

MEDICAL REVIEW BOARD ADVISORY COMMITTEE CHARTER

1. **COMMITTEE'S OFFICIAL DESIGNATION:** The Committee's official designation is the Medical Review Board Advisory Committee (MRB).
2. **AUTHORITY:** Section 4116 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59 (codified as amended at 49 U.S.C. § 31149) and U.S. Department of Transportation (DOT) Order 1120.3B. This charter renews MRB and provides for its operation in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.
3. **OBJECTIVES AND SCOPE OF ACTIVITIES:** The MRB shall provide the U.S. Secretary of Transportation and the Administrator of the Federal Motor Carrier Safety Administrator (FMCSA), or his or her designees, with medical advice and recommendations on matters relating to all aspects of development and implementation of science-based physical qualification standards and guidelines for operators of commercial motor vehicles (CMVs), medical examiner education, and medical research.
4. **DESCRIPTION OF DUTIES:** The Committee shall:
 - a. Provide FMCSA with recommendations on medical standards and guidelines for the physical qualification of operators of CMVs, medical examiner education, and medical research. The MRB is advisory only.
 - b. Provide written advice to FMCSA.
5. **AGENCY/OFFICIAL TO WHOM THE COMMITTEE REPORTS:** The Committee shall report to the FMCSA Administrator. The Administrator is the sponsor of the Committee and accepts or rejects recommendations produced by the Committee.
6. **SUPPORT:** The FMCSA's Office of Policy will provide necessary funding, logistics, and administrative support for the Committee.
7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS:** The annual operating costs associated with the Committee's functions are estimated to be \$150,000 including all direct and indirect expenses. The Agency estimates that 1.5 full-time equivalent positions will be required to support the Committee.
8. **DESIGNATED FEDERAL OFFICER (DFO) AND SPONSOR**
 - a. The DFO for the Committee is FMCSA's Associate Administrator for Policy or his or her designee.

- b. The DFO will approve or call all Committee and subcommittee meetings, prepare and approve all meeting agendas, attend all Committee and subcommittee meetings, adjourn any meetings when he or she determines adjournment to be in the public interest, and chair meetings when directed to do so by the FMCSA Administrator.

9. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS

- a. Committee meetings will be held approximately three times each year. As necessary, special and subcommittee meetings may be called by the DFO. As used in this charter, the word “meeting” does not include gatherings of MRB members for preparatory or administrative work as provided under 41 CFR § 102-3.160.
- b. Notice of each meeting shall be published in the Federal Register at least 15 calendar days prior to the date of the meeting. The meeting agenda and all relevant meeting information will be posted in advance of each meeting at the website (www.fmcsa.dot.gov/mrb).
- c. Meetings shall be open to the general public, except as provided under section 10(d) of FACA, as implemented by the Government in the Sunshine Act (5 U.S.C. § 522b(c)), 41 CFR Part 102-3, and DOT Order 1120.3B.
- d. Detailed minutes of each meeting shall be certified by the DFO or his or her designee and maintained by the sponsor. The minutes, as certified, shall be available for public inspection and copying at the website (www.fmcsa.dot.gov/mrb).

10. DURATION: Continuing.

11. TERMINATION: This charter shall terminate 2 years from its filing date unless renewed in accordance with FACA.

12. MEMBERSHIP AND DESIGNATION

- a. The MRB shall comprise 5 members appointed by the Secretary of Transportation for terms of up to 2 years. The Secretary may reappoint members.
- b. Members serve at the pleasure of the Secretary. Members may be removed for cause by the Secretary, the FMCSA Administrator, or his or her designee.
- c. Members will be selected from among individuals from medical institutions and private practice who are not employees of FMCSA. MRB members shall serve as Special Government Employees under the authority of 5 U.S.C. § 3109.

- d. The members shall reflect expertise in a variety of medical specialties relevant to the driver fitness requirements of the FMCSA.
 - e. To ensure the recommendations of the Committee have taken into account the needs of diverse groups served by the Department, membership shall include, to the extent practicable, individuals and/or organizations to represent minorities, women, and persons with disabilities.
 - f. Members may continue to serve until their replacements have been appointed. The Secretary may extend appointments and may appoint replacements for members who have resigned outside a stated term, as necessary.
 - g. The Administrator, through the Associate Administrator for Policy, shall designate a chairman and vice chairman from among members of the Committee. They will serve 2-year nonrenewable terms. The vice chairman will succeed the chairman at the end of the term.
13. SUBCOMMITTEES: The FMCSA shall be authorized to establish subcommittees. Subcommittees shall not work independently of the chartered MRB and shall report all of their recommendations and advice to the full MRB for deliberation and discussion. Subcommittees must not provide advice or work products directly to FMCSA or DOT.
14. RECORDKEEPING: The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.
15. FILING DATE: This charter is effective November 25, 2017, which is the date it is filed with the Congress. The Committee will remain in existence for 2 years after this date unless sooner terminated or renewed.

