

## **Information Collection Clearance**

### **The Supporting Statement**

#### **Medical Qualification Requirements**

Introduction: This is to request the Office of Management and Budget's (OMB) approval for the revision of the information collection (IC) entitled "Medical Qualification Requirements," covered by OMB Control Number 2126-0006, which is currently due to expire on April 30, 2013. The Agency revised this IC due to its development of a final rulemaking. This Final Rule titled, "*National Registry of Certified Medical Examiners*," (77 FR 24104), dated April 20, 2012) (see Attachment A) requires medical examiners who conduct medical examinations for interstate commercial motor vehicle (CMV) drivers to complete certain training concerning Federal Motor Carrier Safety Administration (FMCSA) physical qualification standards, pass a certification test and maintain competence through periodic retraining and retesting. Medical examiners have to submit demographic and eligibility data in order to apply to take the certification test. The FR also requires medical examiners to transmit to FMCSA certain information about completed Medical Examinations of CMV drivers and provide copies of Medical Examination Reports and medical examiner's certificates to authorized representatives or agents of the FMCSA or authorized State or local enforcement agency representatives upon request.

#### **Part A. Justification.**

##### **1. Circumstances that make the collection of information necessary:**

CMVs are by their nature a threat to highway safety if not operated properly by qualified individuals. CMVs (trucks and buses) are longer, heavier, and more difficult to maneuver than automobiles. Not only does it take a skilled driver to operate them safely, it takes a physically and mentally fit driver to do so as well. Information certifying driver medical fitness must be collected in order for our highways to be safe. FMCSA is the Federal government agency authorized to require the collection of this information, and the authorizing regulations are located at 49 CFR 390-399 (see Attachment B).

FMCSA's regulation at 49 CFR § 391.41 sets forth the physical qualification standards that interstate commercial driver's license (CDL) holders who are subject to part 391 must meet, with the exception of CDL drivers of migrant workers (who must meet the physical qualification standards set forth in 49 CFR § 398.3). The regulations on keeping records for driver physical qualifications are found at 49 CFR § 391.43, which specifies that a physical examination be performed on CMV drivers subject to part 391 who operate in interstate commerce. The results of the examination shall be recorded in accordance with the requirements set forth in that section.

If two medical examiners disagree about the medical certification of a driver, the requirements set forth in 49 CFR § 391.47 mandate that a third medical examiner's opinion be submitted. The third medical examiner is an impartial medical expert whose participation to give a medical

opinion is mutually agreed upon by the driver and motor carrier. If there is disagreement on the opinion by either party, § 391.47 provides a procedure for submitting an application to the FMCSA for resolution of the medical conflict.

The current provisions of 49 CFR §§ 391.51 and 398.3 require that a motor carrier retain the medical examiner's certificate in the driver's qualification file for 3 years. The certificate affirms that the driver is physically qualified to drive a CMV in interstate commerce.

Persons who are not physically qualified to drive under § 391.41 due to a limb impairment must file an application for and be issued a skill performance evaluation certificate (SPE) (formerly a limb waiver) in order to be physically qualified. This is specified in § 391.49. The application must be submitted to the appropriate FMCSA service center in which the driver has legal residence. If the application is submitted jointly by the person (driver applicant) who seeks the SPE certificate and by the motor carrier who will employ the driver applicant, the application must be submitted to the FMCSA service center closest to where the motor carrier's principal place of business is located. If the SPE certificate is granted by the FMCSA, the motor carrier must retain a copy of it in the driver's qualification file for 3 years. The SPE certificate is valid for 2 years (unless otherwise specified) and may be renewed.

Title 49 CFR § 381.300 establishes the procedures that persons must follow to request exemptions from the FMCSA safety regulations. Without an exemption, individuals who do not meet the vision or diabetes requirements in § 391.41 would not be qualified to operate a CMV in interstate commerce.

On September 3, 2003, the FMCSA announced in a Final Notice of Disposition entitled, "Qualification of Drivers; Exemption Applications; Diabetes," (68 FR 52441, (see Attachment C) that it will issue exemptions to CMV drivers with insulin-treated diabetes mellitus (ITDM) from the Federal diabetes standard set forth in § 391.41(b)(3). An exemption will be granted only to those applicants who meet specific conditions and comply with all the requirements of the exemption. Exemptions will be valid for up to 2 years and require renewal after the end of that period.

On November 8, 2005, the FMCSA announced in a Notice of Revised Final Disposition titled, "*Eligibility Criteria and Applications; Diabetes*" (70 FR 67777) (see Attachment D), its decision to revise the terms and conditions of its previous decision to issue exemptions to CMV drivers with ITDM from the Federal diabetes standard in the Federal Motor Carrier Safety Regulations (FMCSRs). This action was in response to section 4129 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59, 119 Stat. 1144 (August 10, 2005) (at Attachment E), which required FMCSA within 90 days of the statute's enactment to modify its exemption program to allow individuals who use insulin to treat diabetes mellitus to operate CMVs in interstate commerce. While these individuals no longer had to demonstrate safe driving experience operating a CMV while using insulin, other requirements were implemented by section 4129. Under the current diabetes exemption program, each applicant is required to provide the following: certain vital statistics, an endocrinologist evaluation, an evaluation by an ophthalmologist or optometrist, a current

medical examination report from a medical examiner, a readable photocopy of a current driver's license and a current motor vehicle record. The Agency must ensure that granting the exemption will likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved by complying with the regulations.

On December 1, 2008, the FMCSA revised this Information Collection Request (ICR) due to a final rulemaking (FR) titled, "*Medical Certification Requirements as part of the CDL*" (73 FR 73096) (see Attachment F). The FR requires that: 1) CDL drivers subject to 49 CFR part 391 (non-excepted, interstate drivers) provide the State Driver Licensing Agency with an original or copy of their medical certificate so that this information can be recorded in the State's Commercial Driver's License Information System (CDLIS) driver record, before the initial issuance, renewal, transfer or upgrade of the CDL; and 2) all CMV drivers operating in interstate commerce (both CDL and non-CDL holders) subject to 49 CFR part 391 who are issued either an FMCSA exemption under 49 CFR part 381, subpart C, or a SPE certificate<sup>1</sup> under 49 CFR § 391.49, provide motor carriers with a copy of the certificate.

