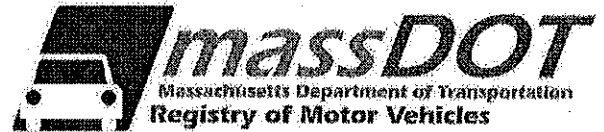




Deval L. Patrick, Governor
Timothy P. Murray, Lt. Governor
Richard A. Davey, Secretary & CEO
Rachel Kaprielian, Registrar



Date

Name

Address

City, State Zip

NEW COMMERCIAL DRIVER REQUIREMENT

Dear:

The RMV would like to inform you of a new federal requirement that every driver holding a Commercial Driver's License (CDL) will need to meet under 49 CFR 391.

As a CDL holder you will need to inform the RMV of the type of commerce you operate within: interstate or intrastate, and whether or not you are required to hold a medical certificate. Providing us with this information is called self-certification.

If you are required to hold a medical certificate, or have an exemption from the federal government or a state medical waiver, you will also need to provide the RMV with a copy of this paperwork, on-line or in a branch office.

The RMV wants to help you come into compliance with this new federal law through a process we hope is as seamless as possible.

As of January 30, 2012 you will be able self-certify either in a branch office (or on-line at www.mass.gov/rmv). If you have a medical certificate, waiver or exemption it will be scanned and stored. Drivers self-certifying on-line will need to scan their own document for submission. Every CDL driver will need to provide this information by January 30, 2014.

There are four (4) different self-certification categories you may fall into as a driver. The category you choose depends on whether you operate in interstate or intrastate commerce and whether or not you are required to have a medical certificate or are exempt.

- **Non-excepted Interstate (NI)** – You operate or expect to operate in interstate commerce, and are subject to meet federal qualification requirements and are required to obtain a medical examiner's certificate.
- **Excepted Interstate (EI)** – You operate or expect to operate in interstate commerce, but engage exclusively in transportation or operations that are excepted from all or parts of the federal qualification requirements, and are therefore not required to obtain a medical examiner's certificate.
- **Non-excepted Intrastate (NA)** – You only operate in intrastate commerce and are subject to State driver qualification requirements and are required to obtain a medical examiner's certificate.

- **Excepted Intrastate (EA)** – You operate in intrastate commerce, but engage exclusively in transportation or operations excepted from all or parts of the State driver qualification requirements, and are therefore not required to obtain a medical examiner's certificate

A list of Frequently Asked Questions (FAQs) is enclosed to provide you with additional information about the federal requirement, and help you in determining the self-certification category you should select.

Sincerely,

Rachel Kaprielian
Registrar

COMMERCIAL DRIVER LICENSE (CDL) SELF-CERTIFICATION REQUIREMENT

Effective January 30, 2014, all commercial drivers will be required to self-certify with the Massachusetts Department of Transportation, RMV Division, and provide a copy of their US DOT medical certificate, waiver or exemption. Self-certification information can be provided through the RMV website or in-person at a RMV branch office beginning in early 2012. Drivers who fail to provide this information prior to the January 30, 2014 date will be downgraded to a Class D license.

Driver Responsibility

- Self-certify in the appropriate operator category;
- Provide a copy of your current medical certificate (if one is required under your self-certification category); and
- Provide a valid intrastate or interstate waiver/exemption, if applicable.

Self-Certification Categories

Drivers should self-certify at the highest standard for which they qualify so as not to limit work opportunities.

Non-excepted Interstate (NI) – You operate or expect to operate in interstate commerce, and are subject to and meet federal qualification requirements and are required to obtain a medical examiner's certificate.

Example: All Class A, B, or C drivers who do not fall under any other category or who have been granted a federal vision or diabetes exemption; or SPE-limb Impairment (Skill Performance Evaluation)

Excepted Interstate (EI) – You operate or expect to operate in interstate commerce, but engage exclusively in transportation or operations that are excepted from all or parts of the federal qualification requirements, and are therefore not required to obtain a medical examiner's certificate.

Example: City, municipal or state employed CDL holders, or beekeepers

Non-excepted Intrastate (NA) – You only operate in intrastate commerce and are subject to State driver qualification requirements and are required to obtain a medical examiner's certificate.

Example: Drivers 18-21 years of age and have a K restriction associated with their license to operate. Drivers who do not meet the federal medical standards but who have been granted a medical waiver by the Commonwealth to operate commercially within the borders of Massachusetts.

Excepted Intrastate (EA) – You operate in intrastate commerce, but engage exclusively in transportation or operations excepted from all or parts of the State driver qualification requirements, and are therefore not required to obtain a medical examiner's certificate.

Example: City, municipal or state employed CDL holders, or beekeepers

Guidance for Category Selection

Drivers of commercial vehicles over 10,000 lbs. must carry a valid US Department of Transportation (D.O.T.) approved medical certificate. Also, drivers transporting 15 or more passengers or carrying placarded hazardous materials, regardless of vehicle size, are required to carry a D.O.T. medical certificate.

