



Updates: DOT Physicals and Compliance

What's New?

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Public Utilities Commission

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Agenda

- Overview of the Commercial Motor Carrier Industry and FMCSA Medical Programs
- National Registry of Certified Medical Examiners
- Medical Exemptions and Variances
- OSA
- Online tools





Overview of the Commercial Motor Carrier Industry and FMCSA Medical Programs





Truck and Bus Driver Statistics



- 4 million active interstate drivers
- Approx. 535,000 active interstate companies (2011)





Federal Motor Carrier Safety Administration Regulations

- Regulate interstate commerce:
 - Motor carriers
 - Truck and bus drivers
 - Trucks and buses
- Do not regulate interstate – school bus drivers not under our jurisdiction
- Federal, state, county and city employees are excepted from FMCSA regulations





Interstate or Intrastate

- Defined by transportation of goods:
 - Interstate commerce, transports people or goods across a state line
 - Example -- Federal Express driver
 - Intrastate commerce, transports people or goods within the state
 - Example -- A gravel truck driver -- gravel from a quarry within a state to businesses in the same state





U.S. Department of Transportation (DOT) Interstate Traffic Crash Statistics 2010

Persons	Large Truck Crashes	Bus Crashes	Large Truck and Bus Crashes	All Vehicle Crashes
Fatalities	3,675	276	3,944	32,885
Injuries	80,000	27,000	106,000	2,239,000





Medical Program Activities

- Rulemaking/Guidance Development
- Research
 - Medical Review Board
 - Medical Expert Panels
 - Evidence Reports
- Compliance Assistance
- Medical Exemptions/Variations
 - Vision, Diabetes, Hearing, Seizure
 - Skill Performance Evaluation (SPE)
 - Agency has requested public comment on exemption applications for seizure conditions and hearing loss





Purpose of the Medical Certification Examination

“The purpose of this examination is to determine a driver's physical qualification to operate a commercial motor vehicle (CMV) in interstate commerce according to the requirements in 49 CFR 391.41-49.” *

* **Medical Examination Report**





What is changing?

- State driver licensing agencies (SDLAs) will be adding your medical certification status and the information on your medical examiner's certificate to your Commercial driver's license system (CDLIS) record





When does this change start?

- This change starts on January 30, 2012.





What is not changing?

- The driver physical qualification requirements are not changing.





What must I do to comply with the new requirements for making my medical certification part of my CDL driving record?

- Starting on January 30, 2012, when you:
- Apply for a CDL;
- Renew a CDL;
- Apply for a higher class of CDL;
- Apply for a new endorsement on a CDL; or
- Transfer a CDL from another State





You will be required to self certify to a single type of commercial operation on your driver license application form. Based on that self certification, you may need to provide your SDLA (State Driver's License Agencies) with a current medical examiner's certificate and show any variance you may have to obtain or keep your CDL.





How do I determine which type of commercial motor vehicle (CMV) operation I should self-certify to my SDLA?

- Determine if you are in interstate or intrastate commerce.
- If you are unsure, this can be a personal follow-up question following this presentation.





What if I am an existing CDL holder who does not have a license renewal, upgrade or transfer between 1/30/12 and 1/30/14?

- You are responsible to determine the type of commerce you are involved in and provide your SDLA with your self-certification of operating status and if required you must provide your SDLA with your current medical examiner's certificate and any variance document.





After I provide my SDLA with my unexpired medical examiner's certificate, do I still have to carry an original or copy of my medical examiner's certificate?

- Yes. Until the program is fully implemented on 1/30/14, you will still have to carry an original or copy of the medical examiner's certificate and provide a copy to your employer for your driver qualification file.





What should I do with the medical examiner's certificate beginning on January 30, 2014?

- After you provide your SDLA and your employer with the medical examiner's certificate, the medical examiner's certificate will only be valid for the first 15 days after it was issued. Your medical examiner's certificate will be recorded on your driving record and will become the valid version of your medical certification.





What if I do not provide my SDLA with my self-certification and if required, my medical examiner's certificate and any required variance document by January 30, 2014?

- Your SDLA will notify you that you are no longer medically certified to operate a CMV in non-excepted Interstate commerce. The SDLA will then remove all your CDL privileges from your license.





What should I do when my medical certificate and/or variance is about to expire?

