

**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE SAFETY OFFICE (MVSO)
Medical Certification Requirements
A Guide for Commercial Driver's License (CDL) Holders
Frequently Asked Questions (FAQ)**

The following FAQ will help you in determining how to meet the federal medical certification requirements:

<http://hidot.hawaii.gov/highways/library/motor-vehicle-safety-office/medical-certification/>

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

A: 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 commercial driver's license application form. Based on that self-certification, you may need to submit a current Medical Examiner's Certificate (MEC), Form MCSA-5876, and any Federal or State variances (exemptions or waivers) to the State of Hawaii Motor Vehicle Safety Office (MVSO).

Q: How do I determine which type of commercial motor vehicle (CMV) operation I should self-certify?

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

Step 1: Determine interstate or intrastate commerce.

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:

- Between two places within the state but the property cargo is part of a trip that began or will end in another State or foreign country. For example, hauling cargo shipped to Hawaii from a mainland or foreign country origin to a Hawaii destination, or hauling cargo from a Hawaii origin to be shipped to a mainland or foreign country destination; or
- Between two places within the state but the passenger cargo is part of the crew of an interstate transportation company that has contracted with the local transportation company to transport their crew members to and from the dock or airport; or
- From one state to another state or a foreign country; or
- Between two places within a state, but during part of the trip, the CMV crosses into 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**.

If you operate in both **intrastate commerce** and **interstate commerce**, you must choose **interstate commerce**.

Step 2: Determine excepted or non-excepted.

Once you determine that you operate (or expect to operate) in interstate commerce or intrastate commerce, decide on whether you will operate (or expect to operate) in a **Non-excepted** or **Excepted** status. The following criteria will help you decide the type of commerce you must self-certify as.

Interstate Commerce:

Indicate “**Excepted interstate**” on the CDL Application Form or CDL Driver’s Self-Certification form if you drive a CMV only for the following list of excepted activities.

List of Excepted Activities:

- To transport school children and/or school staff between home and school;
- As Federal, State, or local government employees;
- To transport human corpses or sick or injured persons;
- Fire truck or rescue vehicle drivers during emergencies and other related activities;
- Primarily in the transportation of propane winter heating fuel when responding to an emergency condition requiring immediate response such as damage to a propane gas system after a storm or flooding;
- In response to a pipeline emergency condition requiring immediate response, such as a pipeline leak or rupture;
- For drivers of “pipeline welding trucks” as defined in 49 CFR 390.38(b);

- For drivers of “covered farm vehicles” as defined in 49 CFR 390.5 and certified by MVSO;
- 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;
- Controlled and 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 **only** operation in which you drive, you operate in “**Excepted interstate**” commerce and are not required to submit a Medical Examiner’s Certificate (MEC), Form MCSA-5876.

If you answered “no” to **all** of the above activities, indicate “**Non-excepted interstate**” on the self-certification form and you are required to submit a current Medical Examiner’s Certificate (MEC), Form MCSA-5876, issued by a medical examiner registered with the National Registry of Certified Medical Examiners (49 CFR 391.45) to MVSO. Most CDL holders who drive CMVs in interstate commerce are “**Non-excepted interstate**” commerce drivers.

If you operate in both “**Excepted interstate**” commerce and “**Non-excepted interstate**” commerce, you must choose “**Non-excepted interstate**” on the CDL application form or self-certification form to be qualified to operate in both types of interstate commerce.

Intrastate Commerce:

You operate in **Excepted** intrastate commerce when you drive a CMV only for intrastate commerce and drive a CMV for only the activities specified in the List of Excepted Activities found in the section on Interstate Commerce that describes excepted activities.

You operate in **Non-excepted** intrastate commerce when you drive a CMV only for intrastate commerce and you are required to submit a current Medical Examiner’s Certificate (MEC), Form MCSA-5876, issued by a medical examiner

registered with the National Registry of Certified Medical Examiners (49 CFR 391.45) to MVSO.

If you operate in both “**Excepted intrastate**” commerce and “**Non-excepted intrastate**” commerce, you must choose “**Non-excepted intrastate**” commerce on the CDL application form or self-certification form. You must provide a current medical examiner’s certificate if you must satisfy any federal or state variance (exemption or waiver) requirement.

