

## FMCSA Issues Waivers for CDL Holders

In response to the COVID-19 pandemic, the Federal Motor Carrier Safety Administration (FMCSA), part of the U.S. Department of Transportation has granted a waiver for specific regulatory provisions on commercial driver's license (CDL) and commercial learner's permit (CLP) holders. CDL and CLP holders are required to pass physical exams to receive or maintain a commercial license. However, many medical professionals have canceled appointments for these exams per guidance by state health departments concerning non-essential procedures during the pandemic. Also, several states have closed their driver licensing agencies as part of state-wide or local social distancing efforts as recommended by the U.S. Center for Disease Control and Prevention. These closures have made it difficult for CDL and CLP holders to renew or obtain their licenses.

To limit the disruption of essential supplies and equipment transported by CDL holders, the FMCSA has issued the following extensions and waivers valid until June 30, 2020. States, CDL holders, CLP holders, and interstate non-CDL CMV drivers are covered under this waiver without further action.

- Extends until June 30, 2020, the maximum period of CDL validity by waiving 49 CFR 383.73(b)(9) and 383.73(d)(6) for CDLs due for renewal on or after March 1, 2020.
- Extends until June 30, 2020, the maximum period of CLP validity by waiving 49 CFR 383.73(a)(2)(iii) and 383.25(c) for CLPs that are due for renewal on or after March 1, 2020, without requiring the CLP holders to retake the general and endorsement knowledge tests.
- Waives the requirement under 49 CFR 383.25(e) that CLP holders wait 14 days to take the CDL skills test.
- Waives the requirement under 49 CFR 391.45 that CDL holders, CLP holders, and nonCDL drivers have a medical examination and certifica-

tion, provided that they have proof of a valid medical certification that was issued for a period of 90 days or longer and that expired on or after March 1, 2020.

- Waives the requirement under 49 CFR 383.71(h)(3) that, in order to maintain the medical certification status of "certified," CDL or CLP holders provide the State Driver Licensing Agency with an original or copy of a subsequently issued medical examiner's certificate, provided that they have proof of a valid medical certification that expired on or after March 1, 2020.
- Waives the requirement under 49 CFR 383.73(o)(2) that the State Driver Licensing Agency change the CDL or CLP holder's medical certification status to "not certified" upon the expiration of the medical examiner's certificate or medical variance, provided that the CDL or CLP holders have proof of a valid medical certification that expired on or after March 1, 2020.
- Waives the requirements under 49 CFR 383.73(o)(4) that the State Driver Licensing Agency initiate a CDL or CLP downgrade upon the expiration of the medical examiner's certificate or medical variance, provided that the CDL or CLP holders have proof of a valid medical certification or medical variance that expired on or after March 1, 2020.

### What This Means for Counties

Counties should review the status of CDL holders and ensure that licenses are brought into compliance by the time the waiver expires on June 30, 2020. For the full text of the order, visit <https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2020-03/FMCSA%20CDL%20Waiver-3.24.20.pdf>. For more information, contact CTSI at (303) 861 0507. 