

House Research Act Summary

CHAPTER: 242 (S.F. 3091)

SESSION: 2010 Regular Session

TOPIC: Commercial driver's license regulations

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Overview

This legislation makes various changes related to commercial driver's licenses, largely concerning medical certificates and waivers for license holders.

Section

- 1** **Current medical waiver.** Defines "current medical waiver" in the chapter on driver licensing, to be a medical variance provided by the Federal Motor Carrier Safety Administration or a waiver provided under state statutes.
- 2** **Interstate or foreign commerce.** Defines "interstate or foreign commerce" in the chapter on driver licensing, to be trade or transportation that crosses the border of a state.
- 3** **Intrastate commerce.** Defines "intrastate commerce" in the chapter on driver licensing, to be trade or transportation that takes place solely within the State of Minnesota.
- 4** **Medical examiner.** Defines "medical examiner" in the chapter on driver licensing, to use the definition under federal motor carrier safety regulations.
- 5** **Valid medical examiner's certificate.** Defines "valid medical examiner's certificate" in the chapter on driver licensing, to be a record of examination and determination of physical qualification to drive a commercial motor vehicle, provided by a medical examiner.
- 6** **Medical qualification for commercial driver's license.** Restricts the Department of Public Safety from issuing a commercial driver's license (CDL) to a person who has not submitted a self-certification or has not submitted a medical examiner's certificate or medical waiver.
- 7** **Authority; violations.** Directs the Department of Public Safety to restrict CDL privileges

in accordance with various federal regulations governing CDL holders, including: adding a restriction code to the license of a CDL holder having a medical variance, and restricting privileges due to false statements. Allows the department to restrict CDL privileges as authorized in state statutes regulating medical waivers for commercial motor carriers.

- 8 Alcohol concentration on driving record.** Makes a conforming change.
- 9 Application and record, when destroyed.** Establishes a minimum of three years for Department of Public Safety to retain records on medical certificates and waivers.
- 10 Commercial driver's license, required records.** Establishes commercial driver's license holder requirements for certification of their driving and medical status, submission and updating of certain medical information, and removal of commercial vehicle operation privileges.
- Subd. 1. Driving record.** No changes made.
- Subd. 2. Applicant self-certification.** Requires applicants for a CDL to certify their status concerning medical examination requirements.
- Subd. 3. Medical examiner's certificate; applicants.** Requires certain CDL applicants who have to undergo a medical exam to submit the medical examiner's certificate or a medical waiver to the Department of Public Safety.
- Subd. 4. Medical examiner's certificate; timely submission.** Requires certain CDL holders who are subject to a medical exam to provide an up-to-date medical examiner's certificate or medical waiver to the department.
- Subd. 5. Medical examiner's certificate; existing licensees.** Provides an August 1, 2013, implementation of the self-certification and medical certificate or waiver submission requirements for existing CDL holders.
- Subd. 6. Downgrade of license; notice.** Establishes procedures for: providing notice to CDL holders concerning invalid medical certificate or waiver; notice contents and delivery methods; waiting periods; and removal of commercial motor vehicle operating privileges.
- Subd. 7. Rulemaking authority.** Provides authority to the department to adopt administrative rules concerning the self-certification and medical information requirements, as well as restrictions on driving privileges. The rulemaking provision went into effect April 16, 2010.
- 11 Effective date.** Makes the provisions in the act (unless otherwise noted) effective August 1, 2011.