49 U.S.C. 31149, enacted by section 4116(a) of SAFETEA-LU (see Attachment G), requires the Secretary of Transportation to establish and maintain a current national registry of medical examiners who are qualified to perform examinations and issue medical certificates that verify whether a CMV driver's health meets FMCSA standards. FMCSA is developing the National Registry for Certified Medical Examiners (NRCME) program to produce trained, certified medical examiners who are qualified to determine if a CMV driver's health meets FMCSA standards. In addition, section 4116(b) of SAFETEA-LU requires that the medical examinations of CMV operators are performed by medical examiners who have received training in physical and medical examination standards and, after the registry is established, are listed on the registry (see Attachment H). SAFETEA-LU also requires medical examiners to transmit electronically the name of the applicant and FMCSA numerical identifier for any completed Medical Examination Report required under 49 CFR § 391.43 to the FMCSA Chief Medical Examiner on a monthly basis. The FR requires employers to verify the National Registry Number of the medical examiner for each driver examined by a medical examiner listed on the National Registry and place a note in the Driver Qualification File that the National Registry Number was verified. Close tracking and monitoring of certification activities and medical outcomes are crucial, and the FR addresses the information collection aspects of NRCME implementation.

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<sup>1</sup> CDL holders subject to part 391 are already required to provide the employing motor carrier with a copy of the SPE certificate so it can be retained in the motor carrier's file for a period of 3 years after the date of execution. The driver is also required to have the SPE certificate or medical exemption document (or a legible copy) in his or her possession whenever on duty. See 49 CFR § 391.49(j) (1). Neither, the SPE nor the medical exemption information collection activities are new for purposes of complying with the Paperwork Reduction Act (44 U.S.C. §§ 3501-3520) and the burden hour estimates for them do not change as a result of the requirements set forth in the final rule entitled, "*Medical Certification Requirements as Part of the Commercial Driver License.*"

This information collection supports the U.S. Department of Transportation (DOT) Strategic Goal of Safety by ensuring that CMV drivers are medically qualified to operate trucks and buses on our nation's highways.

## **2. How, by whom, and for what purpose is the information used:**

The public interest in, and right to, have safe highways requires the assurance that drivers of complicated, modern CMVs can safely perform the increased physical and mental demands of their duties. FMCSA medical standards provide this assurance by requiring drivers to be examined and medically certified as physically and mentally fit to drive.

Third-party requirements of this information collection are being considered since State laws are generally in substantial conformity with the Federal regulations for medical qualifications of commercial drivers. Consequently, the estimate of the number of CMV drivers (respondents) covered by this information collection reflects both interstate drivers subject to the Federal Motor Carrier Safety Regulations (FMCSRs) and intrastate drivers subject to compatible State regulations. Although Federal regulations do not require States to comply with the medical requirements in the FMCSRs, most States do mirror the Federal requirements; therefore, we assume this burden is consistent with other FMCSA information collections.

Motor carriers are permitted to employ only drivers who are medically certified to drive. Applicants with certain medical conditions are not qualified to drive. Individuals with limb impairments are permitted to operate a CMV, but only when they are otherwise qualified and are granted a SPE certificate by FMCSA. FMCSA must collect this type of medical information about drivers so that public safety is not compromised.

The medical conflict application provision provides a mechanism for drivers and motor carriers to have FMCSA make a final decision to resolve conflicting medical evaluations when either party does not accept the decision of a medical specialist. Without this provision and its incumbent information-collecting requirements, an unqualified person may be permitted to drive and qualified persons may be prevented from driving.

Medical examiners (MEs) must provide specific FMCSA-prescribed information about every driver they examine. The purpose for providing information is that medical conditions that could adversely affect safe driving ability or cause incapacitation constitute a risk to the public. If this information were not required, the threat to public safety would be immense and unacceptable.

FMCSA may grant a medical exemption based on individual case review that relieves a person from compliance with a regulation if the agency determines the exemption is in the public interest and would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved by complying with the regulation. Information collected under 49 CFR § 381.310 is necessary to FMCSA in making its determination to grant an exemption from compliance with a regulation.

## **NRCME:**

Information collection requirements for implementation of the NRCME program affect both medical examiners and motor carriers.

The FR requires medical examiners to submit three types of data:

*Medical Examiner Application and Test Results Data:* To be listed on the NRCME, medical examiners must first pass a certification test to ensure they demonstrate an established level of competency. FMCSA and private-sector testing organizations will collect data from medical examiners as the medical professionals apply to take this certification test. Data elements required of medical examiners at the time of application will include professional contact and identifying information such as job title, address, and training and State licenses obtained. These data will be collected each time the medical examiner applies to sit for the certification test and information will be updated with FMCSA as needed. Test results data will include total test score and responses for each test item. Private-sector testing organizations will regularly transmit medical examiner data and test results data electronically to FMCSA for inclusion in a centralized, confidential database.

These data will allow for the matching of on-site documentation with verification of identity and testing eligibility (e.g., proof of State licensure, registration or certification that allows performance of physical examinations and completion of training that conforms to the FMCSA core curriculum specifications). This information will also be utilized to track participant test-taking trends as well as provide applicants for medical certification respondents with test results and follow-up information.

It is important to note there is currently no mechanism for identifying medical examiners conducting CMV driver medical examinations. The size of this population, as well as characteristics related to their training and location, for example, is not known. This database will therefore serve as the only resource containing this information for all certified medical examiners in the United States.

Ultimately, these data will be used to provide CMV drivers with contact information for those medical professionals who pass the certification test; that is, this information will provide the content for the actual NRCME listing. In some cases, this medical examiner information will be needed to address removals from the NRCME.

*CMV Driver Medical Examination Results Data:* Once every calendar month, each medical examiner listed on the NRCME is required to complete and

transmit to FMCSA Form MCSA-5850, *CMV Driver Medical Examination Results*, with the following information about each CMV driver examined during the previous month: name, date of birth, driver's license number and state, date of examination, an indication of the examination outcome (for example, medically qualified), whether intrastate driver only, and date of driver medical certification expiration. Data will be submitted electronically via a secure FMCSA-designated Web site. In order to continue to be listed on and to continue participation in the NRCME, MEs need to comply with this requirement on a monthly basis. MEs who examine drivers who operate only in intrastate commerce may report those driver examination results on the form and check the checkbox for "Intrastate Only". Data on intrastate only driver examinations will be used to provide information to state and local enforcement officials on medical examiner performance and driver physical qualifications.

CMV driver examination data are intended to serve a monitoring function. First, these will be the only centralized, consistent national data that will enable FMCSA to link medical examiners to the examinations they have conducted. In addition, this will be the first national database that will, after several years of implementation, house CMV driver medical examination certification outcomes.

