

Addendum to the Initial Statement of Reasons

Title 13, Division 1, Chapter 1

Article 2.1 – Commercial Driver Licenses

The Department of Motor Vehicles (department) proposes to further amend Section 28.19 in Article 2.1, related to medical certificates for commercial drivers.

The department published the originally proposed text on April 5, 2024 in the California Regulatory Notice Register. The department also made the proposed text available on its website, in its field offices, and through email to interested parties. The department is proposing to modify the originally proposed text to do the following:

- Clearly delineate the portion of the proposed regulation that will be effective on January 1, 2025 and the portion of the regulation that will be effective on the date the federal regulations become effective,
- Revise text to ensure the rules are clear and improve readability, and
- Remove text that lacks authority in the federal regulations and statutes.

§ 28.19. Medical Certificates Required by Section 12804.9(a)(1), 12527(c)(3), 13369(c)(9), 13372(b)(9), and 15275 of the Vehicle Code that May be Issued by the Department of Motor Vehicles.

Subsection (c)(2) was renumbered to subsection (b). As originally proposed, it would appear the requirements of former subsection (c)(2) would be effective upon the effective date of the federal regulations. The requirements of subsection (b), formerly subsection (c)(2), will be effective on January 1, 2025.

Subsection (b) is revised for clarity and easier readability, however, the requirements are unchanged. An applicant applying to drive an ambulance or a Class A, Class B, or Commercial Class C vehicle for interstate commerce, or an applicant who fails to meet the physical qualifications established by the Federal Motor Carrier Safety Administration for interstate travel, is required to submit Medical Examination, form MCSA 5875, to the department through its internet portal which is found on the department's website.

Subsection (c)(2)(A) is renumbered to subsection (b)(1).

Subsection (b) is renumbered to subsection (c). The requirements of subsection (c) are unchanged with exception to the reference to certified medical examiners listed on the National Registry of Certified Medical Examiners, which is removed because the department was unable to find an authority for this requirement in the federal rules.