

New Medical Certification Requirements A Guide for Commercial Driver's License (CDL) Holders Frequently Asked Questions (FAQs)

**Federal Motor Carrier Safety Administration
November 2011**

The following FAQs will help you in determining how to meet the new Federal medical certification requirements:

Q. What must I do to comply with the new requirements for making my medical certification part of my CDL driving record?

A. Starting on January 30, 2012, when you:

- Apply for a CDL;
- Renew a CDL;
- Apply for a higher class of CDL;
- Apply for a new endorsement on a CDL; **or**
- Transfer a CDL from another State

You will be required to self certify to a single type of commercial operation on your driver license application form. Based on that self certification, you may need to provide the Oklahoma Department of Public Safety with a current medical examiner's certificate and show any variance you may have to obtain or keep your CDL.

Q. How do I determine which type of commercial motor vehicle (CMV) operation I should self-certify to the Oklahoma Department of Public Safety (DPS)?

A. For the purpose of complying with the new requirements for medical certification, it is important to know how you are using the CMV. To help you decide, follow these steps:

Step 1: Do you, or will you, use a CDL to operate a CMV in **interstate** or **intrastate commerce**?

Interstate commerce is when you drive a CMV:

- From one State to another State or a foreign country;
- Between two places within a State, but during part of the trip, the CMV crosses into another State or foreign country; **or**
- Between two places within a State, but the cargo is part of a trip that began or will end in another State or foreign country.

Intrastate commerce is when you drive a CMV within a State and you do not meet any of the descriptions above for **interstate commerce**.

If you operate in both **intrastate commerce** and **interstate commerce**, you must choose **interstate commerce**.

Step 2: Once you decide you operate or will operate in **interstate commerce** or **intrastate commerce**, you must decide whether you operate (or expect to operate) in a **non-excepted** or **excepted** status. This decision will tell you to which of the four types of commerce you must self-certify.

Interstate Commerce:

You operate in **excepted interstate commerce** when you drive a CMV in interstate commerce only for the following excepted activities:

- To transport school children and/or school staff between home and school;
- As Federal, State or local government employees;
- To transport human corpses or sick or injured persons;
- Fire truck or rescue vehicle drivers during emergencies and other related activities;
- Primarily in the transportation of propane winter heating fuel when responding to an emergency condition requiring immediate response such as damage to a propane gas system after a storm or flooding;
- In Response to a pipeline emergency condition requiring immediate response such as a pipeline leak or rupture;
- In custom harvesting on a farm or to transport farm machinery and supplies used in the custom harvesting operation to and from a farm or to transport custom harvested crops to storage or market;
- Beekeeper in the seasonal transportation of bees;
- Controlled and operated by a farmer, but is not a combination vehicle (power unit and towed unit), and is used to transport agricultural products, farm machinery or farm supplies (no placardable hazardous materials) to and from a farm and within 150 air-miles of the farm;
- As a private motor carrier of passengers for non-business purposes ; **or**
- To transport migrant workers.

If you answered yes to one or more of the above activities as the **only** operation in which you drive, you operate in **excepted interstate commerce** and do not need a Federal medical examiner's certificate.

If you answered no to all of the above activities, you operate in **non-excepted interstate commerce** and are required to provide a current medical examiner's certificate (49 CFR 391.45), commonly referred to as a medical certificate or DOT card, to your SDLA. Most CDL holders who drive

CMVs in interstate commerce are **non-excepted interstate commerce** drivers.

If you operate in both **excepted interstate commerce** and **non-excepted interstate commerce**, you must choose **non-excepted interstate commerce** to be qualified to operate in both types of interstate commerce.

Intrastate Commerce:

You operate in **excepted intrastate commerce** when you drive a CMV only in intrastate commerce activities for which your State of licensure has determined do not require you to meet the State's medical certification requirements.

You operate in **non-excepted intrastate commerce** when you drive a CMV only in intrastate commerce and are required to meet your State of licensure's medical certification requirements.

If you operate in both **excepted intrastate commerce** and **non-excepted intrastate commerce**, you must choose **non-excepted intrastate commerce**.

Step 3: Provide *DPS* with your self-certification of your operating status. If you self-certify to **non-excepted interstate** on or after January 30, 2012, you must provide *DPS* with either the original or copy of your current medical examiner's certificate as required by *DPS*.

If your medical examiner's certificate is only valid with a vision, diabetes or a skills performance evaluation variance granted by FMCSA, you may also be asked by *DPS* to provide a copy of that variance document.

Q. What if I am an existing CDL holder who does not have a license renewal, upgrade or transfer between January 30, 2012 and January 30, 2014?

A. You are responsible for following the three steps above and providing *DPS* with your self-certification of operating status by January 30, 2014. If required, you must also provide your current medical examiner's certificate and any variance document by January 30, 2014. *DPS* will tell you how you can provide this information.

Q. After I provide DPS with my unexpired medical examiner's certificate, do I still have to carry an original or copy of my medical examiner's certificate?

A. Yes. Until the program is fully implemented on January 30, 2014, you will still have to carry an original or copy of the medical examiner's certificate and provide a copy to your employer for your driver qualification file.

Q. *What should I do with the medical examiner's certificate beginning on January 30, 2014?*

After you provide DPS and your employer with the medical examiner's certificate, the medical examiner's certificate will only be valid for the first 15 days after it was issued. Your medical examiner's certificate will be recorded on your driving record and will become the valid version of your medical certification.

Q. *What if I do not provide DPS with my self-certification and if required, my medical examiner's certificate and any required variance document by January 30, 2014?*

- A. DPS will notify you that you are no longer medically certified to operate a CMV in non-excepted Interstate commerce. DPS will then remove all your CDL privileges from your license.

Q. *What should I do when my medical certificate and/or variance is about to expire?*

- A. You must have a new medical examination and obtain a new medical certificate. You must then provide DPS the new medical examiner's certificate. You are also responsible for applying to FMCSA for a renewal of your variance.

Q. *What happens if my medical examiner's certificate or variance expires before I provide DPS with a new one?*

- A. DPS will notify you that you are no longer medically certified to operate a CMV in non-excepted Interstate commerce. DPS will then remove all your CDL privileges from your license.

Q. *How can I get back my CDL privileges?*

- A. If the medical examiner's certificate has expired, you must obtain a new one and provide it to DPS. If the variance has expired, you must renew it with FMCSA. Your State may require retesting and additional fees to get back your CDL privileges. If allowed by DPS, you may also change your self-certification to an operating category that does not require a medical certificate.