If you drive exclusively for a municipality or state agency you may or may not be exempt from the federal qualification requirement. Check with your employer prior to self-certification.

You are considered to be operating in interstate commerce if the property or passengers you are transporting cross state lines either before they were received, while being transported, or after the property or passengers have been transferred. The transportation of the property or passengers may include transport by plane, train, or boat in addition to the commercial motor vehicle. For example, if the origination and destination indicated on the bill of lading, when one exists, are not in the same state, then the shipment is interstate.

It is also considered interstate commerce if the property or passengers being transported will ever do any of the following:

- Cross state lines (including a place outside the United States)
- Move from the United States or a U.S. territory to a foreign country, or vice versa
- Have origination and destination points within a State, but pass through another State or foreign country during transport

If you are 18-21 years of age or if you have been issued a medical waiver because you do not meet the federal physical qualifications to operate in interstate commerce, you are limited to operating in intrastate commerce.

Failure to Comply – Downgrade Process

If you fail to self-certify with the RMV by the January 30, 2014 deadline your commercial driver license will be downgraded to a Class D license and you will no longer be authorized to operate a vehicle requiring a commercial driver license. You will receive notice from the RMV reminding you to self-certify by the required date.

After your initial self-certification you will receive a reminder letter when your self-certification is due to expire. Failure to submit a current medical certificate, or a valid intrastate or interstate waiver/exemption, if applicable, by the expiration date will you will no longer be authorized to operate a vehicle requiring a commercial driver license. If your updated information is not received within 60 days of the expiration date on record:

- 1) the RMV will downgrade you to a Class D license which will be mailed to you; and
- 2) a \$25.00 license amendment fee will be posted on your driving record to be collected at the time of your next license transaction.

Physical Qualifications

Medical examiner's certificates are valid for no more than two years. Some medical conditions may require you to have a physical examination more frequently.

If you do not meet the vision or diabetes physical qualification standards, or have a loss or impairment of limbs, you may be able to satisfy alternative physical qualifications or qualify for an exemption with the Federal Motor Carrier Safety Administration (FMCSA). Additional information can be found on the FMCSA website at www.fmcsa.dot.gov

If you do not meet the medical qualifications for commercial motor vehicle (CMV) interstate commercial operation, you may qualify for an intrastate medical waiver through the Registry of Motor Vehicles. This waiver permits operation of a CMV used in Massachusetts intrastate commerce only. For additional waiver information you may contact the MassDOT Medical Affairs Division at (617) 351-9222.

Frequently Asked Questions (FAQs)

Questions and Answers about the NEW Commercial Driver Requirement

Q: I heard there is a new requirement for people who have a commercial driver's license?

A: Yes, everyone that holds a Commercial Driver's License (CDL) will need to inform the RMV of the type of commerce they operate within: interstate or intrastate; and whether or not they are required to hold a medical certificate. This notification is called self-certification.

Those drivers required to have a DOT medical certificate, or have an exemption from the federal government or a state medical waiver, will also need to provide the RMV with a copy of this paperwork, on-line or in a branch office.

Q: Why is this new requirement called self-certification?

A: It is called self-certification because the driver, alone, needs to determine the self-certification category they fall into based on their driving information.

Q: When do I need to self-certify and provide the RMV with a copy of my medical certificate, exemption or waiver?

A: You have to self-certify and provide your medical documentation by January 30, 2014. However beginning January 30, 2012 you will be able self-certify in a RMV branch or via an on-line transaction that will be made available prior to the January 30, 2014 date.

Q: Will I still have to carry my medical certificate with me?

A: You will need to carry your medical certificate with you until January 30, 2014. After that date you will no longer need to carry it.

Q: What is the difference between Interstate and Intrastate commerce?

A: You are considered to be operating in interstate commerce if the property or passengers you are transporting cross state lines either before they were received, while being transported, or after the property or passengers have been transferred. The transportation of the property or passengers may include transport by plane, train, or boat in addition to the commercial motor vehicle. For example, if the origination and destination indicated on the bill of lading, when one exists, are not in the same state, then the shipment is interstate.

It is also considered interstate commerce if the property or passengers being transported will ever do any of the following:

- Cross state lines (including a place outside the United States)
- Move from the United States or a U.S. territory to a foreign country, or vice versa
- Have origination and destination points within a State, but pass through another State or foreign country during transport

If you are 18-21 years of age or if you have been issued a medical waiver because you do not meet the federal physical qualifications to operate in interstate commerce, you are limited to operating in intrastate commerce.

Q: How many self-certification categories are there?

A: There are four (4) different categories you may fall into as a CDL driver. The category you choose depends on whether you operate in interstate or intrastate commerce and whether or not you are required to have a medical certificate or are exempt.

