



BARBARA J. FIALA
Commissioner

STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

"P" 7 (2012)

"M" 4 (2012)

Albany, New York

April 23, 2012

TO: All Enforcement Agencies and Magistrates

SUBJECT: New Medical Certification Requirement for Commercial Vehicle Operation

On May 29, 2012, a new subdivision 7-a of Section 509 of the Vehicle and Traffic Law will take effect. The law reads as follows:

509(7-a). "No person shall operate a commercial motor vehicle while knowing or having reason to know that he or she is not medically certified, as required, in accordance with the federal motor carrier safety improvement act of 1999 and Part 383.71(h) of title 49 of the code of federal regulations [CFR]."

A person convicted of this offense is subject to a fine of \$75 to \$300 [Vehicle and Traffic Law Section 509(11)].

In accordance with CFR 391.41, until January 30, 2014 drivers of commercial vehicles must carry their medical certificate (and any medical variance, if applicable) or a copy of the certificate along with their commercial driver license (CDL). After January 30, 2014, states must maintain the medical certification information on the CDL holder's driving record.

Please share this information with appropriate staff, including all road patrol enforcement officers. Thank you.

Barbara J. Fiala
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