



**U.S. Department
of Transportation**

**Federal Motor Carrier
Safety Administration**

**WAIVERS, EXEMPTIONS,
AND PILOT PROGRAMS
ANNUAL REPORT TO CONGRESS
FISCAL YEAR 2014**

A report pursuant to Section 32913 of the
Moving Ahead for Progress in the 21st Century Act
and 49 U.S.C. 31315(e)

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INTRODUCTION

Section 32913 of the Moving Ahead for Progress in the 21st Century Act (MAP 21) (Pub. L. 112-141) requires the Secretary of Transportation to submit an annual report to the Congress listing the waivers, exemptions, and pilot programs granted under section 31315 of title 49, United States Code (U.S.C.) and any impacts on safety associated with the regulatory relief provided. This report is the second submission to Congress on waivers, exemptions, and pilot programs granted by the Federal Motor Carrier Safety Administration (FMCSA) and covers Fiscal Year (FY) 2014.

Section 4007 of the Transportation Equity Act for the 21st Century (TEA-21) (Pub. L. 105-178) amended 49 U.S.C. 31315 and 31136(e) to authorize the Secretary of Transportation to grant exemptions from motor carrier safety regulations. The interim final regulations to implement the new authority were published in the Federal Register on December 8, 1998 (63 FR 67600), and codified at part 381 of title 49, Code of Federal Regulations (CFR). On August 20, 2004 (69 FR 51589), FMCSA adopted as final its interim regulations. The final rule established procedures applicants must follow to request waivers and apply for exemptions from the Federal Motor Carrier Safety Regulations (FMCSR) and procedures to propose and manage pilot programs. In addition, it established procedures that govern how FMCSA reviews, grants, or denies requests for waivers, applications for exemptions, and proposals for pilot programs. It also established requirements for publishing notice of exemption applications or proposals for pilot programs in the Federal Register to afford the public an opportunity for comment.

WAIVERS, EXEMPTIONS, AND PILOT PROGRAMS

Waivers

A waiver provides temporary relief from one or more FMCSRs to a person subject to the regulations or a person who intends to engage in an activity that would be subject to the regulations. A person or class of persons may apply for a waiver if one or more FMCSRs prevents them from using or operating commercial motor vehicles (CMV) or makes it unreasonably difficult to do so during a unique, non-emergency event. A waiver provides the person with relief from the regulations for up to 3 months and is subject to conditions imposed by the FMCSA Administrator. Waivers may be granted only from requirements in 49 CFR parts 382, 383, 391, 392, 393, 395, 396 (except for section 396.25) and 399.

Exemptions

An exemption provides temporary relief from one or more FMCSRs to a person subject to the regulations or to a person who intends to engage in an activity that would be subject to the regulations. A person or class of persons may apply for an exemption if one or more of the FMCSRs prevents them from implementing more efficient or effective operations that would maintain a level of safety equivalent to or greater than the level achieved without the exemption. The FMCSA is required by statute to request public comment prior to granting an exemption. After considering the public comments, the Agency must make a determination that the terms and conditions of the exemption would achieve a level of safety equivalent to that provided by the

regulations from which the entity would be exempted. The FMCSA invites all interested parties to notify the Agency immediately if they observe any safety problems associated with any of these exemptions.

An exemption provides the person or class of persons with relief from the regulations for up to 5 years¹ and may be renewed. Exemptions may be granted only from one or more requirements in 49 CFR parts 382, 383, 391, 392, 393, 395, 396 (except for section 396.25), and 399. The name of the person or class of persons who will receive the exemption, the specific regulations from which the person(s) will be exempted, the time period, and all terms and conditions of the exemption are published in the Federal Register for notice and comment. The Agency is required to revoke an exemption immediately if the person fails to comply with the terms and conditions of the exemption, if the exemption has resulted in a lower level of safety than was maintained before the exemption was granted, or if continuation of the exemption would not be consistent with the goals and objectives of the regulations issued under the authority of 49 U.S.C. chapter 313 or 49 U.S.C. 31136.

