

CDL Medical Certification Exceptions and Waivers: Results From Other States

Joint Transportation Committee

July 19, 2018

CDL Exemptions vs Exceptions vs Waivers

Exemptions	Exceptions	Waivers
<p>Class of drivers exempt from CDL requirements:</p> <ul style="list-style-type: none"> • Farmers within 150 miles of farm • Police and Fire • Non-commercial Recreational Vehicles • Military 	<p>Excepts class of drivers from medical certification.</p> <ul style="list-style-type: none"> • Optional for each state • Federal Medical certification exceptions: <ul style="list-style-type: none"> • School bus • Government • Transporting sick, injured or dead • Beekeeper • Responding to gas leak emergency • Non-business passengers 	<p>Individual waiver of specific medical requirements if:</p> <ul style="list-style-type: none"> • “Based upon sound medical judgment combined with appropriate performance standards ensuring no adverse effect on safety.” • Medical waiver applications evaluated and decided by: <ul style="list-style-type: none"> • Interstate hauling: FMCSA • Intrastate hauling: DOL

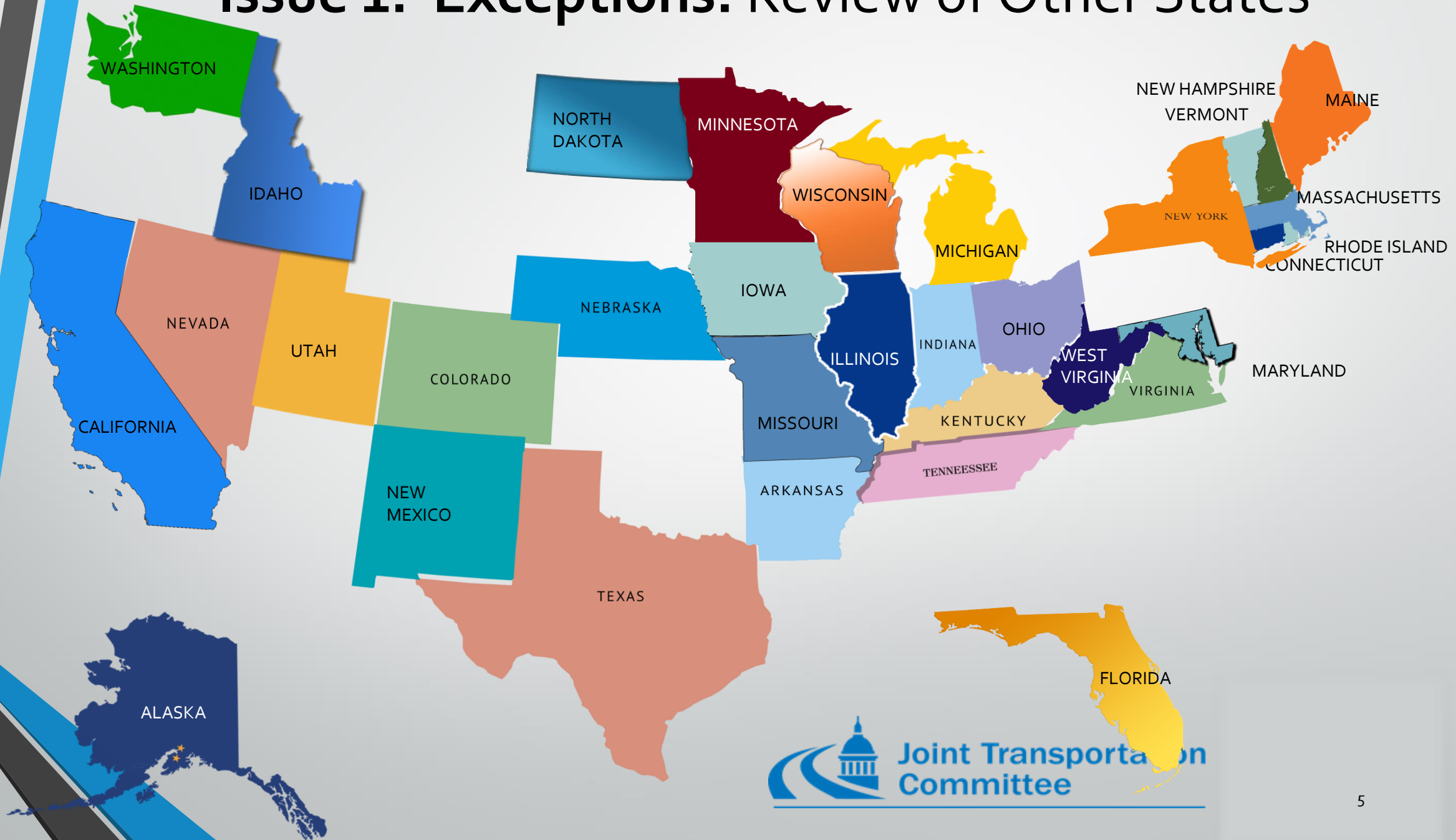
Current Law in Washington

- All CDL holders driving commercial vehicles must meet federal medical certification standards. RCW 46.25.055 (2003)
 - Both interstate and intrastate
 - No exceptions based on type of use
 - Individual waiver of specific medical requirement possible.

CDL Medical Certification Study

- Budget Proviso requires “assessment and recommendations” of possible methodologies to set standards for:
 - Potential exceptions to CDL medical certification requirements
 - Processes for evaluating CDL medical certification waiver requests
- Assessment performed by staff
- Today: Progress report on multistate research

