

# **Guide for New Jersey Commercial Driver License (CDL) Holders**

## **Frequently Asked Questions**

### **1. COMMERCIAL DRIVER LICENSE APPLICANTS**

#### **Why do I have to send in my medical examiner's certificate to MVC?**

Federal Regulations C.F.R. 383.73(o) require the New Jersey Motor Vehicle Commission (MVC) to add medical certification status and medical examiner's certificate information to the Commercial Driver License System (CDLIS) database.

#### **Can I use my personal or family physician to complete my medical physical?**

Maybe. On May 21, 2014, only physicians certified by FMCSA can complete a medical physical. If your personal or family physician has been certified by FMCSA, then yes you can go see them. If not, and MVC receives a medical examiner's certificate by a non certified physician, your medical certificate may be rejected.

#### **What are CDL holders required to do?**

You must determine what type of commerce you operate in. You must then certify to the MVC which one of the four types of commerce you operate in as listed below:

- **Interstate non-excepted:** You are an Interstate non-excepted driver and must meet the Federal DOT medical card requirements (e.g. – you are “not excepted”).
- **Interstate excepted:** You are an Interstate excepted driver and do not have to meet the Federal DOT medical card requirements.
- **Intrastate non-excepted:** You are an intrastate non-excepted driver and are required to meet the medical requirements for New Jersey. **Please Note: New Jersey regulations require a medical certificate for intrastate drivers.**
- **Intrastate excepted:** You are an Intrastate excepted driver and do not have to meet the medical requirements for New Jersey.

#### **How do I determine which type of commercial motor vehicle (CMV) operation I should self-certify to the MVC?**

For the purpose of complying with the new requirements for medical certification, it is important to know how you are using the CMV. To help you decide, follow these three steps:

##### **1. Do you, or will you, use a CDL to operate a CMV in interstate or intrastate commerce?**

**Interstate** commerce is when you drive a CMV from one state to another state or a foreign country; between two places within a state, but during part of the trip, the CMV crosses into another state or foreign country; or between two places within a state, but the cargo is part of a trip that began or will end in another state or foreign country.

**Intrastate** commerce is when you drive a CMV within a state and you do not meet any of the descriptions above for interstate commerce. A typical intrastate holder makes local delivery of items that originated in New Jersey.

##### **2. You must decide whether you operate (or expect to operate) in a non-excepted or excepted status. This decision will tell you which of the four types of commerce you must self-certify.**

- You operate in excepted interstate commerce when you drive a CMV in interstate commerce only for the following excepted activities: as a federal, state or local government employee; to transport human corpses or sick or injured persons; fire truck or rescue vehicle drivers during emergencies and other related activities; 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 storage or market; beekeeper in the seasonal transportation of bees; 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 ; or to transport migrant workers.

**If you answered yes to one or more of the above activities as the type of operation in which you drive, you operate in excepted interstate commerce and do not need to submit a medical examiner's certificate. This exemption does not apply if you are a government worker with P endorsement on your CDL. If so, a medical certificate must be submitted per state regulations.**

- **You operate in non-excepted interstate commerce** if you answered no to all of the above activities. You are required to submit a current medical examiner's certificate, commonly referred to as a medical certificate or DOT card, to the MVC. Most CDL holders who drive CMVs in interstate commerce are **non-excepted interstate commerce** drivers.

#### **Intrastate Commerce:**

- You operate in **excepted Intrastate commerce** when you drive a CMV only in intrastate commerce activities and you meet any of the exceptions listed above.
- **You operate in non-excepted intrastate commerce** when you drive a CMV only in intrastate commerce but are required submit a medical certificate to meet New Jersey's medical certification requirements.

If you operate in **both** excepted interstate commerce and non-excepted interstate commerce, you must choose non-excepted interstate commerce to be qualified to operate in both types of interstate commerce.

3. Provide the MVC with your self-certification form of your operating status. This form is located on the back of the notice you received from the MVC. It must be completed in full and mailed to the MVC in the enclosed self-addressed envelope. If required, be sure to include a clear copy of your up-to-date medical certificate. If you self-certify to non-excepted interstate or non-excepted intrastate on or after July 2012 you must provide the MVC with either the original or copy of your current medical examiner's certificate.

#### **What should I do when my medical examiner's certificate and/or variance is about to expire?**

You must have a medical examination performed by a federally certified doctor in order to obtain a valid medical examiner's certificate.

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

The MVC will notify you when you are no longer medically qualified to operate a CMV in non-excepted Interstate or Intrastate commerce. If the MVC does not receive a valid medical examiner's certificate, your CDL privilege(s) will be downgraded to a basic auto (class D) license.

#### **What if I decide to change the type of commerce in which I plan to operate?**

You will have to fill out a CDL Holder Self Certification form declaring the new type of commerce.

### **How can I reinstate my CDL privileges after I have been downgraded?**

If your medical examiner's certificate has expired, you must have a new examination completed by a federally certified doctor, and submit the proper documentation to the MVC. If your variance has expired, you must renew it with the Federal Motor Carrier Safety Administration (FMCSA) and provide that documentation to the MVC. MVC may require retesting and additional fees to reinstate your CDL privilege(s).