Pilot Programs

The Agency may conduct pilot programs to evaluate alternatives to regulations relating to motor carriers, CMVs, and driver safety. These programs may include exemptions from one or more of the FMCSRs. FMCSA is required by statute to request public comment before starting a pilot program. The initial notice must lay out the plan for safety oversight, data collection, and analysis. The Agency must then issue a final decision in the Federal Register notifying all interested parties of the terms and conditions of the pilot program, including safety oversight. The Agency cannot move forward with a pilot program unless there is sufficient information to support a determination that the terms and conditions of the pilot program would achieve a level of safety equivalent to that provided by the regulations from which the entity would be relieved during the pilot program. The FMCSA invites all interested parties to notify the Agency immediately if they observe any safety problems associated with pilot programs while they are in operation.

Each pilot program is limited to 3 years from its starting date. If a motor carrier or driver fails to comply with the terms and conditions of the program, FMCSA must immediately revoke the carrier or driver's participation in the program. Likewise, if continuation of a pilot program is inconsistent with the safety goals and objectives of 49 U.S.C. chapter 313 or 49 U.S.C. 31136, FMCSA must terminate that pilot program immediately.

¹ Extended from 2 to 5 years by section 5206 of the Fixing America's Surface Transportation Act, Pub. L. 114-94, 129 Stat. 1312, 1537, Dec. 4, 2015.

FMCSA MEDICAL EXEMPTION PROGRAMS

The overwhelming majority of the exemptions granted by FMCSA concern the physical qualifications standards for interstate drivers. Currently, FMCSA has separate Vision and Diabetes Exemption Programs. The FMCSA's robust monitoring and oversight processes for its Vision and Diabetes Exemption Programs ensure that there is no adverse impact on safety after an individual is granted an exemption. The process and criteria for granting, rescinding, or denying exemptions for these programs are outlined in the Appendix.

Vision Exemption Program

Launched in December 1998, the FMCSA Vision Exemption Program provides CMV drivers who do not meet the vision requirements of 49 CFR 391.41(b)(10) in one of their eyes the opportunity to seek an exemption on a case-by-case basis. The process of obtaining an exemption begins with submission of an application to the Vision Exemption Program. Drivers must provide information that supports the vision criteria listed in the Appendix. Drivers who are approved for the exemption and wish to retain it must renew their exemptions every 2 years. The applicant must initiate the renewal process, which requires a notice-and-comment process in the Federal Register. Table 1 shows the number of exemption and waiver applications received and granted through the Vision Exemption Program from October 1, 2013 to September 30, 2014.

Table 1. Vision Exemptions and Waivers Granted for FY 2014

Month	Number of Exemption Applications	Number of Exemptions Granted	Number of Exemptions Denied	Percentage of Exemption Applications Granted	Number of Waiver Applications	Number of Waivers Granted	Number of Waivers Denied
October	51	25	26	49.01	0	0	0
November	16	0	16	0	0	0	0
December	143	112	31	78.32	1	1	0
January	88	67	21	76.13	0	0	0
February	14	0	14	0	0	0	0
March	54	33	21	61.11	0	0	0
April	107	58	49	54.20	1	1	0
May	177	141	36	79.66	0	0	0
June	35	0	35	0	0	0	0
July	74	60	14	81.08	0	0	0
August	85	57	28	67.05	0	0	0
September	54	35	19	64.81	1	1	0
Total	898	588	310	65.47	3	3	0

Source: Vision Exemption Annual Reports

Diabetes Exemption Program

Launched in September 2003 and revised in August 2005, the Diabetes Exemption Program provides CMV drivers who do not meet the insulin-treated diabetes standard of 49 CFR 391.41(b)(3) the opportunity to seek an exemption on a case-by-case basis. The Agency granted waivers from the insulin-treated diabetes standard to drivers being considered for an exemption on a case-by-case basis to provide the Agency with sufficient time to complete the exemption process so that drivers could continue to be employed in their current jobs. Drivers must provide application information that supports the diabetes criteria listed in the Appendix.

