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**ALLEGHENY COUNTY LABOR COUNCIL
REPORT OF LEGAL COUNSEL
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CDL Medical Certification Regulation Changes

Effective January 30, 2012, as part of the Motor Carrier Safety Improvement Act, the Federal Motor Carrier Safety Administration (FMCSA) amended the Federal Motor Carrier Safety Regulations to require interstate commercial driver's license (CDL) holders, subject to the physical qualification requirements of the FMCSRs, to provide a current copy of their Medical Examiner's Certificate to their state driver licensing agency.

Importantly, Pennsylvania regulations relating to CDL holders who operate in intrastate commerce incorporate the FMCSRs, therefore requiring, with limited exceptions, nearly all commercial drivers to submit a copy of their Medical Examiner's Certificate to PennDOT. These regulations will ensure that accurate and up-to-date information about the CDL holder's Medical Examiner's Certificate is contained in the electronic driving record.

The new Federal regulations require commercial drivers to self-certify the type of driving in which they operate or expect to operate, i.e., Non-excepted Interstate, Non-excepted Intrastate, Excepted Interstate, or Excepted Intrastate. The self-certification process will identify commercial drivers that operate in Non-excepted transportation, therefore identifying which drivers are required to submit a copy of their valid Medical Examiner's Certificate to PennDOT. Commercial drivers are required to certify using PennDOT's Self-Certification Form which can be obtained online by visiting the Commercial Driver Information Center.

This federal regulation as well as several other recent transportation regulations promulgated are designed to ensure that our nation's roads will become safer. These regulations have been enacted to address rising concerns about motor vehicle and trucking accidents involving commercial drivers. Regulations target accidents related to distracted driving (including truckers that text or talk on handheld cell phones while driving), inexperience, fatigue, drowsiness and substance abuse.

RESPECTFULLY SUBMITTED,

JOSEPH S. PASS, ESQUIRE