- You must have a new medical examination and obtain a new medical certificate. You must then provide the SDLA the new medical examiner's certificate. You are also responsible for applying to FMCSA for a renewal of your variance.





What happens if my medical examiner's certificate or variance expires before I provide my SDLA with a new one?

- Your SDLA will notify you that you are no longer medically certified to operate a CMV in non-excepted Interstate commerce. The SDLA will then remove all your CDL privileges from your license.





How can I get back my CDL privileges?

- If the medical examiner's certificate has expired, you must obtain a new one and provide it to your SDLA. If the variance has expired, you must renew it with FMCSA. Your State may require retesting and additional fees to get back your CDL privileges. If allowed by your SDLA, you may also change your self-certification to an operating category that does not require a medical certification.





Who are the Medical Examiners (MEs)?

- Medical examiners are:
 - Medical professionals who make medical determinations based on FMCSA regulations and guidance
 - Licensed, certified, and/or registered in their State
- Includes, but not limited to:
 - Doctors of Medicine and Osteopathy
 - Physician Assistants
 - Advanced Practice Nurses
 - Chiropractors





Medical Examiner Responsibilities

- Knowledgeable about:
 - Physical and mental demands of CMV driver job duties
 - FMCSA regulations, including guidance
- Use of medical protocols
- Make medical determinations based on FMCSA regulations and advisory criteria





National Registry of Certified Medical Examiners





National Registry Background

- New regulation - Published April 20, 2012
- Requires medical examiners:
 - Complete training
 - Pass a test
 - Periodic training and testing
 - Maintain licensure
- Compliance Date – May 21, 2014
 - All MEs must be listed on the National Registry
 - All CMV drivers must use a ME on the National Registry
 - Medical certificates issued prior to May 21, 2014 are valid until the expiration date





Medical Exemptions and Variances





Medical Exemptions and Variances

- For interstate drivers; intrastate drivers must contact their State Driver's Licensing Agency (SDLAs)

- Application for exemption to the regulation
 - 49 CFR 381 Exemptions

- Application for a Skill Performance Evaluation (SPE)
 - 49 CFR 391.49(b)(i)(ii) Alternative physical qualification, standards for the loss or impairment of limbs





Exemptions

49 CFR 381.300(a) provides:

- Regulatory relief for up to 2 years
 - Diabetes, Vision, Hearing, Seizure
- May be renewed
- May be revoked
- Terms and conditions:
 - Achieves a level of safety that is equivalent to, or greater than the level that would be achieved absent such exemption.





Federal Diabetes Exemption Program

- Exemptions for drivers who have insulin-dependent diabetes mellitus
- Drivers submit application
 - Medical information showing their diabetes is under control
- To maintain exemption, drivers submit quarterly monitoring reports
- Diabetes exemption application can be found at:
<https://www.fmcsa.dot.gov/rules-regulations/topics/medical/exemptions.htm> or
call (703) 448-3094





Federal Vision Exemption Program

- One eye does not meet the minimum vision requirements
- Better eye must meet the minimum vision standard
- Drivers submit application
 - ❑ Medical information showing driver is able to meet all other physical requirements
 - ❑ Experience driving with vision deficiency
 - ❑ Crash/violation history
 - ❑ Vision exemption application can be found at <https://www.fmcsa.dot.gov/rules-regulations/topics/medical/exemptions.htm> or call (703) 448-3094





Federal Hearing Exemption Program

- Driver must perceive forced whisper in better ear at not less than 5 feet with or without hearing aid or no hearing loss in better in greater than 40 decibels at 500, 1,000 and 2,000 Hz with or without hearing aid
- Driver may apply for an exemption by contacting the Medical Programs Division at FMCSA (202) 366-4001





Federal Seizure Exemption Program

- Disqualified from operating in interstate commerce
- 49 CFR 391.41(b)(8)
- May be considered for exemption based on number of years:
 - Since last seizure, stable on anti-seizure medication, medical history
- Exemption determinations are based on a case-by-case review
- Driver may apply for an exemption by contacting the Medical Programs Division at FMCSA (202) 366-4001





Statistics

- Diabetes Exemptions
 - Currently 1655 exemptions
- Vision Exemptions
 - Currently 1967 exemptions
- Hearing Exemptions
 - Currently 40 exemptions
- Seizure Exemptions
 - Currently 22 exemptions