*Medical Examination Reports and Medical Examiner's Certificates:* The NRCME Final Rule requires medical examiners to provide copies of Medical Examination Reports and medical examiner's certificates to authorized representatives or agents of the FMCSA or authorized State or local enforcement agency representatives. These documents contain the driver's social security number, date of birth, driver license number, and health and medical information.

It is necessary for medical examiners to provide Medical Examination Reports and medical examiner's certificates to an authorized representative or agent of FMCSA or an authorized State or local enforcement agency representative in order to determine ME compliance with FMCSA medical standards and guidelines in performing CMV driver medical examinations. Failure to comply with FMCSA medical standards and guidelines may result in removal from the NRCME. Medical examiner's certificates provide additional documentation to determine compliance with FMCSA medical standards and guidelines by linking the ME to both the medical examination and the driver medical certification decision, and ensuring the certification decision matches the information in the medical examination and the certificate is completed correctly.

The FR requires motor carriers to collect the following data:

*Verification of National Registry Number by Motor Carriers:* Motor carriers will be required to verify the National Registry Number of the medical examiner for each driver required to be examined by a medical examiner on the National Registry and place a note relating to verification in the driver qualification file, as required by provisions in 49 CFR §§ 391.23 and 391.51. This data collection requirement will also provide proof the motor carrier has met its obligation to require drivers to comply with the regulations that apply to the driver (49 U.S.C. 31135(a) and 49 CFR 390.11).

### **3. Extent of automated information collection:**

The nature of the medical certificate and recordkeeping requirements in the driver's qualification file precludes automated collection by the motor carriers of this information at this time. A hard copy of the certificate must be signed by the medical examiner and provided to the driver. The driver currently provides a copy of the certificate to the motor carrier to retain on file for three years from the date of issuance. For CDL holders, beginning January 30, 2012, the motor carrier will meet this requirement with a copy of the MVR obtained from the State Driver Licensing Agency (SDLA). There is nothing to preclude an electronic record of the medical examination. The FMCSA is continuously evaluating new information technology in an attempt to decrease the burden on motor carriers and medical examiners. Our evaluation is always done in the context of retaining highway safety as our highest priority. Any new or improved

information technology in the medical or scientific field would be subject to rulemaking if it affected the medical qualifications of drivers.

Consistent with the office of management and Budget's commitment to minimizing respondents' recordkeeping and paperwork burdens and the increased use of secure electronic modes of communication, it is estimated that approximately 75 percent of the aforementioned NRCME data will be transmitted electronically. As indicated, medical examiner application and test results data as well as CMV driver examination data will be transmitted electronically, via secure Web site. Medical examiners will provide copies of Medical Examination Reports and medical examiner's certificates electronically, via secure Web site, when requested, or may provide them in person to an authorized representative or agent of FMCSA or an authorized State or local enforcement agency representative.

### **4. Efforts to identify duplication:**

The FMCSA is the only Federal agency with the authority to regulate the qualifications of CMV drivers operating in interstate commerce. Rulemaking under the Administrative Procedure Act provides the necessary medium for uncovering duplication if it existed. Comments to the docket on various FMCSA rulemaking notices have revealed no duplication.

### **5. Efforts to minimize the burden on small businesses:**

For NRCME information collection, submission of medical examiner application data to private-sector testing organizations affects individuals, not establishments. Collection and transmission

of medical examiner application and test results data does affect which could include small businesses. However, since collection and transmission of such data is part of private-sector testing organizations' daily course of business, it is anticipated that this would not have a significant impact or require a significant time burden. Collection of CMV driver examination data does affect medical clinics and practices, so there would be some impact on small businesses; however, since this data is already recorded on the medical examiner's certificate, it is anticipated this would not have a significant impact or require a significant time burden. It is also anticipated that provision of Medical Examination Reports and medical examiner's certificates to an authorized representative or agent of FMCSA or an authorized State or local enforcement agency representative would not have a significant impact or require a significant time burden.

## **6. Impact of less frequent collection of information:**

Periodic re-evaluation and recertification is needed to assess medical fitness for duty, including onset of new conditions or changes in existing conditions that may adversely affect ability to drive safely and/or cause incapacitation that could be a risk to public safety. MEs have discretion to certify for shorter time periods on a case-by-case basis for medical conditions that require closer monitoring or that are more likely to change over time.

A driver's physical or mental condition may change at any time. Federal vision and diabetes exemptions must be reviewed every 2 years to ensure that the granting of the exemption does not diminish safety under 49 CFR § 381.310. In the interest of highway safety, the medical examination and exemption renewal should not be performed less frequently.

### **NRCME:**

1) *Medical Examiner Application and Test Results Data:* As these data are collected each time a potential examiner sits for the certification test, less frequent collection of information implies fewer test administrations. Less frequent test administrations would likely result in fewer qualified medical examiners being available to the CMV driver and motor carrier population. Once the NRCME program is implemented, the FMCSA will accept medical examinations performed only by certified medical examiners listed on the NRCME, as required by law. To meet the annual CMV driver medical examination requirements, the FMCSA estimates that at least 40,000 certified medical examiners are needed. Availability of fewer medical examiners could place a burden on drivers and motor carriers to find a qualified medical examiner to perform the medical examination.

2) *CMV Driver Medical Examination Results Data, Medical Examination Reports, and Medical Examiner's Certificates:* SAFETEA-LU requires medical examiners to transmit to the FMCSA Chief Medical Examiner, electronically and on a monthly basis, the name of the applicant and FMCSA numerical identifier for any completed Medical Examination Report required under 49 CFR § 391.43; therefore, less frequent collection of driver examination data is not an option. In addition, less frequent collection of driver data, Medical Examination Reports and medical examiner's



certificates would compromise the FMCSA's ability to determine medical examiner compliance with the FMCSA medical standards and guidelines in performing CMV driver medical examinations, which could result in having medical examiners listed on the NRCME who should be removed. Less frequent data collection would result in decreased validity of the data (i.e., less frequent data submission may increase the error rate due to unintentional omission of examination information).

*3) Verification of National Registry Number:*

Motor carriers will be required to verify the National Registry Number of the medical examiner and place a note regarding the verification in the driver qualification file whenever they hire new drivers and whenever a driver is medically certified. Less frequent verification would mean drivers may not have been examined by a medical examiner on the National Registry, and they may no longer meet the physical qualifications standards of the FMCSRs even though they were previously certified as physically qualified.