- **Non-excepted Interstate (NI)** – You operate or expect to operate in interstate commerce, and are subject to meet federal qualification requirements (Title 49, Section 391.64) and are required to obtain a medical examiner's certificate.
- **Excepted Interstate (EI)** – You operate or expect to operate in interstate commerce, but engage exclusively in transportation or operations that are excepted from all or parts of the federal qualification requirements, and are therefore not required to obtain a medical examiner's certificate.
- **Non-excepted Intrastate (NA)** – You only operate in intrastate commerce and are subject to State driver qualification requirements and are required to obtain a medical examiner's certificate.
- **Excepted Intrastate (EA)** – You operate in intrastate commerce, but engage exclusively in transportation or operations excepted from all or parts of the State driver qualification requirements, and are therefore not required to obtain a medical examiner's certificate.

Q: What if I don't normally operate in interstate commerce but meet the qualifications to do so?

A: You should self-certify at the highest standard for which you qualify. NI is the broadest category and the one you should select if you meet the criteria even if you currently do not consider yourself an interstate driver.

Q: Can you provide an example for each of the categories?

A: Following are the types of drivers that may fall into each category.

- **Non-excepted Interstate (NI)** - All Class A, B, or C drivers who do not fall under any other category or who have been granted a federal vision or diabetes exemption; or SPE-limb impairment (Skill Performance Evaluation)
- **Excepted Interstate (EI)** - City, municipal or state employed CDL holders, or beekeepers
- **Non-excepted Intrastate (NA)** - 18-21 years of age and have a K restriction associated with their license to operate. Drivers who do not meet the federal medical standards but who have been granted a medical waiver by the Commonwealth to operate commercially within the borders of Massachusetts.
- **Excepted Intrastate (EA)** - City, municipal or state employed CDL holders, or beekeepers, age 18-21

Q: How do I know if I need to have a DOT medical certificate?

A: To qualify for a Commercial Driver's License (CDL) in Massachusetts you must pass a Department of Transportation (DOT) medical examination. Medical examiner's certificates are valid for no more than two years. Some medical conditions may require you to have a physical examination more frequently.

Q: What if I do not meet the physical qualifications required?

A: If you do not meet the vision or diabetes physical qualification standards, or have a loss or impairment of limbs, you may be able to satisfy alternative physical qualifications or qualify for an exemption with the Federal Motor Carrier Safety Administration (FMCSA). Additional information can be found on the FMCSA website at www.fmcsa.dot.gov

Q: What if I can't meet the medical qualifications for interstate commercial operation?

A: If you do not meet the medical qualifications for commercial motor vehicle (CMV) interstate commercial operation, you may qualify for an intrastate medical waiver through the Registry of Motor Vehicles. This waiver permits operation of a CMV used in Massachusetts intrastate commerce only. Intrastate medical waiver applications and information may be accessed through the following link:
<http://www.mass.gov/rmv/forms/21156.pdf>

Q: Why did my employer tell me that I do not need to have a DOT medical certificate even though I drive a commercial vehicle?

A: Most city, municipal and state employed commercial drivers are not required to obtain a medical certificate. The same is true for beekeepers who operate commercial vehicles. However, this is only if you drive exclusively for a municipality or state agency. In lieu of a medical certificate, Massachusetts requires you to submit an Exemption document for EI or EA self-certification categories. Your employer will provide the Exemption document for your certification.

Q: What if I work for a city or state agency but also plow in the winter for a contractor in my town?

A: In this case you would need to have a medical certificate if you are operating a commercial vehicle over 10,000 lbs. Also, drivers transporting 15 or more passengers or carrying placarded hazardous materials, regardless of vehicle size, are required to carry a DOT medical certificate.

Q: I'm not currently driving a CDL vehicle or employed as a CDL driver, do I still need to self-certify?

A: Yes, if you would like to keep your CDL you must self-certify. Otherwise you may choose to downgrade to a Class D license. Driver's can not hold on to the CDL without self-certifying.

Q: What if I fail to provide the required information?

A: Failure to provide your self-certification information and a copy of your medical certificate, if you require one, by January 30, 2014 will result in the downgrading of your commercial driver license (CDL). You will receive notice from the RMV reminding you to self-certify by the required date.

Q: Can I provide my information to the RMV prior to that date?

A: Beginning January 30, 2012 you will be able self-certify in a RMV branch or on-line at www.mass.gov/rmv

Q: How often do I need to provide the RMV with my self-certification information?

A: Self-certification is tied to the expiration date of your medical certificate, so at least every two years. If you are not required to hold a medical certificate then you will self-certify every two years.

Q: How will I know when I need to re-certify?

A: After your initial self-certification you will receive a reminder letter when your self-certification is due to expire. Notices will be sent to the address we have on record 90 days and 30 days prior to the expiration date. If you do not re-certify by the expiration date you will no longer be authorized to operate a vehicle requiring a commercial driver license (CDL).

You may also need to re-certify prior to the expiration date if the type of driving you conduct has changed. For example, if you no longer drive in interstate commerce you will need to self-certify as one of the two intrastate categories.

Q: If I do not re-certify what will happen?

A: If your updated information is not received within 60 days of the expiration date on record:

- 1) the RMV will downgrade you to a Class D license which will be mailed to you; and
- 2) a \$25.00 license amendment fee will be posted on your driving record to be collected at the time of your next license transaction.

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