

FINAL STATEMENT OF REASONS

1) The Update to the Initial Statement of Reasons

There are no changes to the initial statement of reasons, with exception to the following:

- Subsection (b)(2) was renumbered to subsection (b). As originally proposed, it would appear the requirements of former subsection (b)(2) would be effective upon the effective date of the federal regulations. The requirements of subsection (b), formerly subsection (b)(2), will be effective on January 1, 2025, as they are not impacted by the changes to the federal regulations that will be effective in June 2025. The provisions of subsection (b) will provide a process by which the affected drivers can submit their medical information to the department and receive their commercial driver's license.
- Subsection (b) is revised for clarity and easier readability. The provisions 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, 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 (b)(2)(A) is renumbered to subsection (b)(1). The requirements of subsection (b)(1) are unchanged.
- Subsection (b)(1) 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.
- Subsection (b) is revised to make a non-substantive grammatical edit to remove the word "or."
- A non-substantive numbering edit was made to remove reference to Subsection (b)(A) and replace with (b)(1).
- Subsection (c) is amended to make a spelling correction to the word "applicable."

2) Imposition of Mandate on Local Agencies or School Districts

The department's regulatory action amending Section 28.19 in Article 2.1, Chapter 1, Division 1, of Title 13, does not impose any mandate on local agencies or school districts and imposes (1) no cost or savings to any state agency, (2) no cost to any local agency or school district that is

required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, (3) no other discretionary cost or savings to local agencies, and (4) no cost or savings in federal funding to the state. No studies or data were relied upon to make this determination.

3) Summary of Comments Received During the 45-Day Comment Period and Department Response

The proposal was noticed on April 5, 2024, and made available to the public from April 5, 2024 through May 20, 2024. The department received no written comments or requests for public hearing during the 45-day comment period.

4) Summary of Comments Received on Modified Regulatory Text and Department Response

The department modified the originally proposed text and provided notice on October 9, 2024. The notice of modification, the modified regulatory, and the addendum to the initial statement of reasons were posted on the department's website and made available to the public from October 9, 2024 through October 24, 2024. The department received no written comments during the 15-day comment period.

5) Determination of Alternatives

The department has determined that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. The department is mandated to accept the medical certification information electronically from the Federal Motor Carrier Safety Administration. This proposed action represents the most effective method by which the department can assist commercial driver's license holders and applicants through the medical certification portion of the application process.