Skill Performance Evaluation (SPE)

- Driver with loss or fixed limb impairment
- Evaluation of driving skills
- Driver completes application process including
 - Assessment and evaluation by an Orthopedic Surgeon or Physiatrist
 - Medical examination certification that designates he is otherwise qualified except for completion of the SPE





Obstructive Sleep Apnea (OSA)





Untreated OSA

- 12 – 20 million Americans suffer from OSA and 85% go undiagnosed
- Untreated Impacts:
 - Overall health
 - Ability to obtain adequate rest
 - Can lead to fatigue-related crashes
 - Greater risk for other serious near and long-term medical conditions
 - Coronary heart disease
 - Hypertension
 - Stroke
 - New discoveries of negative impact on health





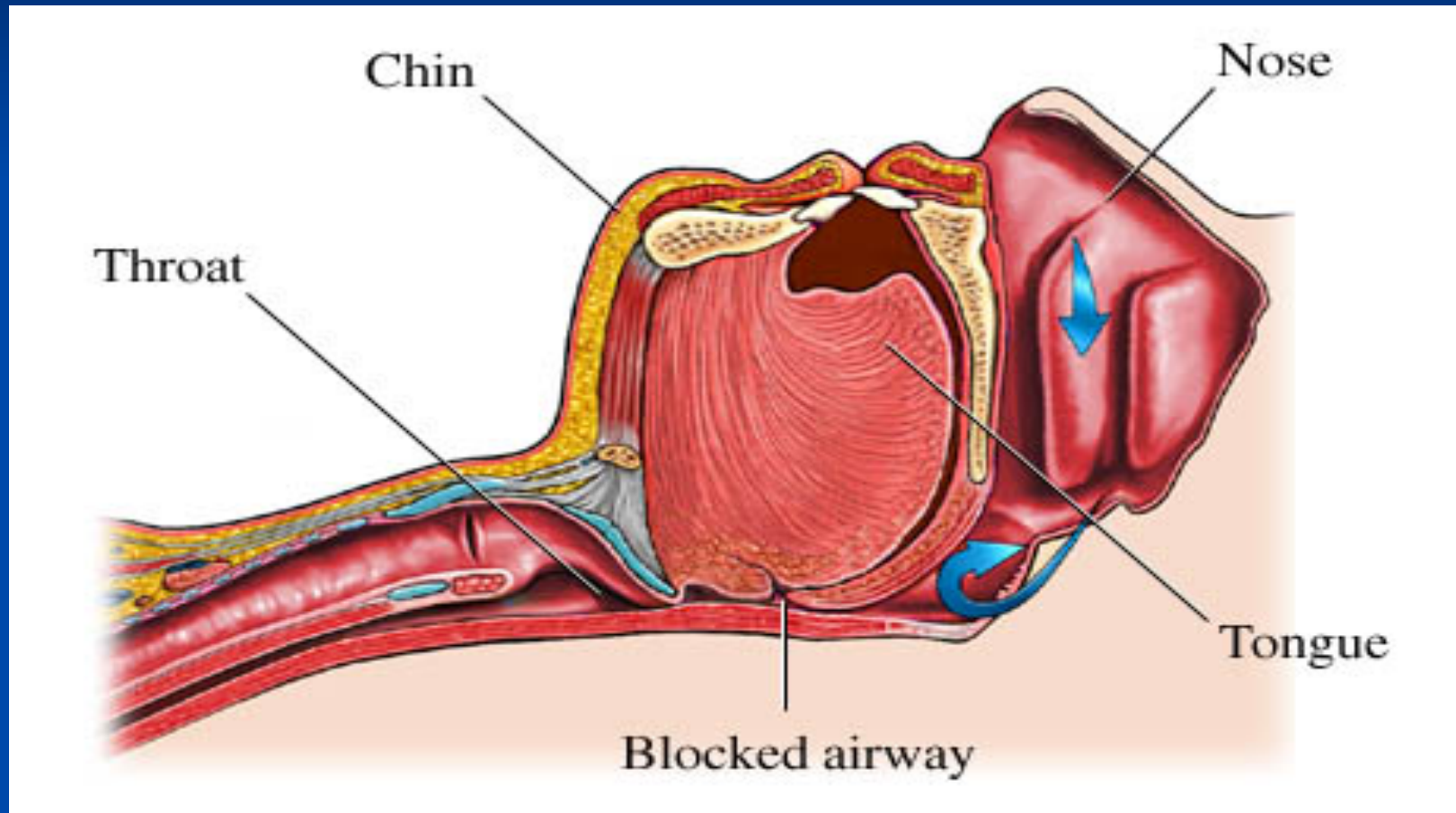
OSA

- Normally, muscles of the upper part of the throat help keep the airway open
- Relaxation of these muscles can cause the airway to close completely and become obstructed
- Loud snoring and labored breathing occur
- Breathing can stop for short periods of time (often more than 10 seconds) = **sleep apnea**





Sleep Apnea





Sleep Apnea Patterns

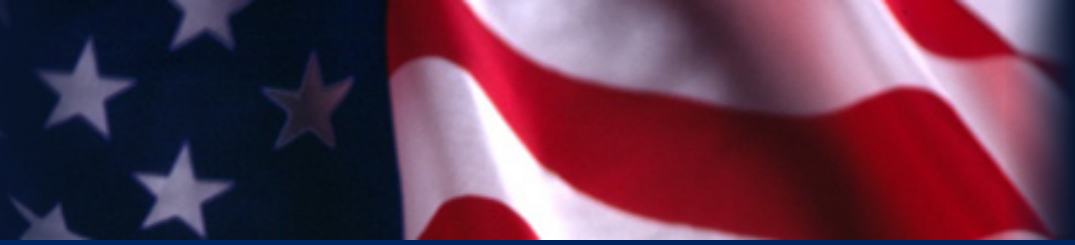
■ Snoring:

- ❑ Begins heavily right after falling asleep
- ❑ Continues at a regular pace, becoming louder
- ❑ Interrupted by a long silent period when there is not breathing
- ❑ Followed by a series of loud snorts and gasps
- ❑ Snoring returns

■ Pattern repeats itself, resulting in:

- ❑ Poor sleep quality
- ❑ Daytime drowsiness
- ❑ Headaches





More Sleep Apnea Signs/Symptoms

- Memory difficulties
- Morning headaches
- Personality changes
- Poor concentration
- Restless sleep





Risk Factors You Can't Control

- Family History
- Anatomy