Table 2. Diabetes Exemptions and Waivers Granted for FY 2014

Month	Number of Exemption Applications	Number of Exemptions Granted	Number of Exemptions Denied	Percentage of Exemption Applications Granted	Number of Waiver Applications	Number of Waivers Granted	Number of Waivers Denied
October	61	43	18	70.49	0	0	0
November	71	59	12	83.09	0	0	0
December	142	123	19	86.61	0	0	0
January	76	64	12	84.21	0	0	0
February	12	0	12	0	0	0	0
March	121	111	10	91.73	0	0	0
April	76	40	36	52.63	0	0	0
May	171	149	22	87.13	0	0	0
June	92	71	21	77.17	0	0	0
July	181	154	27	85.08	0	0	0
August	172	144	28	83.72	0	0	0
September	79	46	33	58.22	0	0	0
Total	1,254	1,004	250	80.06	0	0	0

Source: Diabetes Exemption Annual Reports

OTHER MEDICAL EXEMPTIONS AND WAIVERS GRANTED OR DENIED

This section provides summaries of exemptions and waivers the Agency has granted or denied involving individuals unable to meet certain physical qualification requirements in 49 CFR 391.41 for which there are no formal exemption programs. Each individual must abide by the terms and conditions of the exemption or waiver to ensure that the level of safety would be equivalent to or greater than the level of safety achieved by complying with the Federal regulations.

Summaries of Medical Exemptions and Waivers Granted or Denied

Epilepsy/Seizure

The FMCSA's decision to grant or deny applications for exemptions from the epilepsy/seizure standard in 49 CFR 391.41(b)(8) is based on an individualized assessment of each applicant's medical information, including the root cause of the respective seizure(s), the length of time elapsed since the individual's last seizure, and each individual's treatment regimen. The Agency

also reviews each applicant's driving record and interstate and intrastate inspection reports. In addition, the Agency considers both current medical literature and the 2007 recommendations of the Agency's Medical Expert Panel (MEP).

The MEP recommended conditional certification for individuals who have an epilepsy diagnosis, a single unprovoked seizure, or a single provoked seizure with low-risk factors for recurrence, and recommended no certifications for individuals with moderate to high-risk seizure conditions. The MEP's recommendations provide that an individual with a single unprovoked seizure should be seizure-free for 4 years, on or off medication. An individual with an epilepsy diagnosis should be seizure-free for 8 years, on or off medication. If the individual is taking anti-seizure medication(s), the plan for medication should be stable for 2 years.

The exemptions are contingent on the driver maintaining a stable medication regimen and remaining seizure-free during the 2-year exemption period. Exempted drivers must submit annual reports from their treating physicians attesting to the stability of treatment and confirming that they have remained seizure-free. Additionally, the drivers also must be medically certified yearly by a medical examiner as defined by 49 CFR 390.5, following the FMCSA's regulations for CMV drivers.

In FY 2014 FMCSA granted a total of 20 individuals exemptions from the requirement that interstate drivers have "no established medical history or clinical diagnosis of epilepsy or any other condition likely to cause loss of consciousness or any loss of ability to control a CMV." The decisions were published on November 12, 2013 (78 FR 67449) (9 individuals), December 24, 2013 (78 FR 77774) (7 individuals), and April 25, 2014 (79 FR 23054) (4 individuals).

The Agency also granted 8 individuals 90-day waivers from the epilepsy/seizure disorder standard to provide the Agency with sufficient time to complete the exemption process so that the individuals could continue to be employed in their current jobs. The decisions were dated November 13, 2013 (1 individual), March 25, 2014 (2 individuals), March 31, 2014 (2 individuals), May 28, 2014 (1 individual), June 6, 2014 (1 individual), and August 9, 2014 (1 individual).

The Agency denied 17 applications for an exemption from the epilepsy/seizure disorder standard because these applicants had not been seizure-free for long enough to ensure their operational safety. The decisions were dated June 16, 2014 (16 individuals), and September 22, 2014 (1 individual).