**7. Special circumstances:**

There are no special circumstances associated with this information collection.

**8. Compliance with 5 CFR § 1320.8:**

As noted above, on September 3, 2003, the FMCSA announced in a Final Notice of Disposition that it will issue exemptions to certain diabetic drivers of CMVs from the diabetes mellitus prohibitions contained in 49 CFR § 391.41(b)(3). Exemptions are granted only to those applicants who meet specific conditions and comply with all the requirements of the exemption. Exemptions will be issued for a period of 2 years; after 2 years, those holding exemptions may reapply for another 2-year exemption period.

On November 8, 2005, the FMCSA announced its decision to revise the terms and conditions of its previous decision to issue exemptions to CMV drivers with ITDM from the Federal diabetes standard in the FMCSRs. This action is in response to section 4129 of SAFETEA-LU. As a result of the implementation of section 4129, individuals with ITDM who are applying for an exemption from the physical qualifications requirements are no longer required to submit proof of their driving experience operating a CMV while using insulin. Proof of driving experience would typically include letters of reference from the current and previous employers that the person was employed as a CMV driver, and an estimate of the number of hours the individual spent driving each week over a 3-year period. Therefore, the elimination of the 3-year driving experience requirement has resulted in a significant reduction in the information burden associated with applying for a diabetes exemption.

On October 19, 2006 (71 FR 61822), (see Attachment I) FMCSA published a notice in the

Federal Register requesting public comments on the proposed renewal of this IC. The agency received no comments from the public in response to this notice. In addition, FMCSA published a second notice (72 FR 9995) on March 6, 2007 (see Attachment J) with a 30 day comment period that announced this IC was being submitted to OMB for approval.

On November 16, 2006, FMCSA published a notice of proposed rulemaking (NPRM) entitled, “*Medical Certification Requirements as Part of the CDL*,” (71 FR 66723), and requested comments from the public on its proposal to amend the FMCSRs to merge information from the medical certificate into the CDL process required by section 215 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA), Public Law 106-159, 113 Stat. 1748, (December 9, 1999). The comments received in response to the NPRM were addressed in the final rule.

#### **NRCME:**

FMCSA held three public meetings to discuss the NRCME program in 2005 and 2006: June 22, 2005 in Arlington, Virginia, June 22, 2006 in San Diego, California, and July 26, 2006 in St. Louis, Missouri. During these meetings, a number of medical providers and CMV industry representatives expressed concern about the current quality of CMV driver examinations. Representatives provided anecdotal evidence about drivers qualified by health care providers who were clearly unaware of FMCSA medical standards, guidelines, and other information needed to determine whether a driver can safely operate a CMV.

On December 1, 2008, the FMCSA published an NPRM (73 FR 73129) concerning the NRCME program. The NPRM contained information about the medical examiner training and certification testing process including the information collection requirements. The NPRM also defined the requirements for reporting CMV driver examination data and submitting Medical Examination Reports and medical examiner’s certificates. Numerous comments were submitted to the Agency in response to the NPRM. Those comments are addressed in the accompanying Final Rule, which implements the NRCME program.

On March 16, 2011, FMCSA published an additional notice (76 FR 14366) (see Attachment K) requesting comment on a modification of the information collection requirements under consideration by the agency. FMCSA’s responses to the comments on the modification of the information collection can be found in the preamble to this final rule.

#### **9. Payments or gifts to respondents:**

Respondents to this information collection do not receive any payments or gifts.

#### **10. Assurance of confidentiality:**

All medical records are kept confidential. The information is retained by the FMCSA in accordance with the requirements of the Privacy Act of 1974. The information on the physical examination form is retained on file in the FMCSA Office of the Chief Medical Examiner (?? Is

there such an office?) and is subject to applicable Federal and State laws regarding the confidentiality of medical records. The FMCSA, in accordance with 49 CFR §§ 391.51 and 398.3, requires only the medical certificate of physical qualification or a copy of the MVR obtained from the SDLA to be kept in the driver qualification file maintained by the employer.

#### **NRCME:**

The FMCSA will develop secure processes involving the transmission of information, records control and repository, and the ability to retrieve and search records. The FMCSA will create a secure information system using a Web interface for which each medical examiner listed in the NRCME will receive a unique login ID and password upon his or her acceptance into the NRCME Program. Only the medical examiners and their designated administrative personnel will be able to access this information system, limited to their own accounts. FMCSA administrative personnel will be able to view and query data, as well as generate reports, based on the information that a medical examiner has transmitted. There is no change in how the Medical Examination Reports are prepared. Medical examiners will enter their National Registry Number on the medical examiner's certificates.

Within the Web site, medical examiners will be able to update or correct their information and securely upload the monthly driver examination information. If the FMCSA decides to remove a medical examiner from the NRCME, except at the request of the medical examiner, the certification credential issued by the FMCSA will no longer be valid. The person's information will remain on the NRCME Web site for 3 years, but with an indication that person is no longer active on the NRCME (as of the date of removal). Maintaining this information will allow enforcement personnel and employers to verify whether a medical certificate was issued by a person on the NRCME at the time of issuance.

Access to Medical Examination Reports and medical examiner's certificates will be limited to designated Federal, state, and local enforcement personnel and FMCSA administrative personnel. If provided electronically, these documents will be encrypted. Additionally, information can be purged on a frequent basis.

#### **11. Justification for collection of sensitive information:**

The medical examination process requires the medical examiner to inquire about aspects of driver physical and mental health, including history of frequent alcohol use, illicit drug use or habit-forming medication use. The FMCSA reviews Medical Examination Reports as part of the SPE, diabetes, and vision exemption processes in order to confirm the driver is otherwise physically qualified.

#### **NRCME:**

1) *Medical Examiner Application and Test Results Data:* The medical examiner application data allows testing organizations to match on-site documentation with verification of identity and testing eligibility (e.g., proof of State

licensure that allows performance of physical examinations and proof of completion of training that conforms to the FMCSA core curriculum specifications). The FMCSA will use the test results data to track participant test-taking trends as well as provide respondents with test results and follow-up information.

2) *CMV Driver Examination Data, Medical Examination Reports, and Medical Examiner's Certificates*: Medical examiners are required to submit CMV driver certification examination outcomes (e.g., medically qualified, medically unqualified, temporarily disqualified) in conjunction with driver name, licensing state, license number, and date of birth. Submission of this general medical examination information is necessary to tie a specific medical examiner to a specific driver examination in order to monitor the performance of certified medical examiners.

