



# Inspection Bulletin

North American Standard Inspection Program

## 2015-04 – Enforcement of Medical Examiner’s Certificate Integration with the Commercial Driver’s License

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### Summary

This Inspection Bulletin is provided to enforcement personnel who stop drivers with a commercial driver license (CDL) or a commercial learner permit (CLP) for a driver/vehicle examination (roadside inspection). This bulletin applies to CDL and/or CLP holders only.

### Background

On Dec. 1, 2008, the Federal Motor Carrier Safety Administration (FMCSA) published a final rule adopting regulations to implement section 215 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). Beginning on Jan. 30, 2015, a driver required to have a CDL and who submitted a current medical examiner’s certificate to the state driver’s license agency (SDLA) in accordance with 383.71(h) documenting that he or she meets the physical qualification requirements of part 391, no longer needs to carry on his or her person the medical examiner’s certificate after 15 days following the issuance of the medical certificate.

### Roadside Issues

The final rule effective Jan. 30, 2015, for CDL and CLP drivers no longer requires the physical possession of one’s medical certificate. Without enforcement guidance on this rule, drivers could be declared out of service (OOS) when:

- a CDL/CLP driver operating a passenger-carrying vehicle is not in possession of a valid medical certificate, or
- a CDL/CLP driver operating a property-carrying vehicle having a previous history of not being in possession of a valid medical certificate is not in possession of a valid medical certificate.

### Guidance

After Jan. 30, 2015, if during a roadside inspection, a check of the CDL driver’s information via Commercial Driver’s License Information System (CDLIS) or National Law Enforcement Telecommunications System (Nlets) indicates that the driver is medically qualified, this shall constitute possession of a valid medical certificate and compliance with 391.41(a)(1). This applies to the operation of all commercial motor vehicles (CDL and non-CDL alike) being driven by a CDL holder. After July 8, 2015, this applied to a CLP driver.

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While there are numerous combinations of the CDL medical requirement scenarios, personnel shall base their enforcement on the CDLIS or Nlets response(s). A basic guide for the proper identification and documentation of medical certificate violations is as follows:

## CDL Driver

- \*CDL is valid, medical indicator shows medical information on file. No violation.
- CDL is valid, medical indicator shows no medical information on file, no medical certificate in driver’s possession. Cite 391.41(a)(1).
- CDL is valid, medical indicator shows no medical information on file, current medical certificate in driver’s possession. No violation, if this is within 60 days after the medical certificate has been issued (date of examination). 61 days or greater, violation, cite 383.71(h). NOTE: This is not a violation of 391.41(a)(1) and would not result in an OOS.
- CDL is not valid (e.g. cancelled, downgraded, disqualified, revoked, suspended, etc.). Driver OOS, cite the most appropriate code for the CDL violation identified.

## Non-CDL Vehicle

- The driver of the non-CDL vehicle must have either the medical certificate in their possession or if they hold a CDL, the medical information must be contained on their state driver’s license file or be in possession of their medical certificate.

**NOTE:** Enforcement personnel may encounter drivers who say they have submitted the required documentation and complied. However, if the home state has cancelled, downgraded, disqualified, revoked, suspended, etc. the driver’s license, the driver must deal with that state to correct the issue. The fact that they have a medical certificate in their hand does not change the status of their license.

\*It’s also important for enforcement personnel to be aware that CDL checks run through Nlets may not show the medical information. If the CDL is valid, you must assume the medical information is on file with the SDLA.