Table 3. Epilepsy Seizure Exemptions and Waivers Granted for FY 2014

Exemption Applications	Number of Exemptions Granted	Number of Exemptions Denied	Percentage of Exemption Applications Granted	Number of Waiver Applications	Number of Waivers Granted	Number of Waivers Denied
37	20	17	54.05	8	8	0

Hearing

On January 13, 2014 (79 FR 2245), FMCSA published its decision to grant 20 individuals exemptions from the Agency's physical qualifications standard in 49 CFR 391.41(b)(11) concerning hearing for interstate drivers. The Agency's decisions were based on current medical literature and information and the 2008 evidence report commissioned by FMCSA, with input from the Agency's MEP and Medical Review Board. The report was entitled "Executive Summary on Hearing, Vestibular Function and Commercial Motor Vehicle Driver Safety." The evidence report reached two conclusions regarding the matter of hearing loss and CMV driver safety: (1) no studies were found that examined the relationship between hearing loss and crash risk exclusively among CMV drivers, and (2) evidence from studies of the non-commercial driver population did not support the contention that individuals with hearing impairments are at an increased risk for a crash. In making these decisions, the Agency reviewed the applicants' driving records found in the Commercial Driver License Information System (CDLIS) and interstate and intrastate inspections recorded in the Motor Carrier Management Information System. It should be noted that the terms and conditions of these exemptions do not allow hard-of-hearing and deaf drivers to operate a motorcoach with passengers.

NON-MEDICAL DRIVER EXEMPTIONS AND WAIVERS

As provided in 49 CFR part 381, FMCSA grants non-medical exemptions and waivers for which there are no specific programs. For these exemptions and waivers, there are terms and conditions that each applicant must meet to ensure that the level of safety would be equivalent to or greater than the level of safety achieved by complying with the Federal regulations. For this section an applicant's name is repeated each time new companies or new drivers are granted exemptions or waivers by the Agency for the first time. This report does not include the number of applicants with renewed exemptions.

Summaries for Exemptions and Waivers Granted or Denied

Daimler Trucks North America (Daimler)

The Agency approved Daimler's requests for four waivers and two exemptions (79 FR 42626; 79 FR 51641) from the commercial driver's license (CDL) provisions in 49 CFR part 383 for specified drivers from Germany to drive CMVs in the United States. The waivers and exemptions allowed each driver to test-drive Daimler vehicles on U.S. roads without holding a CDL issued by one of the States. The drivers possessed valid German commercial licenses but lacked the U.S. residency. The FMCSA believes that the process for obtaining a German-issued commercial license is comparable to or as effective as the U.S. CDL requirements.

Table 4. List of Daimler's Drivers Granted Exemptions or Waivers for FY 2014

Driver's Name	Date Exemption Granted	Driver's Name	Date Waiver Granted
1. Sven Ennerst	7-22-2014	1. Ralf Ludwig	10-16-2013
2. Wolfgang Bernhard	8-29-2014	2. Sven Ennerst	1-29-2014
		3. Felix Kauffmann	5/16/2014
		4. Torsten Schmidt	8-21-2014

Department of Defense

On October 28, 2013 (78 FR 64265), the Agency announced its decision to grant the U.S. Department of Defense Military Surface Deployment and Distribution Command (SDDC) an exemption from the minimum 30-minute rest break provision of the Agency's hours-of-service (HOS) regulations for CMV drivers. The exemption gave SDDC's contract motor carriers and their employee-drivers transporting weapons, munitions, and sensitive/classified cargo the same flexibility that 49 CFR 395.1(q) provides for drivers transporting explosives. Exempted drivers were allowed to use 30 minutes or more of "attendance" time to meet the HOS rest break requirements, provided they did not perform any other work during the break.

Timberdoodle Company

On April 8, 2014 (79 FR 19411), the Agency announced its denial of Timberdoodle Company's (Timberdoodle) request for an exemption from the HOS regulations in 49 CFR 395.3(b)(1) which prohibit the operation of a CMV by anyone who has accumulated 60 hours of on-duty time in a period of 7 days. Timberdoodle requested that its drivers be allowed to exclude all on-duty time other than time actually driving a CMV from this calculation. The FMCSA concluded that Timberdoodle had not demonstrated how its CMV operations under such an exemption would be likely to achieve a level of safety equivalent to or greater than the level of safety that would be obtained in the absence of the exemption.