## **12. Estimate of burden hours for information requested:**

### Medical Examination Report and Medical Examiner's Certificate

There are approximately 7,058,000 drivers subject to the FMCSA medical standards. A medical certificate usually is valid for 2 years after the date of examination. However, drivers with certain medical conditions must be certified more frequently than every 2 years, so halving the number of drivers underestimates the total number of certifications that are conducted annually. In addition, some employers require newly hired drivers to obtain a new medical certification even if the driver's current certificate is still valid. As a result of these exceptions to the biennial medical certification schedule, the Agency estimates that the actual number of medical certifications conducted annually is 31 percent greater than would be the case if all drivers were only examined biennially. Biennial examinations would result in approximately 3,529,000 medical examinations per year, but the Agency estimates that approximately 4,623,000 examinations are conducted annually [3,529,000 regular medical examinations x .31 (31%) out-of-cycle medical examinations + 3,529,000 regular medical examinations = 4,623,000]. It takes a medical examiner approximately 20 minutes to complete, document, and file the medical examination report and 1 minute to complete the medical examiner's certificate and furnish one copy to the person who was examined. It takes a motor carrier approximately 1 minute to file the medical examiner's certificate. Therefore, the annual time burden to respondents for the medical examination and certificate is estimated at **1,695,000 hours** (4,623,000 certificates x 22 minutes/60 minutes per hour).

Respondents' salary costs associated with these hours is estimated as calculated below. The average hourly wage of a medical examiner (not limited to doctors of medicine but may include doctors of osteopathy, physician assistants, advance practice nurses, and doctors of chiropractic) is estimated to be \$83.00. Therefore, the annual salary cost for medical examiners to complete the medical examination process is approximately \$134,298,000 [4,623,000 examinations x (\$83.00 x 21 minutes/60 minutes per hour) = \$134,298,000].

The average hourly wage (including benefits) of motor carriers' administrative personnel is estimated to be \$19.00. Therefore, the annual salary cost to motor carriers to file the certificate

is about \$1,464,000 [4,623,000 certificates x \$19.00 x 1 minute/60 minutes = \$1,464,000]. The total annual salary and wage cost to respondents for the Medical Examination Report and the medical examiner's certificate is about **\$135,762,000** (\$134,298,000 salary costs for medical examinations + \$1,464,000 salary costs for administrative support).

#### Resolution of Medical Conflict

The safety director of a motor carrier would generally submit the application to the FMCSA for a resolution of medical conflict, and would attend a hearing if the FMCSA deems it necessary to hold a hearing. A safety director would need approximately 1 hour to prepare paperwork for each case and an additional 8 hours to attend any hearing. There are about 3 cases per year submitted to the FMCSA for resolution of conflicting medical opinions. One of every three cases is sent to a hearing before an Administrative Law Judge. Therefore, the annual time burden to respondents for the resolution of medical conflicts is about **11 hours** (3 cases x 1 hour each to prepare, plus 8 hours for one hearing per year).

Respondents' salary costs associated with the resolution of medical conflicts is estimated as calculated below. The average hourly wage (including benefits) of safety directors is estimated to be \$22.00. The motor carrier's cost would be about \$198 if the case went to a hearing (9 hours x \$22 per hour) and approximately \$22 if the case did not go to a hearing. The annual salary costs to respondents for the resolution of medical conflicts is approximately **\$242** [\$198 + 44 (2 non-hearing cases x \$22 per case)].

FMCSA has assumed that, due to the small number of 9-15 passenger van drivers (57,900) relative to the total number of drivers subject to physical qualification standards (7,058,000) and the fact that only 3 medical conflict resolution cases currently arise per year, that the 9-15 passenger van rule will result in no increase in the number of medical conflict resolutions.

#### Skill Performance Evaluation (SPE) Certification Program (formerly the Limb Waiver Program)

An SPE certificate is valid for 2 years; FMCSA estimates that there are currently 1,700 SPE certificates due for renewal in any one given year. Further, it is estimated that there are 400 new SPE certificates processed each year, making a total of 2,100 new and renewed annual SPE certificates. It takes an estimated 15 minutes for a driver to complete an application for a new SPE certificate, approximately 2 minutes for a driver to complete an application for an SPE certificate renewal, and approximately one minute for the motor carrier to make a copy of the SPE certificate and file it in the driver qualification (DQ) file. The current annual motor carrier time burden for the SPE certification program is about **35 hours** (2,100 certificates x 1 minute/60 minutes). Drivers who participate in the SPE program spend approximately **157 annual hours** [57 hours (1,700 renewals x 2 minute/60 minutes) + 100 hours (400 new x 15 minutes, or 6,000 minutes/60 minutes)] to complete the SPE application and renewal processes. The current annual hour burden for respondents (motor carriers and drivers) to complete the SPE certificate application and renewal (waiver) processes and retain a copy of the certificate in the driver's DQ file is **192 hours** [35 hours (carrier) + 157 hours (57 driver (renewals) + 100 driver (new))].

Respondents' (carriers and drivers) salary costs associated with the burden for the SPE are

estimated as follows. The average hourly wage (including benefits) of motor carriers' administrative personnel, who would file the certificates, is estimated to be \$13.73. The median hourly earnings for drivers of general freight trucks is \$16.11 with the middle 50 percent earning between \$12.67 and \$20.09 per hour. For the purposes of this analysis FMCSA will use \$20.09 per hour as an average.

Therefore, the total annual salary costs to respondents (carriers and drivers) to participate in the SPE certification program is **\$3,635** [\$480.55 for motor carriers (35 hours x \$13.73 per hour for administrative personnel = \$480.55) + \$3,154.13 for drivers (157 hours x \$20.09 per hour = \$3,154.13) = \$3,634.68, or \$3,635 rounded to the nearest dollar].

FMCSA cannot predict how many of the 57,900 drivers now subject to physical qualification standards due to the 9-15 passenger van rule will be part of the SPE program. However, because the total annual hourly burden relative to the total population of drivers is so small (192 hours/7,000,000 hours), FMCSA does not believe this will be a noticeable source of burden for the additional 57,900 impacted by the 9-15 passenger van driver rule.