Lastly:

Fill out the CDL application form at the county CDL office or provide MVSO with your CDL Driver’s Self-Certification of your operating status. The fillable CDL Driver’s Self-Certification pdf form may be found at:

<http://hidot.hawaii.gov/highways/library/motor-vehicle-safety-office/medical-certification/>

If you self-certify to “**Non-excepted interstate**” or “**Non-excepted intrastate**” commerce, you must provide MVSO with either the original or copy of your current Medical Examiner’s Certificate (MEC), Form MCSA-5876. If your MEC is only valid with a variance (exemption/ waiver) granted by FMCSA or MVSO, you will need to provide a copy of that variance document to MVSO. The forms may be delivered or transmitted as specified on the CDL Driver’s Self-Certification form.

Q: After I provide MVSO with my unexpired Medical Examiner’s Certificate (MEC), Form MCSA-5876, do I still have to carry an original or copy of my medical examiner’s certificate?

A: Yes, you will need to carry it for no longer than 15 days from when the MEC was submitted to MVSO. Hawaii drivers that hold a Class 3 or 4 driver’s license and who operate a commercial motor vehicle (CMV) do not submit the MEC to MVSO but are still required to carry a copy of the MEC when operating a CMV.

Q: What should I do when my medical certificate and/ or variance (exemption/ waiver) is about to expire?

A: You must be examined by a medical examiner as specified in 49 CFR 391.43 for a new medical examination and obtain a new medical certificate. You are the one responsible for providing MVSO with the new Medical Examiner’s Certificate (MEC) Form MCSA-5876. You are also responsible for applying to FMCSA and MVSO for a renewal of your variance(s) (exemption/ waiver). Your medical examiner or employer are not responsible for submitting the MEC to MVSO.

Q: What happens if my medical examiner's certificate or variance (exemption/ waiver) expires before I provide MVSO with a new one?

A: The moment your medical certificate expires, you are not eligible to drive a CMV. MVSO will notify you via mail sent to the mailing address on the driver license file that you are no longer physically qualified to operate a commercial motor vehicle. If you get your medical certificated updated within 53 days, you will not be required to appear in person at the CDL office and pay a reinstatement fee. On day 54, all your CDL privileges will be removed from your driver's license.

Q: How can I get back my CDL privileges?

A: If the medical examiner's certificate has expired and your CDL has been downgraded to a Class 3 driver's license, you must obtain a new MEC and present it in-person to your county CDL office (DMV). If the variance (exemption/ waiver) has expired, you must renew it with FMCSA or MVSO as appropriate. You may be required to undergo retesting and additional fees to get back your CDL privileges. You may change your self-certification to an operating category that does not require a medical certificate if you meet the requirements for the excepted category.

Q: Am I still required to apply to MVSO for an intrastate medical waiver for insulin treated diabetes mellitus?

A: Pursuant to 49 CFR Part 391.46, which in part amended the FMCSA regulations affecting individuals with a stable insulin regimen and properly controlled insulin-treated diabetes mellitus (ITDM), MVSO has revised the requirements and procedures on the intrastate ITDM medical waiver because under the amended regulations, the individual is no longer required to apply for an ITDM medical waiver.

The individual no longer must submit a driver history record, eye examination by an ophthalmologist/ optometrist, and be examined by an endocrinologists/ internist. The amended rule enables a certified medical examiner (ME) to grant an ITDM individual a Medical Examiner's Certificate (MEC), Form MCSA-5876. To do so, the treating clinician (defined as the healthcare professional who manages, and prescribes insulin for, the treatment of the individual's diabetes mellitus) completes the ITDM Assessment Form, MCSA-5870, indicating that the individual has a stable insulin regimen and properly controlled diabetes.

ITDM individuals are then required to provide the ITDM Assessment Form, MCSA-5870, to the certified ME within 45 days of completion by the treating clinician. The certified ME makes the final medical certification determination whether the individual meets FMCSA's physical qualification standards and can operate CMVs in

interstate/ intrastate commerce. Additional information can be requested by the certified ME if needed to make the medical qualification decision.

Q: Where can I find additional information on other FMCSA and state variances?

A: Information for FMCSA exemption programs and the Skill Performance Evaluation Certificate program for interstate drivers can be found at:

<https://www.fmcsa.dot.gov/medical/driver-medical-requirements/driver-exemption-programs>

and

<https://www.fmcsa.dot.gov/medical/driver-medical-requirements/skill-performance-evaluation-certificate-program>

Email MVSO for information on applying for an intrastate physical disability waiver at: DriverRecords.hwyt@hawaii.gov