Commonwealth of Virginia Department of Motor Vehicles (Virginia DMV)

On July 8, 2014 (79 FR 38645), the Agency announced its decision to grant to Virginia DMV and all other State Driver Licensing Agencies (SDLAs) a limited exemption from the CDL regulations. The exemption allowed SDLAs to extend the 90-day timeline in 49 CFR 383.77(b)(1) to 1 year, enabling them to waive the CDL skills test described in 49 CFR 383.113 for up to a year after ex-military personnel had last been employed in a military position requiring the operation of a CMV.

Phoenix Automotive Cores

On August 29, 2014, the Agency approved the request of Phoenix Automotive Cores for a waiver from the age restriction in 49 CFR 391.11(b)(1) that requires an individual to be 21 years old while operating a CMV in interstate commerce. The Agency did not believe that there was any compromise in safety by waiving the age requirement and allowing the individual to drive a CMV for 30 days prior to turning 21. The waiver allowed the driver to operate a CMV not requiring a CDL in interstate commerce to purchase loads of recyclable automotive parts when visiting clients. The waiver was valid from September 5, 2014, to October 5, 2014. The driver turned 21 on October 5, 2014.

Table 5. Other Non-medical Driver Exemptions and Waivers Granted for FY 2014

Number of Exemption Applications	Number of Exemptions Granted	Number of Exemptions Denied	Percentage of Exemption Applications Granted	Number of Waiver Applications	Number of Waivers Granted	Number of Waivers Denied
5	4	1	80%	5	5	0

VEHICLE EXEMPTIONS AND WAIVERS

The Agency has not received a large number of requests for vehicle exemptions or waivers.

Summaries of Vehicle Exemptions and Waivers Granted or Denied

Jaguar Land Rover North, LLC

On June 19, 2014, the Agency approved the request of Jaguar Land Rover North, LLC for a 90-day waiver from the Motor Carrier Identification Reporting and CMV marking requirements to conduct vehicle tests of new engine technologies. Because the Land Rover vehicles do not meet the definition of a CMV when operated as single vehicles, the marking requirements would have applied only to the vehicles while they were towing a trailer. As such, the Agency did not believe the absence of the company's name and a U.S. Department of Transportation number for a limited period of time would prevent Federal and State officials from conducting inspections or the public's ability to notify officials about any safety concerns.

PILOT PROGRAMS

United States – Mexico Cross-Border Long-Haul Trucking Pilot Program

The Agency provided a detailed summary of this pilot program in its first annual report to Congress on waivers, exemptions, and pilot programs, covering the period from October 1, 1998, to September 30, 2013.

On April 13, 2011 (76 FR 20807), the Agency announced its proposal for the initiation of a United States-Mexico Cross-Border Long-Haul trucking program to test and demonstrate the ability of Mexico-based motor carriers to operate safely in the United States beyond the municipalities and commercial zones along the United States-Mexico border. Comments and input on the Agency's plans were received and reviewed and, on July 8, 2011 (76 FR 40420), the Agency announced its intent to proceed with the pilot program.

On October 10, 2014, the Agency completed this pilot program. The 13 motor carriers that were in the program at its completion were issued either standard or provisional operating authority that allows them to continue to operate in long-haul transportation across the United States. The Agency has a dedicated website that provides detailed information about the program at <http://www.fmcsa.dot.gov/international-programs/mexico-cross-border-trucking-pilot-program>.

SUMMARY

The waiver, exemption, and pilot program statutory provisions and implementing regulations under 49 CFR part 381 have provided a process for associations, companies, and individuals to seek limited regulatory relief from certain safety requirements, provided safety is not compromised. The vast majority of the exemptions involve individuals seeking relief through FMCSA's Vision and Diabetes exemption programs. In FY 2014, these programs enabled 1,592 individuals to begin or resume careers as interstate CMV drivers without compromising safety.

With regard to the safety impacts of waivers, exemptions and pilot programs, FMCSA has observed no adverse impacts on CMV safety. The Agency's administration of the processes for granting waivers and exemptions and initiating pilot programs ensures that the terms and conditions for the regulatory relief provide a level of safety that is equivalent to or greater than the level of safety that would be achieved through compliance with the safety regulations.