 - Narrow airways
 - Large tongue with normal or small mandible
 - Nasal obstruction - deviated septum, Large turbinates
 - Neck Circumference
- Age 65 Years and Older
- High Blood Pressure





Risk Factors You Can Control

- **Weight**
 - Overweight/obese
 - Recent weight gain
 - Neck Circumference
- **Medications**
 - Use of Sedatives & Tranquilizers
- **Smoking**
- **Alcohol Use**





Sleep Disorders: Treatment/Devices

Treatment Options

- Lifestyle changes
- Mouthpieces
- Breathing devices
- Surgery





Untreated OSA - Complications

- Possible complications may include:
 - ❑ Abnormal heart rhythm (arrhythmia)
 - ❑ Excessive carbon dioxide levels in the blood
 - ❑ Heart disease
 - ❑ High blood pressure
 - ❑ Sleep deprivation
 - ❑ Stroke





So what's the problem?

- 28% CMV drivers have mild or higher levels of OSA*
 - 5.8% - moderate OSA 4.7% - severe OSA
- Discovering OSA
 - Important for both driver health and road safety
- OSA can be treated and safely managed with cost-effective programs
 - Screen, Diagnose, Treat, Track
- Drivers don't have to be taken off the road





Online Tools





Online Tools

- You may access the following on the the FMCSA website:
 - Evidence Reports
 - Medical Expert Panel Reports
 - Medical Review Board (MRB) Recommendations
 - Medical Examiner's Handbook





Contact Information

Federal Motor Carrier Safety
Administration, Medical Programs Division
U.S. Department of Transportation
Washington, D.C.

E-mail: fmcsamedical@dot.gov

Phone: (202) 366-4001

Fax: (202) 366-8842

Medical Programs

www.fmcsa.dot.gov/rules-regulations/topics/medical/medical.htm

National Registry Website

www.nationalregistry.fmcsa.dot.gov





Summary

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