Issue 1: Exceptions: Review of Other States

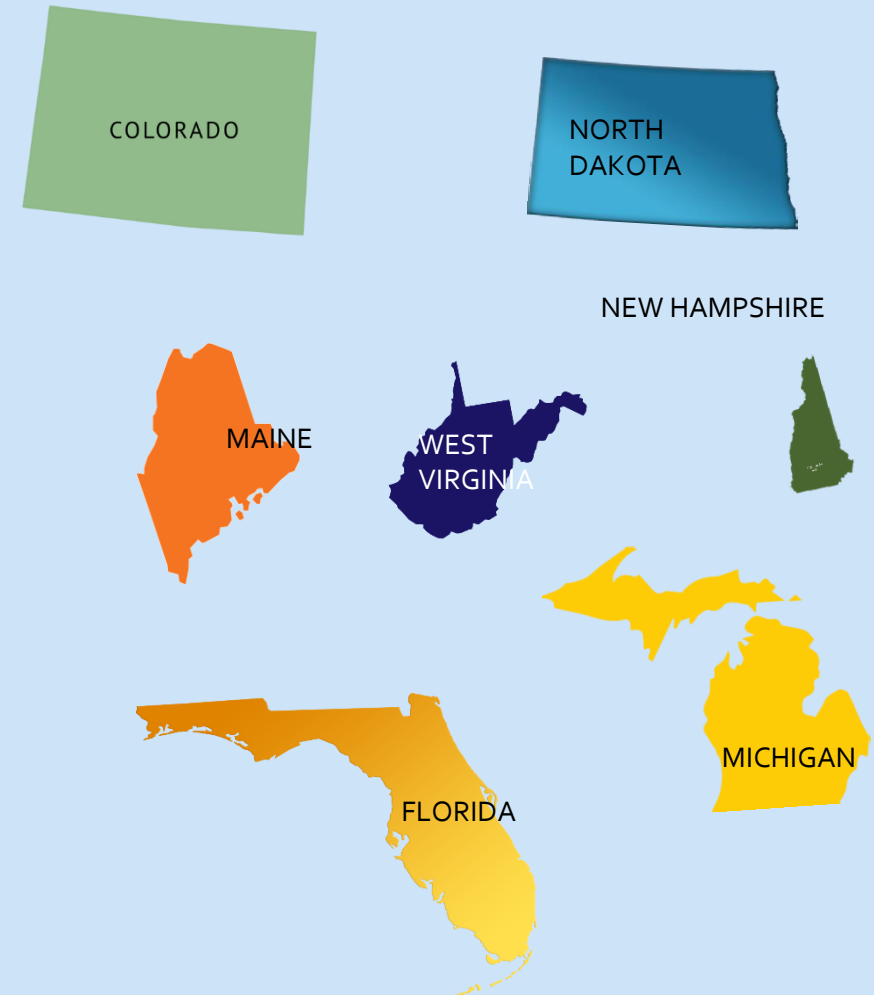


States Granting Intrastate Exceptions

Recognize All Federal Exceptions



Recognize Some Federal Exceptions

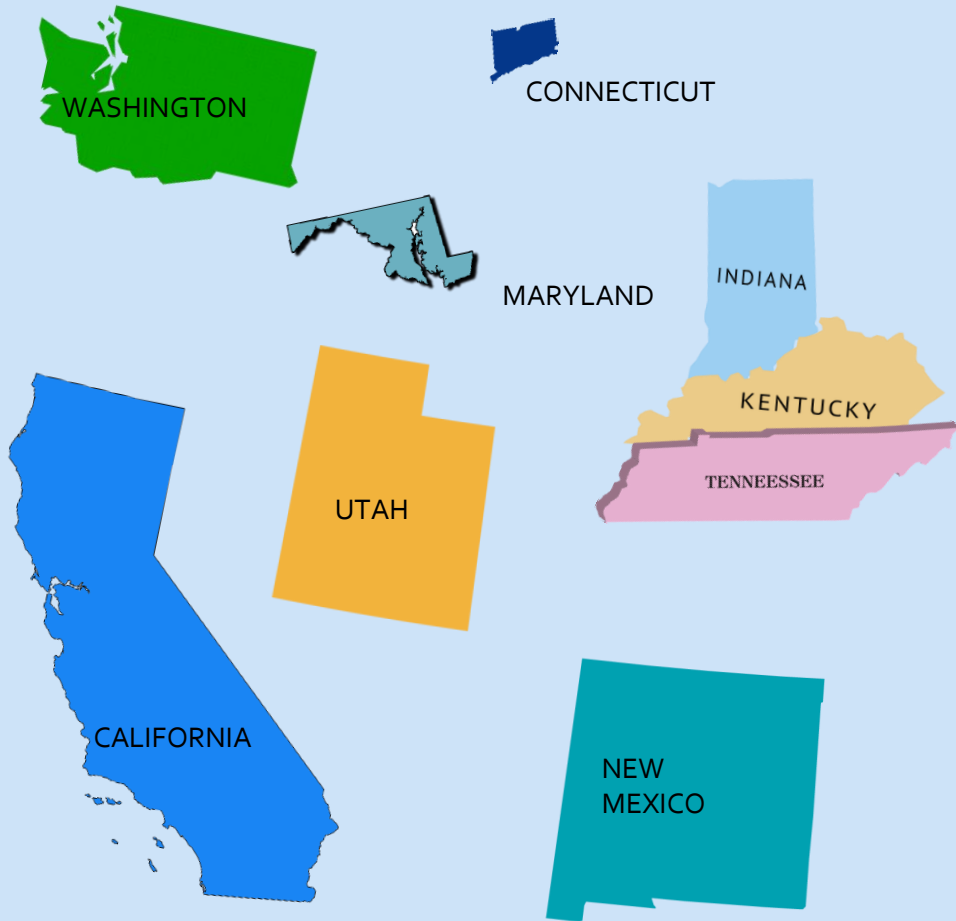


Limited Exception States

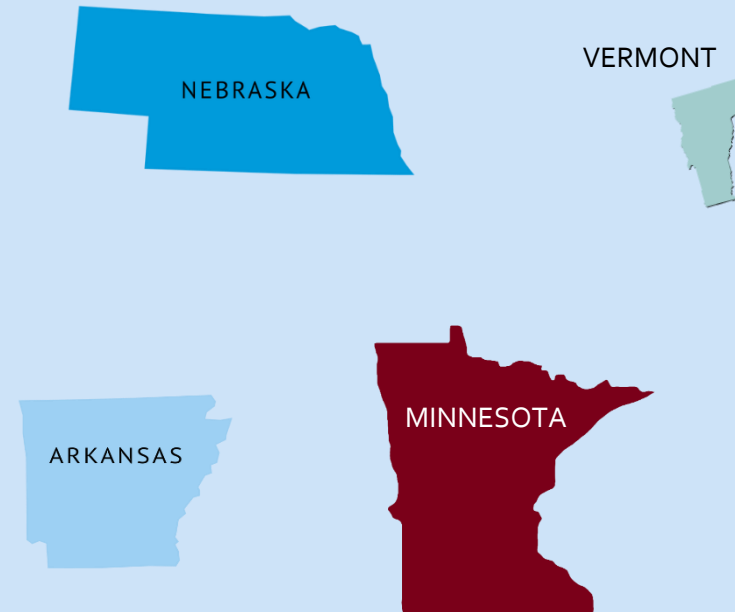
State	Exceptions Recognized
Florida	(1) Agricultural or forestry products between place of harvest first place of storage; (2) Utility CMVs within 200 miles of vehicle base; (3) Private school buses with less than 24 passenger spaces; (4) Operating as a driver/salesman within 100 miles of your workplace if no traffic convictions.
Maine	Operating less than 100 air miles from regular place of business
Michigan	self-propelled or towed implements of husbandry; PUD vehicle under 21,000 lbs or in emergency
New Hampshire	Government drivers
North Dakota	Farmer w/in 150 miles of farm; covered farm vehicle; business vehicles 10,001- 26,000 lbs.
West Virginia	Government drivers