#### Vision Exemptions

There are approximately 1,241 new applications for vision exemptions filed annually and 1,572 total applicants (new and renewals). Approximately 268 new vision exemptions or (22 percent) are granted annually. An exemption is valid for two years, but may be renewed. Currently, there are 1,004 active drivers with vision exemptions. It is estimated that 27 percent or 424 vision exemptions would be up for renewal annually [1,572 total applicants x .27 or 27 percent = 424]. It takes an estimated 60 minutes for a driver to complete an application for a vision exemption. The annual time burden for applying for new vision exemptions and renewing existing vision exemptions is estimated at 692 hours (268 new vision exemptions + 424 vision exemption renewals x 1 hour each).

Therefore, the total estimated annual burden hours for respondents (carriers and drivers) to complete the vision exemption application and renewal processes, and to retain a copy in the driver's DQ file is **727 hours** [692 hours (driver) + 35 hours (carrier)].

Respondents' salary costs associated with these hours is estimated below. The median hourly earnings of general freight truck drivers who would apply for a vision exemption is approximately \$16.11 with the middle 50 percent earning between \$12.67 and \$20.09 per hour. For the purposes of this analysis, FMCSA will use \$20.09 to avoid underestimating the cost. The total annual salary cost to respondents (drivers) to apply for or renew a vision exemption is estimated at \$13,902 (692 hours x \$20.09 per hour = **\$13,902.28**, or \$13,902 rounded to the nearest dollar).

Therefore, the total annual salary costs to respondents (carriers and drivers) to participate in the vision exemption program is **\$14,383** [\$480.55 for motor carriers (35 hours x \$13.73 per hour for administrative personnel to file a copy of the exemption = \$480.55 or \$481 rounded to the nearest dollar) + \$13,902 for drivers (692 hours x \$20.09 per hour = \$13,902.28 or \$13,902 rounded to the nearest dollar) = \$14,383].

FMCSA cannot predict how many of the 57,900 drivers now subject to physical qualification standards due to the 9-15 passenger van rule will apply for vision exemptions. However, because the total annual hourly burden relative to the total population of drivers is so small (727 hours/7,000,000 hours), FMCSA does not believe this will be a noticeable source of burden for the additional 57,900 impacted by the 9-15 passenger van driver rule.

### Diabetes Exemptions

The FMCSA estimates that approximately 600 applications for the diabetes exemption could be filed annually, and that it would take an average of 60 minutes to complete an application. The information collected from the diabetes exemption application will consist of an application letter with supporting documentation specified in the Notice of Revised Final Disposition (Attachment C) (e.g., vital statistics, medical, copy of driver's license). The FMCSA would carefully evaluate each and every application for regulatory relief from the diabetes standard to assess the potential safety performance of each applicant. The diabetes exemption program creates an annual burden of **600 hours** (600 x 1 hour).

The median hourly earnings of drivers of light and heavy trucks is \$20.09 per hour. The total annual salary costs to respondents (CMV drivers) to complete the diabetes exemption application and renewal processes is estimated at \$12,054 (600 hours x \$20.09 per hour = \$12,054). The average hourly wage (including benefits) of motor carriers' administrative personnel to file a copy of the diabetes exemption in the driver qualification file is estimated to be \$13.73. The total annual salary for motor carriers' administrative personnel would be \$137 [ $\$13.73 \times 10$  hours (600 diabetes exemptions x 1 minute per exemption/60 minutes per hour) = \$137.30 or \$137.00 rounded to nearest dollar]. Therefore, the total annual salary cost to respondents (drivers and carriers) to participate in the diabetes exemption program is estimated at **\$ 12,191** [ $\$12,054$  (driver cost) + \$137 (carrier cost) = \$12,191].

FMCSA cannot predict how many of the 57,900 drivers now subject to physical qualification standards due to the 9-15 passenger van rule will apply for diabetes exemptions. However, because the total annual hourly burden relative to the total population of drivers is so small (600 hours/7,000,000 hours), FMCSA does not believe this will be a noticeable source of burden for the additional 57,900 impacted by the 9-15 passenger van driver rule.

### IC-1: TOTALS FOR MEDICAL QUALIFICATION:

The total estimated annual time burden to respondents for the medical qualification components is approximately **1,697,901 hours** (1,695,000 hours for Medical Examination Report and medical examiner's certificate + 11 hours for resolution of medical conflict + 192 hours for skill performance evaluation + 2,095 hours for vision exemptions + 600 hours for diabetes exemptions + 3 hours for medical certificates for migrant workers). The total annual salary cost for respondents associated with these hours is approximately **\$135,792,451** (\$135,762,000 costs

for medical examinations + \$242 resolution of medical conflict + \$3,635 SPE certification program + \$14,383 vision exemptions + \$12,191 diabetes exemptions).

## **IC-2: NRCME:**

### Medical Examiner Application and Test Results:

The FMCSA estimates each of the respondents will provide medical examiner certification test results and application data every 6 years and updated information to the FMCSA as needed. It is estimated that 20,000 medical examiner candidates will apply to take the certification test annually for the first 2 years of NRCME implementation, or an average of 13,333 applicants per year for the first 3 years of the program. The FMCSA estimates that the total annual burden hours for the collection of the medical examiner application data is **1,111 hours** [13,333 applicants x 5 minutes/60 minutes per response = 1,111 hours]. This annual burden includes medical examiner candidate time for submitting the application data to FMCSA.

Respondents' salary costs associated with these hours are estimated as calculated below. As indicated earlier, the average hourly wage (including benefits) of a medical examiner candidate (advanced practice nurses, doctors of chiropractic, doctors of osteopathy, medical doctors, and physician assistants) is estimated to be \$83.00 an hour. The annual salary cost for medical examiner candidates to provide test application data to private-sector testing organizations is approximately **\$92,213** [1,111 hours x \$83.00 per hour = \$92,213].

It is estimated that one or more national private-sector testing organizations will deliver the FMCSA medical examiner certification test to an average 13,333 medical examiner candidates annually for the first 3 years following implementation of the NRCME program. It is also estimated that it will take private-sector testing organization personnel 5 minutes to collect and upload to the FMCSA data and test results per medical examiner candidate. The FMCSA estimates that the total annual burden hours for private-sector testing organizations to collect medical examiner application data and send medical examiner application and test results data to the FMCSA is **1,111 hours** [13,333 applicants x 5 minutes/60 minutes per medical examiner = 1,111 hours].

Respondents' salary costs associated with these hours are estimated as calculated below. The average hourly wage (including benefits) of data entry personnel at private-sector testing organizations is approximately \$19.00. The annual salary cost for private-sector testing organizations to send medical examiner application and test results data to the FMCSA is approximately **\$21,109** [1,111 hours x \$19.00 = \$21,109].

