

CDL MEDICAL WAIVER INFORMATION PACKET
REQUESTING INTERSTATE WAIVER/EXEMPTION
REQUESTING INTRASTATE WAIVER

1. **GENERAL:**

This document outlines the procedures to be followed when processing individuals for a commercial driver's license (CDL) physical waiver. Individuals who do not meet the physical qualifications outlined in the Federal Motor Carrier Safety Regulations Title 49 CFR §391.41(b) may be eligible for an exemption issued by the Federal Motor Carrier Safety Administration (FMCSA) or an intrastate waiver issued by the Maryland Motor Vehicle Administration (MVA).

- A. The FMCSA may issue an exemption that covers amputation, loss of limb, power grasping or vision. The FMCSA may also issue a waiver for very special circumstance that is not medically related, to include insulin dependent diabetes.
- B. The MVA may issue an intrastate waiver, which covers the following physical/medical conditions listed below.
 - Vision
 - Amputation and loss of limb
 - Power grasping and prehension
 - Diabetes

Individuals may be issued waivers with the following combined physical/medical conditions. No other combinations will be waived.

- Vision and amputation or loss of limb
- Vision and power grasping or prehension

2. **INTERSTATE WAIVERS AND EXEMPTIONS:**

- A. The Federal Motor Carrier Safety Administration may issue a waiver to individuals who do not meet the qualifications of §391.41(b)(1) – (2) Title 49 CFR the Federal Motor Carrier Safety Regulations **which cover amputation, loss of a limb, power grasping or prehension problems.**

Individuals requesting a waiver related to these medical conditions should contact:
Federal Motor Carrier Safety Administration
Ask for the Medical Program Specialist
Telephone: 443-703-2240

- B. The FMCSA may issue a vision exemption to individuals who do not meet the qualifications of §391.41(b)(10) Title 49 CFR the Federal Motor Carrier Safety Regulations.

Individuals requiring a vision exemption should contact:

Federal Motor Carrier Safety Administration
Office of Bus & Truck Standards & Operations
Telephone: 703-448-3094

- C. The Federal Motor Carrier Safety Administration (FMCSA) started accepting requests for diabetes exemptions on September 22, 2003. **To apply for a diabetes exemption, applicants are to call (703) 448-3094.**
- D. The FMCSA waiver and exemptions will allow individuals with a CDL to drive a commercial motor vehicle (CMV) across state lines.
- E. An individual possessing a Maryland Commercial Driver's License who is issued a Federal Vision Exemption, Diabetes Waiver or a Skill Performance Evaluation Certificate (covers amputation, loss of a limb, power grasping or prehension) by the Federal Motor Carrier Safety Administration must submit a copy to the Driver Services Division so that the proper restrictions and/or special codes may be placed on their CDL. Please send to the attention of the Driver Services Division Room 207, 6601 Ritchie Highway N.E., Glen Burnie MD 21062.

NOTE: The exemption or waiver issued by FMCSA has no impact on the class of license or endorsement issued by the MVA. The FMCSA may issue a vision exemption and the MVA may deny a passenger or hazardous materials endorsement to the same individual.

3. **INTRASTATE WAIVERS:**

Individuals who do not meet the physical requirements of §391.41(b)(1)-(2) (3) and (10) and cannot obtain a FMCSA waiver or exemption may apply for an intrastate waiver, which is issued by the Motor Vehicle Administration. An intrastate waiver restricts the individual to driving a commercial motor vehicle within Maryland. Individuals with an intrastate waiver may not drive a commercial motor vehicle across state lines and the cargo contained in the commercial motor vehicle cannot cross state lines.

Individuals who have suffered a loss of a hand, arm, or foot, or if they have an impairment of a hand or finger which interferes with the prehension or power grasping or an arm, leg or foot or other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with the operation of a commercial motor vehicle, may be eligible for an interstate waiver.

NOTE: It will be necessary for the applicant to have a working (not a cosmetic) prosthesis.

NOTE: School bus drivers must meet the physical qualifications listed in §391.41(b). They cannot be issued a waiver.

A. EXAMINATION OF INDIVIDUALS APPLYING FOR INTRASTATE WAIVER (AMPUTATION, LOSS OF LIMB OR POWER GRASPING PROBLEM).

Individuals who have suffered a loss of hand, arm or foot must submit a physical examination form completed by a medical examiner and a medical evaluation summary completed by either a board qualified or board certified physiatrist (doctor of physical medicine) or orthopedic surgeon. The medical evaluation summary for a driver applicant disqualified under §391.41(b)(1) will include:

- An assessment of the functional capabilities of the driver as they relate to the ability of the driver to perform normal tasks associated with operating a commercial motor vehicle; and
- A statement by the examiner that the applicant is capable of demonstrating precision prehension (e.g. manipulating knobs and switches) and power grasp prehension (e.g. holding and maneuvering the steering wheel) with each upper limb separately.