States Not Granting Intrastate Exceptions

No Intrastate Exceptions



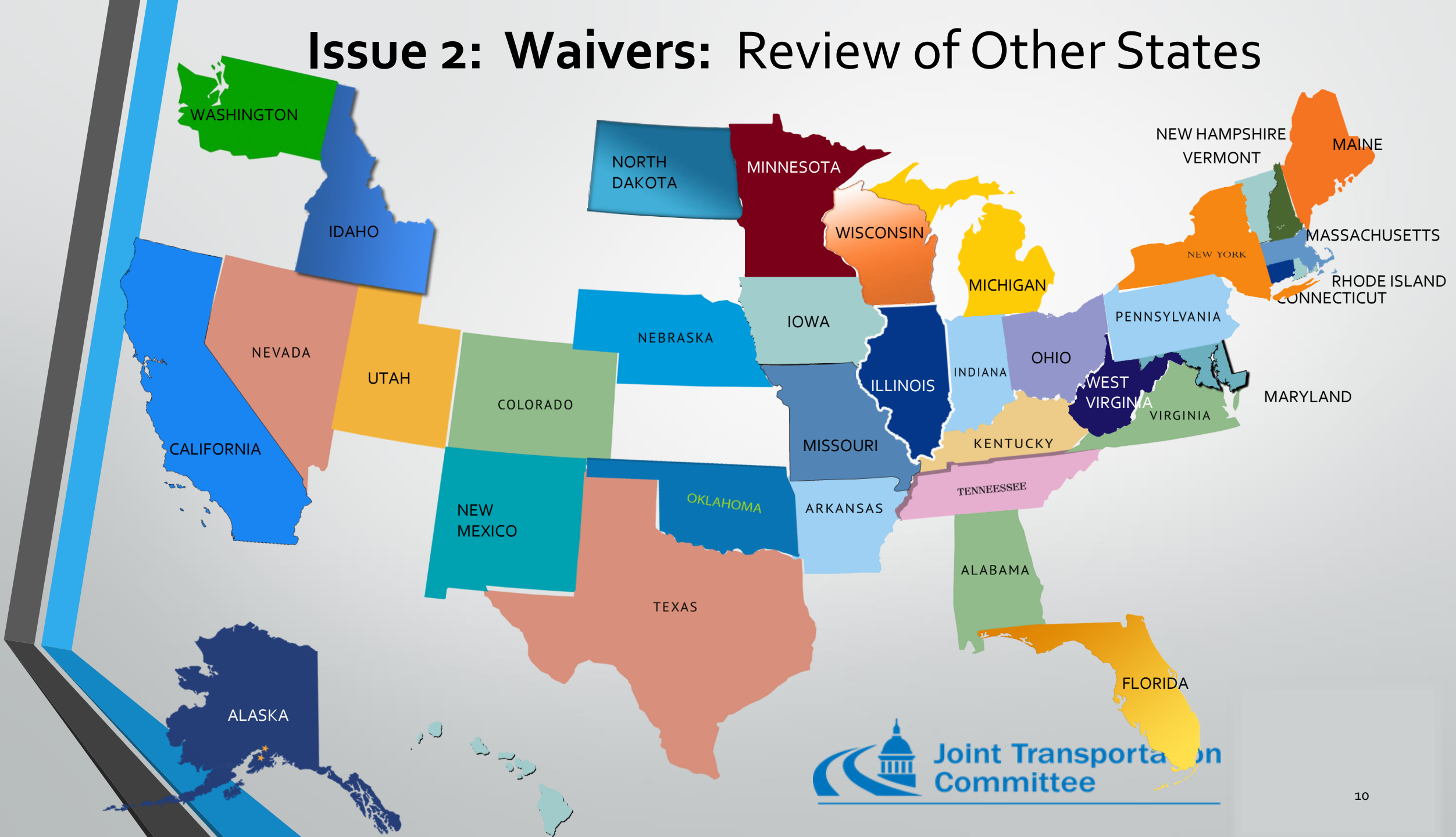
"Card Only" Exceptions



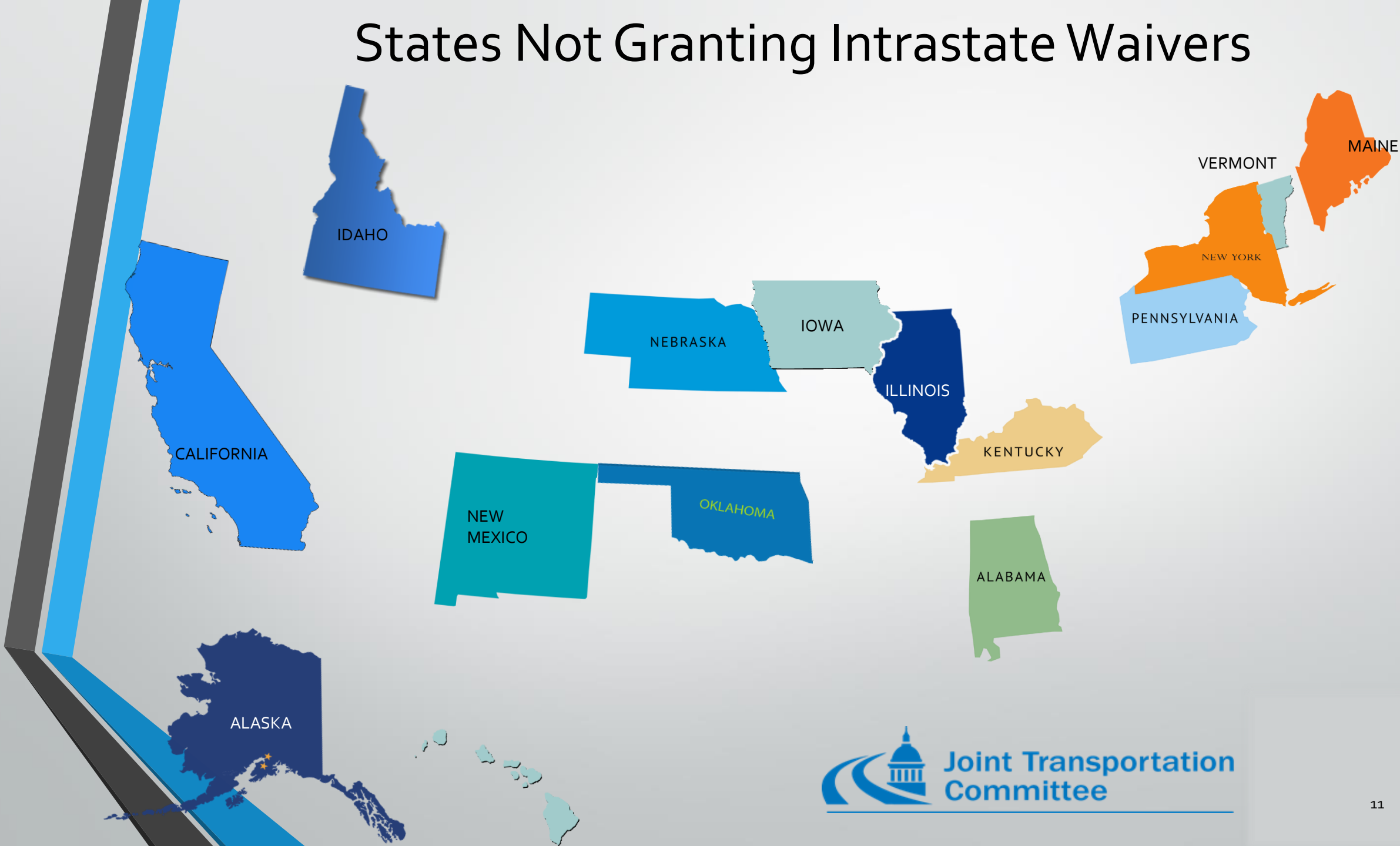
Next Research Steps on Exceptions

- How do other states administer exceptions?
 - Licensing
 - Law enforcement
 - What percentage of intrastate licenses are classified “excepted”
- Do employers require full medical certification regardless of state exceptions?
- Assessment and possible options