### CMV Driver Examination

The FMCSA estimates that respondents would provide CMV driver examination data a maximum of 12 times per year and would file 4,623,000 medical examiner's certificates per year. It is projected that 40,000 certified medical examiners will be needed to perform the 4,623,000 CMV driver medical examinations required annually. The transmission of CMV



driver examination data will require approximately 46,525 hours of medical examiner administrative personnel time on a yearly basis [40,000 registered medical examiners x 1 minute/60 minutes to file a report x 12 reports per year + 4,623,000 reports x 30 seconds/3600 seconds to enter each driver's examination data elements = 46,525 hours]. It is estimated that it will take medical examiner administrative personnel 30 seconds to file the medical examiner's certificate. This will require approximately 38,525 hours of administrative personnel time on a yearly basis [4,623,000 examinations x 30 seconds/3600 seconds per certificate = 38,525]. In addition, the FMCSA estimates half of motor carriers will request a copy of the medical examiner's certificate and it will take administrative personnel 1 minute to provide a copy of the medical examiner's certificate to a motor carrier. The annual time burden to the administrative personnel for providing motor carriers with a copy of the medical examiner's certificate is approximately 38,525 hours [4,623,000 examinations x .5 (50%) x 1 minute/60 minutes = 38,525 hours]. The annual time burden to medical examiner administrative personnel for transmitting CMV driver examination data to the FMCSA, filing medical examiner's certificates, and providing copies of the medical examiner's certificates to motor carriers is approximately **123,575 hours** [46,525 hours to enter driver examination data elements and 38,525 hours for filing the medical examiner's certificate and 38,525 hours for providing medical examiner's certificates to motor carriers = 123,575 hours].

Respondents' salary costs associated with these hours are estimated as calculated below. The average hourly wage (including benefits) of administrative personnel in a medical examiner's office is estimated to be \$18.00. The annual salary cost for medical examiners' administrative personnel to provide CMV driver medical examination data to the FMCSA, file medical examiner certificates, and provide copies of the medical examiner's certificates to motor carriers is approximately **\$2,224,350** [123,575 hours x \$18.00 per hour = \$2,224,350].

Medical Examination Reports and Medical Examiner's Certificates:

The FMCSA estimates that authorized representatives or special agents of the FMCSA or authorized State or local enforcement agency representatives will request medical examiners to provide copies of the Medical Examination Report and the medical examiner's certificate 2,100 times a year.

It is estimated that it will take medical examiner administrative personnel 5 minutes to provide both the Medical Examination Report and the medical examiner's certificate to FMCSA or an authorized State or local enforcement agency representative upon request, so this will require approximately **175 hours** of administrative personnel time on a yearly basis [2,100 requests x 5 minutes/60 minutes per response = 175 hours].

Respondents' salary costs associated with these hours are estimated as calculated below. As indicated earlier, the average hourly wage (including benefits) of medical examiner administrative personnel is estimated to be \$18.00. The annual salary cost for medical examiner administrative personnel to provide both the Medical Examination Report and the medical examiner's certificate is approximately **\$3,150** [175 hours x \$18.00 per hour = \$3,150].

### Verification of National Registry Number

The FMCSA estimates motor carriers will verify the National Registry Number for 4,623,000 drivers per year who are medically certified. It is estimated it will take motor carrier administrative personnel 4 minutes to verify the National Registry Number, write a note regarding the verification, and file the note in the Driver Qualification file, so this will require approximately **308,200 hours** of administrative personnel time on a yearly basis [4,623,000 verifications x 4 minutes/60 minutes per verification = 308,200 hours].

Respondents' salary costs associated with these hours are estimated as calculated below. The average hourly wage (including benefits) of motor carrier administrative personnel is estimated to be \$19.00. The annual salary cost for motor carrier administrative personnel to verify the National Registry Number of the medical examiner, write a note regarding the verification, and file the note in the Driver Qualification file is approximately **\$5,855,800** [308,200 hours x \$19.00 per hour = \$5,855,800].

### IC-2: TOTALS FOR NRCME:

The total estimated annual time burden to respondents for the NRCME components is approximately **434,172 hours** [2,222 hours for provision of medical examiner application and test results data (1,111 hours for medical examiners and 1,111 hours for testing organizations) + 123,575 hours for CMV driver examinations (46,525 hours to enter driver examination data elements + 38,525 hours for filing the medical examiner's certificate + 38,525 hours for providing medical examiner's certificates to motor carriers) + 175 hours for provision of Medical Examination Reports and medical examiner's certificates + 308,200 hours for verification of National Registry Number]. The total annual salary costs for respondents associated with these hours is approximately **\$8,196,622** [\$113,322 costs for provision of medical examiner application and test results data (\$92,213 for medical examiners and \$21,109 for testing organizations) + \$2,224,350 CMV driver examinations (transmission of CMV driver examination data + filing the medical examiner's certificate + providing medical examiner's certificates to motor carriers) + \$3,150 for provision of Medical Examination Reports and medical examiner's certificates + \$5,855,800 for verification of National Registry Number].

### TOTALS FOR ALL MEDICAL PROGRAM COMPONENTS:

The revised total annual time burden to respondents for all medical requirement components is approximately **2,130,702 hours** (1,696,607 current hours + 434,095 additional hours). The revised total annual salary cost for respondents associated with these hours is approximately **\$143,989,073** (\$88,282,181 current cost + \$55,706,892 additional costs).

	Current	Additional	Revised Total
Medical Examination Form and Medical	1,695,077	-77 <sup>2</sup>	1,695,000

2 Incorporates a correction of a small arithmetic error in the current approved information collection and

Certificate			
Resolution of Medical Conflict	11	0	11
SPE	192	0	192
Vision Exemption	727	0	727
Diabetes Exemption	600	0	600
Medical Examiner Application and Test Results	0	2,222	2,222
CMV Driver Examination Data	0	123,575	123,575
Medical Examination Reports and Medical Examiner's Certificates	0	175	175
Verification of National Registry Number	0	308,200	308,200
<b>Total</b>	<b>1,696,607</b>	<b>434,095</b>	<b>2,130,702</b>

**Estimated Total Annual Responses: 4,636,333 (4,623,000 CMV drivers + 13,333 medical examiners).**

**Estimated Total Annual Burden: 2,130,702 (1,696,607 current hours + 434,095 additional hours).**

**13. Estimate of total annual costs to respondents:**

Respondents' salary costs associated with the burden hours are discussed above.