## **2. NATIONAL REGISTRY of CERTIFIED MEDICAL EXAMINER'S**

### **What is the National Registry of Certified Medical Examiners?**

The National Registry of Certified Medical Examiners (National Registry) is a new FMCSA program that establishes minimum training and testing requirements for all State-licensed healthcare professionals who perform physical qualification examinations for truck and bus drivers. Beginning May 21, 2014, all drivers who need a new medical certificate must see an examiner on the National Registry. Medical certificates issued prior to May 21, 2014 remain valid until the expiration date.

### **Why did FMCSA establish the National Registry?**

FMCSA issued the rule in response to the statutory requirements in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the surface transportation reauthorization legislation enacted in 2005. The final rule will improve safety by ensuring that medical examiners have completed training and testing concerning FMCSA's physical qualifications standards and only issue medical certificates to individuals who meet those standards.

### **Do I have to have a new physical examination with a medical examiner on the National Registry on May 21, 2014, even if my certificate is not yet expired?**

No. Medical examiner's certificates issued prior to May 21, 2014, are valid until the expiration date on the certificate. CMV drivers seeking a medical examiner's certificate as of May 21, 2014, must obtain it from a federally certified medical examiner listed on the National Registry website located at <https://nrcme.fmcsa.dot.gov>.

### **Will the physical qualifications standards change on May 21, 2014, as a result of the National Registry deadline?**

No. The physical qualification standards for CMV drivers will not change.

### **How do I find a certified medical examiner?**

Certified medical examiners are listed on the National Registry website at <https://nrcme.fmcsa.dot.gov>.

## **3. MEDICAL EXAMINER'S CERTIFICATE**

### **Will the certified medical examiner provide the new medical examiner's certificate?**

Yes. Certified medical examiners listed on the National Registry website should have the proper forms and documentation for examination and qualification purposes.

### **As a CDL holder, do I have to carry my medical examiner's certificate when I am operating a commercial motor vehicle (CMV)?**

Yes. As per federal regulations, you must continue to carry a hard copy of your medical examiner's certificate whenever you are operating a CMV until January 30, 2015.

### **I currently have a CDL with a Passenger (P) Endorsement and I submit the physical form every two years; do I still need to submit this form?**

No. The physical form is no longer needed. All CDL Holders including P endorsement holders must now submit a valid medical examiner's certificate.

**Do I still need to provide my employer with a copy of my medical examiner's certificate?**

At this time yes, but beginning in February 2015, your employer will be required to obtain your medical examiner's information directly from the MVC.

**Will the expiration period of a medical examiner's certificate change with this program?**

No. The medical examiner's certificate expiration date will not change with this program.

**Due to my medical condition, my physician did not sign the medical examiner's certificate. I need to keep my job and still drive safely. Does the State provide waivers?**

The State of New Jersey does not provide medical waivers for intra-state drivers, but the federal government provides them for inter-state drivers. The FMCSA may grant an exemption if the agency determines it is in the public's interest, and would likely achieve a level of safety equivalent to, or greater than, the level of safety that would be achieved by complying with the safety regulation. Section 381.300 – 381.330 of the Federal Motor Carrier Safety Regulations describes procedures applicants must follow to apply for exemptions and can be viewed at 49 C.F.R. 381.330. FMCSA currently has exemption programs for vision and insulin treated diabetes mellitus, and offers a certificate program for drivers with limb impairments. FMCSA also has a special certification program for drivers with missing and/or impaired limbs (49 C.F.R. 391.41(b)(1)).

**How do I inquire about a federal medical waiver?**

All Federal Medical Waiver inquiries should be written to FMCSA at:  
Federal Motor Carrier Safety Administration, Medical Program  
1200 New Jersey Avenue SE,  
Washington, DC, 20590.

Or via e-mail at: [FMCSAMedical@dot.gov](mailto:FMCSAMedical@dot.gov)

**I already submitted a valid medical examiner's certificate but it expired and I have to submit a new one. What address should I send it to?**

All medical examiner's certificates and/or CDL Holder Self Certification forms should be sent to:  
New Jersey Motor Vehicle Commission  
CDL Unit  
PO Box 685  
Trenton, NJ 08666

**I do not use my CDL but I want to retain my CDL privilege, is there any way I can keep my CDL status?**

No. Federal Regulations prohibit someone from holding a CDL without submitting a valid medical examiner's certificate, unless they operate in an "excepted" commerce.

**While operating a CMV, I only leave New Jersey once or twice a year. Is this considered interstate operations?**

Yes. If you travel outside New Jersey while operating a CMV, you are considered an interstate driver.

**I have read all the FAQ's, but I am still unclear about these requirements. Who can I contact to explain what I need to do?**

You should contact your employer with any questions you have regarding this program. You can also call the MVC CDL Unit at: 609-292-7500 ext. 5077.