Issue 2: Waivers: Review of Other States



States Not Granting Intrastate Waivers

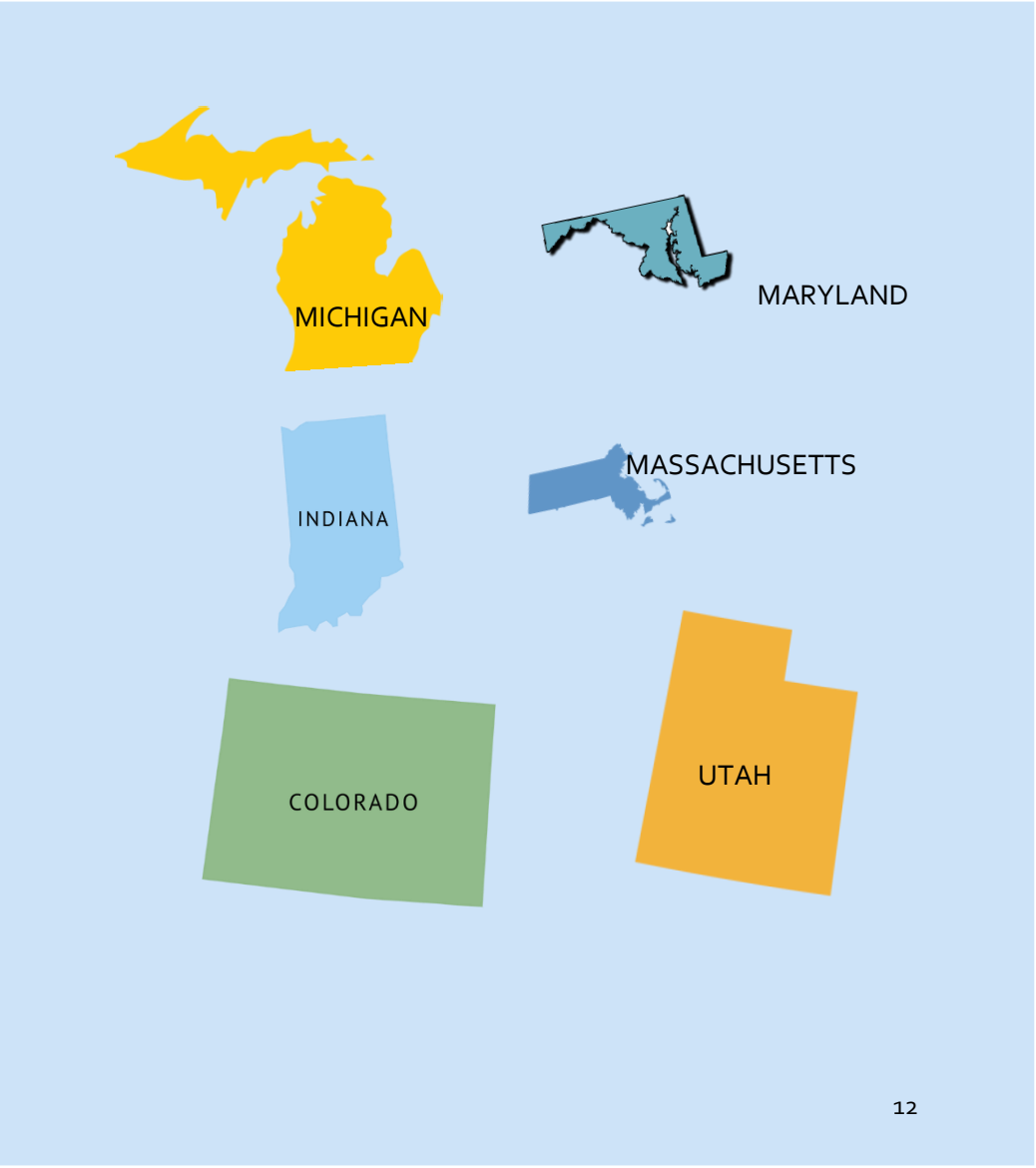


States Granting Intrastate Waivers

Agency Review



Medical Professional Review



Next Research Steps on Waivers

- Further contacts and research with states that provide medical professional review. Research:
 - Structure
 - Cost
- Compare number of intrastate waiver CDL as percentage of total
- Assessment and possible options.

Additional Steps

- Steps outlined in earlier slides satisfy assessment requirements of proviso
- Proviso also requires recommendations. Possible subjects of recommendation:
 - Adopting some or all of federally allowed exceptions
 - Instituting internal medical professional evaluation of waiver requests.
- After completion of assessment, may want to consider engaging consultant to provide safety analysis and develop recommendations

Questions?

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