**14. Estimate of cost to the Federal government:**

The cost to the Federal government due to the medical examination process requirements is minimal because the FMCSA does not receive or process the documents. The cost to the Federal government for the resolution of medical conflict is minimal; there are only about three cases per year submitted to the FMCSA for resolution of conflicting medical opinions.

The SPE program requires approximately 1.5 hours to analyze the letter of application and the accompanying materials. It takes approximately 8 hours to process the SPE certification forms and evaluate the applicant's driving abilities. An additional 30 minutes is needed to analyze paperwork prepared by the evaluating employee and issue the certificate to the applicant, making a total of 10 hours of staff work per SPE certificate. The average hourly wage (including benefits) of FMCSA field staff personnel is \$20.43. Therefore, the salary costs to the Federal government per SPE certificate is approximately \$204.30. The annual cost to the Federal government for the SPE certification program is approximately **\$429,030** (2,100 SPE certificates x \$204.30 per SPE certificate= \$429,030).

The cost to the Federal government to conduct the vision exemption process is approximately **\$578,000** annually. This is estimated using an average monthly amount of \$48,000 contract costs to conduct the vision exemption program.

rounding.

The cost to the Federal government to conduct the diabetes exemption process will be approximately **\$892,000** annually. This is estimated using an average monthly amount of \$75,000 contract costs to conduct the diabetes exemption program.

**IC-1: TOTALS FOR MEDICAL QUALIFICATION:**

The total annual cost to the Federal government for all medical qualification components is approximately **\$1,899,030** [\$429,030 SPE process + \$578,000 vision exemption process + \$892,000 diabetes exemption process].

**IC-2: NRCME:**

*1) Medical Examiner Application and Test Results:*

The one-time cost to the Federal government to develop a centralized, secure Web application database that allows private-sector testing organizations to upload medical examiner application and test results data would be approximately \$275,000. The annual maintenance costs for the database are estimated at \$96,000 (\$8,000 a month x 12 = \$96,000). Therefore, the cost for the first year of program implementation is \$371,000 [\$275,000 + \$96,000 = \$371,000] and \$96,000 annually thereafter. The maintenance costs include hosting of the database, data input, database security and continuity of operations. For purposes of this Supporting Statement, spreading the development costs over the first 3 years of implementation and adding annual maintenance costs yields an annual cost of **\$187,666** [\$275,000/3 years = \$91,666 + \$96,000 = \$187,666].

*2) CMV Driver Examination Data, Medical Examination Reports:*

It is estimated that 20,000 medical examiners will be listed on the National Registry annually for the first 2 years of NRCME implementation. The FMCSA estimates it will cost \$326.00 per medical examiner for the first year a medical examiner submits CMV driver examination data and \$33.00 per medical examiner per year thereafter. The cost to the Federal government to develop and maintain a centralized, secure database that allows medical examiners to submit over the Internet at any time the CMV driver examination data defined in the Final Rule is approximately \$5,000,000 a year. This breaks down as follows: \$4,700,000 for the first year of implementation, \$5,100,000 for the second year and \$5,600,000 for the third year as the number of certified medical examiners increases [Year 1: 20,000 x \$326.00 = \$6,520,000 + Year 2: 20,000 x \$326.00 + 20,000 x \$33.00 = \$7,180,000 + Year 3: 40,000 x \$33.00 = \$1,320,000]. This is a total of \$15,020,000 for the first three years of NRCME implementation. This is approximately **\$5,000,000** annually. The cost includes provision of medical examiner account access, customer support for users, hosting of the database, database security, and continuity of operations. The FMCSA can also use this database in the future for medical examiners to upload CMV Driver Medical Examination Reports for monitoring medical examiner performance as required by SAFETEA-LU.

**IC-2: TOTALS FOR NRCME:**

The total annual costs for all NRCME components is approximately **\$5,187,666** [\$187,666 for the medical examiner application and test results database + \$5,000,000 for the CMV driver examination database = \$5,187,666].

**TOTAL FOR ALL MEDICAL PROGRAM COMPONENTS:**

The total annual cost to the Federal government for all medical requirement components is approximately **\$7,086,696** [\$429,030 SPE Process + \$578,000 vision exemption process + \$892,000 diabetes exemption process + \$5,187,666 NRCME program].

**15. Explanation of program changes or adjustments:**

The program change is due to addition of the NRCME program information collection requirements defined in the Final Rule. These requirements added 434,172 burden hours and \$8,196,622 in salary costs.

**16. Publication of results of data collection:**

This information would not be published with the following exception.

**NRCME:**

*Medical Examiner Test Application Data:* As indicated, these data would ultimately be used to provide CMV drivers with contact information for those medical professionals who have satisfactorily completed the certification test and are listed on the NRCME. Medical examiners listed on the NRCME would elect to have their contact and professional information listed in a public, online database.

**17. Approval for not displaying the expiration date for OMB approval:**

The FMCSA is seeking this approval because the Medical Examiner's Certificate is published in 49 CFR 391.43. Under PRA, the maximum approval time is for three years.

**18. Exceptions to certification statement:**

There are no exceptions to the certification statement.

**Attachments**

- A. A final rule entitled, "*National Registry of Certified Medical Examiners*" (77 FR 24104), dated April 20, 2012.
- B. Title 49 CFR parts 390-399

- C. A notice of final disposition entitled, “*Qualification of Drivers; Exemption Applications; Diabetes*” (at 68 FR 52441), September 3, 2003.
- D. A notice of revised final disposition entitled, “*Qualification of Drivers, Eligibility Criteria and Applications; Diabetes Exemption*” (at 70 FR 67777), November 8, 2005.
- E. Section 4129 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59, 119 Stat. 1144; August 10, 2005).
- F. A final rule entitled, “Medical Certification Requirements as Part of the CDL” (at 73 FR 73096), December 1, 2008.
- G. 49 U.S.C. 31149
- H. Section 4116 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59, 119 Stat. 1144, August 10, 2005).
- I. 60 day Comments Request FR Notice (71 FR 61822) October 19, 2006.
- J. 30 day Comments Request FR Notice (72 FR 9995) March 6, 2007.
- K. 60-day Comments Request FR Notice (76 FR 14366) March 16, 2011

Form:

MCSA-5850, “CMV Driver Examination Results Form.”