



# STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

BARBARA J. FIALA  
Commissioner

"P" 3 (2014)

"M" 2 (2014)

Albany, New York

February 4, 2014

TO: All Enforcement Agencies and Magistrates

SUBJECT: Medical Certification Implementation

Effective immediately, New York State licensed Commercial Motor Vehicle (CMV) operators who are required to hold a Commercial Driver License (CDL) must comply with federal medical certification requirements (49 CFR 391.41). Until further notice, CMV operators engaged in either interstate or intrastate commerce must carry their USDOT Medical Examiner's Certificate or a copy of the certificate, except that:

- CMV operators with an A3 restriction (Med Cert Exempt) are exempt from the federal medical certification requirements and will not carry a Medical Examiner's Certificate. Below is a complete list of the types of driving that are exempt "excepted operation" from the medical certification requirements.
- CMV operators with a V restriction (Medial Variance) must show a copy of their medical variance along with their USDOT Medical Examiner's Certificate.

Please note that some CMV operators who received their NYS CDL prior to July 18, 2013, may have incorrect restrictions displayed or may have restrictions missing from their driver license document. This relates only to the K, A3 and V restrictions (See attached Self Cert Code Table for the restrictions required based on self-cert driving type). Drivers with incorrect or missing restrictions should be directed to their local DMV office to amend their license.

Law enforcement will have access to drivers' self-certification driving type code and medical certification information roadside through the Commercial Driver License Information System (CDLIS). The attached image provides an example of the information that will be supplied (actual formatting will depend upon the CDLIS display).

Drivers who are required to have a USDOT Medical Examiner's Certificate on file with DMV (Self-Certification driving type code of NA and NI only), but do not have the information on file through CDLIS and cannot produce a paper copy of the certificate may be in violation of section 509 (7-a) of the Vehicle and Traffic Law, operating a commercial motor vehicle while knowing or having reason to know that he or she is not medically certified.

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Attachments

## CDLIS Medical Certification Display

### MEDICAL CERTIFICATION INFORMATION

STATUS: CERTIFIED      ISSUANCE DATE: 07/31/2012      EXPIRATION DATE: 07/31/2014  
SELF CERT CODE: NI      SPE EFFECTIVE:      SPE EXPIRATION:  
VARIANCE EFFECTIVE DATE: 10/23/2012      VARIANCE EXPIRATION DATE: 10/23/2013  
RESTRICTIONS: CORRECTIVE LENSES; HEARING AID; WAIVER REQD; SPE REQD

### MEDICAL EXAMINER INFORMATION

JURISDICTION CODE: NY      LICENSE#: 005555  
SPECIALTY CODE: PA      REGISTRY#:  
FIRST NAME: M  
MIDDLE NAME: IKE  
LAST NAME: MOTORIST      SUFFIX:  
TELEPHONE#: 518-555-5555

Status: = Certified, Not Certified (for NI and NA), or Not Required (for EI and EA).

Issuance Date: = date the medical certificate was issued.

Expiration Date: = date the medical certificate expires.

Self Cert Code: = type of commercial operation - NI, NA, EI, or EA.

SPE Effective: = If driver's medical certificate indicates by a checked box that the certificate must be "accompanied by a Skill Performance Evaluation Certificate (SPE)," this would be the effective date of the SPE certificate.

SPE Expiration: = Expiration date of the SPE certificate.

Variance Effective Date: = If the driver's medical certificate indicates by a checked box that the certificate must be "accompanied by a "Vision, Diabetic, Hearing, or Seizure" waiver/exemption", otherwise known as a "medical variance", this would be the effective date of that waiver/exemption.

Variance Expiration date: = the expiration date of that waiver/exemption.

Restrictions: = Any and all check boxes that are checked on the medical certificate, i.e., "wearing corrective lenses, wearing hearing aid, accompanied by a \_\_\_\_\_ waiver/exemption, driving within an exempt intracity zone (49 CFR 391.62), accompanied by a Skill Performance Evaluation Certificate (SPE), qualified by operation of 49 CFR 391.64."

Medical Examiner Information = all the information on the Medical Certificate which identifies the physician/nurse practitioner, etc., giving the physical exam and issuing the medical certificate.

### Self Cert Code

Self-Certification Driving Types	License Restrictions			Hazmat eligible (H or X)	Med cert Required
	K	A3	V		
<b>NI - NON-EXCEPTED INTERSTATE</b>	No	No	Yes*	Yes <u>Age 21 and over only</u>	Yes
<b>NA - NON-EXCEPTED INTRASTATE</b>	Yes	No	Yes*	Yes <u>Age 21 and over only</u>	Yes
<b>EI - EXCEPTED INTERSTATE</b>	No	Yes	No	No	No
<b>EA - EXCEPTED INTRASTATE</b>	Yes	Yes	No	No	No

\*V- Medical Variance restriction ONLY if so indicated on Medical Examiner's Certificate – checked box “waiver/exemption” or “SPE certificate”

### Excepted Operation (FED Reg 390.3, 391.2, 391.68, & 398.3 & NYDOT Reg 721 & 820.3)

- 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 vehicles 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 a 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;
- To transport migrant workers, must be age 21 or older.

Drivers who obtained their NYS CDL **prior to 9/9/1999** are permitted to operate “non-excepted” commercial operation vehicles (except when transporting hazardous materials) in NYS only (these drivers must self-certify to EA).