APPENDIX

Standard Operating Procedures for Ensuring Safety Under the Vision and Diabetes Exemption Programs

The FMCSA is required by statute to publish each complete exemption request in the Federal Register. Federal Register notices:

- Must be posted for 30 days to allow the public the opportunity to comment;
- Include a brief biographical summary of each individual who is requesting an exemption; and
- Contain instructions on how interested parties may submit comments or concerns regarding an individual requesting an exemption.

I. FMCSA's Dispositions of Federal Vision and Diabetes Exemptions

A. FMCSA determines the disposition of exemption requests by the following categories:

1. Exemption-Granted
2. Exemption-Federally Exempt/No Authority
3. Exemption-Not required or needed
4. Exemption-Ineligible
5. Exemption-Denied

B. Approved/Granted Federal Vision and Diabetes Exemptions

Applications that have met all exemption criteria which demonstrate an equivalent or greater level of safety than that which would have been achieved without an exemption will be included in a Notice of Final Disposition published in the Federal Register. The Final Disposition Federal Register notice announces the following:

1. The Agency's final decision to grant an exemption request;
2. The Agency's response to all public comments received during the 30 day public comment period; and
3. Terms and conditions of holding the exemption; and language informing the public of the Agency's ability to rescind the exemption if the appropriate level of safety is not maintained.

II. Exemption-Denial Decisions

Exemption-denial decisions are based on applicants' failure to meet the criteria for the exemption program. Denial criteria include factors such as lack of intrastate driving experience, driving records that show safety performance problems (e.g., driving under the influence, multiple excessive speeding convictions), or medical concerns.

III. Exemption Revocations

Revocations of existing exemptions are based on the driver's inability to meet the program criteria and/or the monitoring requirements outlined by the Agency.

Vision Criteria

PASS: meets criteria below.

FAIL: does not meet criteria below-safety concerns evaluated on an individual basis.

- Must provide proof that they have driven a CMV safely in intrastate commerce with their vision deficiency for the 3-year period immediately preceding the date of the application.
- Must be 21 years of age.
- Must reside in the United States.
- Must want to drive on an “interstate” basis or transport property in interstate commerce.
- Must not drive for the local/State/county/government. If they do, they must clearly state that the exemption is for other “part-time” work or a desire to change jobs.
- Must have a valid license and show that they have driven with the appropriate license during their 3-year period. The license must match the State of residence.
- Must currently hold only one license.
- Must drive at least 10 hours per week.
- Must have a safe driving record for the previous 3-year period:
Contains no suspensions or revocations of the applicant’s driver’s license for the operation of any motor vehicle (including a personally owned vehicle); reflects no involvement in an accident for which the applicant contributed or received a citation for a moving traffic violation; contains no convictions for a disqualifying offense, as defined in 49 CFR 383.51(b)(2), or more than one serious traffic violation, as defined in 49 CFR 383.5, while driving a CMV, which disqualified or should have disqualified applicant in accordance with the driver disqualification provisions of 49 CFR 383.51; contains no more than two convictions for any other moving traffic violations in a CMV.
- Vision deficiency must be present for a minimum of 3 years.
- Vision must be stable.
- Must meet FMCSA vision standards in the better eye.
- Must meet all other physical qualifications standards in 49 CFR 391.41(b)(1)-(13) or hold the appropriate exemption/waiver.

Insulin-Treated Diabetes Mellitus Criteria

PASS: meets criteria below to demonstrate a driver’s ability to safely operate a CMV in interstate commerce while using insulin.

FAIL: does not meet criteria below-safety concerns evaluated on an individual basis.

- Must meet all other physical qualifications standards in 49 CFR 391.41(b)(1)-(13) or hold the appropriate exemption/waiver.
- Must be at least 21 years of age.
- Must reside in the United States.
- Must not drive for the local/State/county/government. If they do, they must clearly state that the exemption is for other “part-time” work or a desire to change jobs.
- Must drive or intend to drive on an interstate and commercial basis.
- Must hold a valid, current driver’s license.
- Must be insulin-treated for minimum periods:

- A newly diagnosed driver with type 1 diabetes mellitus who had been treated previously with oral medication and now requires insulin should have at least a 2-month period on insulin to establish stable control. A newly diagnosed driver with diabetes mellitus who is treated with insulin should have at least a 2-month period of insulin use unless directed by the treating physician. If the driver had type 2 diabetes and converted to insulin use, the driver should have at least a 1-month period of insulin use to demonstrate adequate disease management skills, unless directed by the treating physician.
- Must submit a complete application that includes an evaluation from a board certified/board eligible (BC/BE) endocrinologist and a vision evaluation by an optometrist or ophthalmologist.
- Must have documentation of current diabetes education.
- Should demonstrate stable control of diabetes.
- Has had no severe hypoglycemic reaction that results in seizure or loss of consciousness or requires assistance of another person or period of impaired cognitive function that occurred without warning within 1 year and no more than two episodes within the last 5 years (before application).
- Has had no large fluctuation in blood glucose levels that may impact safe driving.
- Understands how to individually manage and monitor his/her diabetes mellitus.
- Has demonstrated the ability and willingness to properly monitor and manage his/her diabetes.
- Must submit a 3-year driving history, of which crash and violation data is evaluated and safety concerns evaluated on individual basis.

Monitoring Compliance

- **Vision Exemption Program** – All drivers accepted into the Vision Exemption Program are monitored via the CDLIS on a quarterly basis. Should any potentially disqualifying information appear on a driver's CDLIS report, the Agency will request a copy of the violation or crash report from the driver. Should the violation be disqualifying, the Agency revokes the exemption immediately. In addition, if the exemption holder's driver's license is no longer valid as a result of a moving violation, the exemption is revoked immediately. In the case of all revocations, the driver is informed by letter, and the State Driver's Licensing Agency (SDLA) is informed by encrypted email.
- **Diabetes Exemption Program** – All drivers accepted into the Diabetes Exemption Program must maintain a monitoring regimen that includes submitting a quarterly report from a board-certified or board-certified/board-eligible endocrinologist (including a more extensive annual report), and an annual report from an optometrist or ophthalmologist. If the driver fails to submit monitoring for one quarter, the Agency issues a warning letter reminding the driver that the quarterly monitoring is a requirement of the Diabetes Exemption Program and that failure to comply will result in revocation of the exemption. If the driver misses two consecutive quarterly reports, the Agency revokes the exemption. Additionally, if any information submitted on the reports indicates to the Nurse Reviewer that the driver no longer meets the qualifying criteria, the Agency revokes the exemption immediately. If clarification or additional information is needed, the Agency contacts the driver directly. In

the case of all revocations, the Agency informs the driver by letter and the SDLA by encrypted email.

The Renewal Process

- **Vision Exemption Program** – Seven months prior to the expiration of the exemption, the Agency sends the driver a letter initiating the renewal process (a subsequent letter is sent 5 months prior to expiration if the driver does not respond to the initial letter). In order to complete the renewal process, the driver must submit a report from an optometrist or ophthalmologist that includes a statement from the doctor stating that, in his or her medical opinion, the driver is capable of safely operating a CMV with his or her vision deficiency. Additionally, the driver must submit a copy of his or her driving record issued by an official State agency, a copy of both sides of his or her valid driver's license, and a statement from the driver stating that he or she is medically qualified under all other physical aspects to operate a CMV. The driver must confirm or update his or her physical and mailing addresses. Once the driver has completed the renewal process and is determined to meet the program criteria, the decision is published in the Federal Register and a new exemption is issued, effective on the date stated in the Federal Register. If a driver is no longer qualified to hold an exemption, the exemption is revoked immediately. In either event, the Agency notifies the driver by letter and the SDLA by encrypted email.
- **Diabetes Exemption Program** – Three months prior to the exemption's expiration, the Agency sends the driver a letter requesting that he/she update or confirm his/her physical and mailing addresses and submit a copy of the front and back sides of their valid driver's license and a copy of the medical examiner's certificate. This information is due 3 weeks prior to the expiration of the exemption. Additionally, the driver's endocrinologist is required to state on every annual evaluation that, in his or her medical opinion, the driver is capable of safely operating a CMV while using insulin. The Agency issues a renewed exemption 3-4 weeks before expiration to all drivers who remain in good standing with the program. The Agency notifies the driver by letter and the SDLA by encrypted email.