The Federal Motor Carrier Safety Administration has granted a further extension of its waiver of the validity of CDLs, Commercial Learner’s Permits and Driver Medical Certificates that expired on or after March 1, 2020. The current waiver is now set to expire on December 31, 2020.

State Driver Licensing Agencies (SDLAs), CDL holders, CLP holders, and interstate non-CDL CMV drivers are covered under this waiver without further action unless the driver’s privileges have been suspended or withdrawn for traffic offenses.

The waiver issued by FMCSA:

- Extends until December 31, 2020, the maximum period of CDL validity by waiving 49 CFR 383.73(b)(9) and 383.73(d)(6) for CDLs due for renewal on or after March 1, 2020.
- Extends until December 31, 2020, the maximum period of CLP validity by waiving 49 CFR 383.73(a)(2)(iii) and 383.25(c) for CLPs that are due for renewal on or after March 1, 2020, without requiring the CLP holders to retake the general and endorsement knowledge tests.
- Waives until December 31, 2020, the requirement under 49 CFR 383.25(e) that CLP holders wait 14 days to take the CDL skills test.
- Waives, in accordance with the following periods of eligibility, the requirement under 49 CFR 391.45 that CDL holders, CLP holders, and non-CDL drivers have a medical examination and certification, provided that they have proof of a valid medical certification and any required medical variance (as defined in 49 CFR 390.5T such as an exemption letter or a skill performance evaluation certificate) that were issued for a period of 90 days or longer:
  - For CDL holders, CLP holders, and non-CDL drivers whose medical certification was valid on February 29, 2020 and expired on or after March 1, 2020 but before June 1, 2020, the requirement under 49 CFR 391.45 is waived until October 31, 2020.
  - For CDL holders, CLP holders, and non-CDL drivers whose medical certification expired on or after June 1, 2020, the requirement under 49 CFR 391.45 is waived until December 31, 2020.
• Waives, in accordance with the following periods of eligibility, the requirement under 49 CFR 383.71(h)(3) that, in order to maintain the medical certification status of “certified,” CDL or CLP holders provide the SDLA with an original or copy of a subsequently issued medical examiner’s certificate and any required medical variance:
  • For CDL or CLP holders who have proof of a valid medical certification or medical variance that expired on or after March 1, 2020 but before June 1, 2020, the requirement under 49 CFR 383.71(h)(3) is waived until October 31, 2020.
  • For CDL or CLP holders who have proof of a valid medical certification or medical variance that expired on or after June 1, 2020, the requirement under 49 CFR 383.71(h)(3) is waived until December 31, 2020.
• Waives, in accordance with the following periods of eligibility, the requirement under 49 CFR 383.73(o)(2) that the SDLA change the CDL or CLP holder’s medical certification status to “not certified” upon the expiration of the medical examiner’s certificate or medical variance:
  • For CDL or CLP holders who have proof of a valid medical certification or medical variance that expired on or after March 1, 2020 but before June 1, 2020, the requirement under 49 CFR 383.73(o)(2) is waived until October 31, 2020.
  • For CDL or CLP holders who have proof of a valid medical certification or medical variance that expired on or after June 1, 2020, the requirement under 49 CFR 383.73(o)(2) is waived until December 31, 2020.
• Waives, in accordance with the following periods of eligibility, the requirements under 49 CFR 383.73(o)(4) that the State Driver Licensing Agency initiate a CDL or CLP downgrade upon the expiration of the medical examiner’s certificate or medical variance:
  • For CDL or CLP holders who have proof of a valid medical certification or medical variance that expired on or after March 1, 2020 but before June 1, 2020, the requirement under 49 CFR 383.73(o)(4) is waived until October 31, 2020.
  • For CDL or CLP holders who have proof of a valid medical certification or medical variance that expired on or after June 1, 2020, the requirement under 49 CFR 383.73(o)(4) is waived until December 31, 2020.

If you have any questions please contact Rick Schweitzer at (703) 946-2548 or rpschweitzer@rpslegal.com.