Individuals who have impairment of a hand or finger which interferes with prehension or power grasping or an arm, foot, or leg or other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with the operation of a commercial motor vehicle shall submit a medical evaluation summary completed by either a board qualified or board certified physiatrist (doctor of physical medicine) or orthopedic surgeon. The medical evaluation summary for a driver applicant disqualified under §391.41(b)(2) will include:

- An explanation as to how and why the impairment interferes with the ability of the applicant to perform normal tasks associated with operating a commercial motor vehicle.
- An assessment and medical opinion of whether the condition will likely remain medically stable over the lifetime of the driver applicant; and
- A statement by the driver license examiner upon completion of a public road test that the applicant is capable of demonstrating precision prehension (e.g. manipulating knobs and switches) and power grasp prehension (e.g. holding and maneuvering the steering wheel) with each upper limb separately.

B. EXAMINATION OF INDIVIDUALS APPLYING FOR VISION INTRASTATE WAIVER

Individuals who do not meet the physical qualifications in §391.41(b)(10) must submit a physical examination form performed by a licensed medical examiner. This means a person who is licensed, certified, and/or registered in accordance with state laws. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic.

Minimum vision requirements for commercial licenses are:

- Acuity: **20/40 each eye (corrected or uncorrected)**
- Field of Vision (Peripheral): at least **70 degrees each eye (110 degrees continuous)**
- Binocular Vision: **20/40 both eyes (corrected or uncorrected)**
- Ability to distinguish: **red, green and amber**

C. INDIVIDUALS APPLYING FOR AN INTRASTATE WAIVER FOR DIABETES

Individuals who have diabetes and do not meet federal regulation 391.41(b)(3) may submit a request for consideration of an intrastate waiver. Extensive documentation such as a Health Questionnaire, Endocrinologist Evaluation, and Diabetic Education Verification will be required and a review by our Driver Wellness & Safety Division. You must submit a current Medical Examination Report (DOT Physical) for Commercial Driver Fitness Determination form along with a request in writing to the attention of Ms. Abbott, CDL Intrastate Waiver Program, Driver Services, MVA 6601 Ritchie Highway NE Room 207, Glen Burnie MD 21062.

Note: Passenger, School Bus and Hazardous Material endorsements are not authorized to those individuals who require a CDL Intrastate Waiver.

D. REQUESTING AN INTRASTATE WAIVER:

Intrastate waiver requests will not be accepted over the telephone. They must be submitted in writing to the:

CDL Intrastate Waiver Program
Driver Services Division RM 207
Motor Vehicle Administration
6601 Ritchie Highway N.E.
Glen Burnie, MD 21062

Your request for an intrastate waiver must include the following:

- Name, address, driver's license number, signature, and telephone number of the individual submitting the waiver request;
- The applicant's description of the medical condition which requires the waiver. If limb impairment is involved, provide specific details;
- The type and class of vehicle to be operated;
- A current Medical Examination Report for Commercial Driver Fitness Determination form (completed in full)

NOTES:

- **Individuals requesting an intrastate waiver will be required to take a public road test.**
- The individual's driving record will be reviewed for traffic violations as part of the waiver process.
- The individual's application may be referred to the MAB for a medical opinion.

E. RENEWAL WAIVER REQUEST:

The renewal request should be submitted to the Driver Services Division, Motor Vehicle Administration no later than 30 days prior to the expiration date on the current waiver.

Your waiver renewal request must contain the following:

- Name and complete address of the driver;
- Expiration date of current waiver;
- A current physical examination (must be within one year of waiver expiration date);
- The class of vehicle to be operated;
- Driver's license number, signature and telephone number.

NOTES:

- Individuals requesting a renewal of an intrastate waiver will not be required to take a road test unless their medical condition has deteriorated substantially or if their driving record warrants it.
- The individual's renewal application may be referred to the MAB for a medical opinion.
- The individual's driving record will be reviewed for traffic violations as part of the waiver renewal process.
- Individuals who fail to renew their waiver at renewal time must re-process, applying for a new waiver (will include road test).

F. APPROVAL OF WAIVER/WAIVER RENEWAL REQUEST

Upon granting a waiver/renewal, the Driver Services Division, Motor Vehicle Administration will notify the driver applicant by letter. The letter will set forth the terms, conditions, and limitations of the waiver.

The driver applicant must have the waiver in his/her possession whenever he/she is operating a commercial motor vehicle and conducting licensing transactions at the Maryland MVA. **It is the responsibility of the individual to provide their motor carrier with a copy of the waiver.**

G. HAZARDOUS MATERIAL/PASSENGER/SCHOOL BUS ENDORSEMENTS

Individuals who do not meet the medical and physical requirements listed in §391.41 will not be allowed to have a hazardous material, passenger or school bus endorsements included in their CDL intrastate waiver.

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