1 is chosen, which it will be in the vast majority of cases, then a medical certificate must be presented when renewing the CDL.

- Once received by the DOT, the information on the Medical Examiner's Certificate is entered onto the official driver's record and the expiration date is tracked.
- It is the driver's responsibility to keep their Medical Examiner's Certificate current. The state will not send out warning notices that the Medical Examiner's Certificate is about to expire. If a medical certificate expires and the driver has not renewed or changed their self-certification to an exempted class, the next day the state will classify that driver as "Non-certified to operate a commercial motor vehicle" and mail them an appropriate notice. This will be the one and only notice you will receive; there will be no periodic friendly reminders! The driver will remain in that status for 60 days, at which time their license will be downgraded to an operators license only (it will still say CDL on the license, but when checked, the computer will have the Non-certified status). Once the driver submits a new Medical Examiner's Certificate, they are automatically reinstated. There is no monetary penalty, no points assigned to your MVR, and there is no system in place to track repeat offenders. Note: A driver not having a medical certificate on file will be an out-of-service violation and go onto the driver's and motor carrier's Safety Management System scores in the Driver Fitness BASIC.
- A new medical certificate must be presented each time a medical certificate is issued or changed.
- A driver can submit a new medical certificate in person, by mail, fax or email. If presented in person, the clerk enters the information at the time it is presented so the information is real-time. If submitted via mail, fax or email, the state has 10 days to post. There will be no receipt issued by the state for medical certificates that are mailed, faxed or emailed.

In the future, it is envisioned that a motor carrier may be able to track all of its drivers' Medical Examiner's Certificates and send them all together to the DOT for posting to the individual drivers' official records. There is also a possibility that the medical examiner may be able to send a new Medical Examiner's Certificate to a "holding box" to which the state has access for downloading. But those are in the future. For now, make sure all drivers have their Medical Examiner's Certificates on file with the DOT at the earliest opportunity. The driver should, whenever possible, conduct this business in person the first time, just to make sure the information is posted both timely and correctly.

Update: One of the topics discussed in the January 2012 issue of Truck Talk was the proposed cell phone rule which bans the use of hand-held cell phones by drivers of commercial motor vehicles. It was originally indicated that the regulation would apply to commercial vehicles in excess of 26,001 pounds. However, the proposed rule, which became effective January 3, 2012, reads as follows:

The ruling prohibits the use of hand-held mobile phones by drivers of commercial motor vehicles. A commercial motor vehicle is defined by FMCSA in Part 390.5 as a self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle (1) has a gross vehicle weight rating of 10,001 pounds or more; (2) is designed or used to transport more than 8 passengers (including the driver) for compensation; (3) is designed or used to transport more than 15 passengers (including the driver) and is not used to transport passengers for compensation; or (4) or if the vehicle is used to transport an amount of hazardous materials that requires a placard.

For more information on this regulation, please go to:

<http://www.fmcsa.dot.gov/about/news/news-releases/2011/Secretary-LaHood-Announces-Step-towards-Safer-Highways.aspx>

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