



## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2026-0265]

#### **Qualification of Drivers; Commercial Vehicle Safety Alliance; Application for Exemption**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

**ACTION:** Notice of final disposition; grant of application for exemption.

**SUMMARY:** FMCSA announces its decision to grant a six-month exemption to allow motor carriers and drivers in all States and the District of Columbia to rely on a paper copy of the medical examiner's certificate (MEC) as proof of the driver's medical certification for up to 60 days after the MEC was issued. FMCSA has analyzed the request from the Commercial Vehicle Safety Alliance (CVSA) and the public comments and has determined that the exemption, subject to the terms and conditions set forth below, is likely to achieve a level of safety that is equivalent to or greater than the level that would be achieved in the absence of the exemption. The purpose of the exemption is to ensure that drivers with valid medical certification and their employers are not penalized for delays outside of their control as five remaining States implement the Medical Examiner's Certification Integration final rule (NR11). FMCSA does not anticipate granting additional, nationwide NR11 waivers or exemptions after the six-month duration of this exemption.

**DATES:** The exemption is effective April 11, 2026 and expires October 11, 2026.

**FOR FURTHER INFORMATION CONTACT:** Ms. Evangela Hollowell; Office of Carrier, Driver and Vehicle Safety Standards, FMCSA; [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov). If you have questions on viewing or submitting material to the docket, contact Dockets Operations at (202) 366-9826.

## **SUPPLEMENTARY INFORMATION:**

### **I. Public Participation**

#### **Viewing Comments and Documents**

To view any documents mentioned as being available in the docket, go to <https://www.regulations.gov/docket/FMCSA-2026-0265/document> and choose the document to review. To view comments, click this notice, then click “Document Comments.” If you do not have access to the internet, you may view the docket online by visiting Dockets Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, W58-213, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

### **II. Legal Basis**

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the Federal Register (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant’s safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved absent such exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(1). The Agency must publish its decision in the Federal Register (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)).

If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

### **III. Background**

#### *Current Regulatory Requirements*

FMCSA published the NRII final rule in 2015 (80 FR 22790, Apr. 23, 2015). The Agency extended the original compliance date several times, most recently on June 22, 2021 (86 FR 32643), with compliance ultimately being required as of June 23, 2025. The NRII rule modernizes how driver medical certification is shared, replacing the outdated paper-based process with a secure, electronic transmission system. The NRII rule mandates that certified medical examiners use specific forms to document physical qualification examinations and issue medical certificates to qualified commercial motor vehicle drivers. Among other changes that were implemented on June 23, 2025, medical examiners are no longer required to issue the original/paper MEC, Form MCSA-5876, to commercial learner's permit (CLP) holders and commercial driver's license (CDL) holders. CLP holders and CDL holders are no longer required to submit a paper MEC to their State Driver's Licensing Agency (SDLA) (49 CFR 391.43(g)(2)(ii)). Instead, FMCSA electronically transmits examination results and medical variance information for CLP holders and CDL holders from the National Registry to the SDLAs. SDLAs post the driver's information on the Commercial Driver's License Information System (CDLIS) driver motor vehicle record (49 CFR 383.71(h)(1)(ii) and (h)(3)(ii); 49 CFR 383.73(a)(7)(ii) and (b)(5)(ii)).

In addition, the provisions allowing motor carriers and drivers to rely on paper copies of the MEC for up to 15 days after the certificate was issued expired as of June 22, 2025. 49 CFR 391.23(m)(2)(iii) and (m)(3)(i)(C); 49 CFR 391.41(a)(2)(i)(A) and (a)(2)(ii); 49 CFR 391.51(b)(6)(ii).

On July 14, 2025, FMCSA granted a waiver to interstate CDL and CLP holders and to motor carriers to allow them to continue to rely on a paper copy of the MEC as proof of the driver's medical certification for up to 15 days after the date the MEC was issued. On August 21, 2025, FMCSA modified the waiver to allow CDL holders, CLP holders, and motor carriers to rely on the paper copy of the MEC as proof of the driver's medical certification for up to 60 days after the date the MEC was issued. FMCSA subsequently re-issued the waiver effective October 13, 2025, and January 11, 2026.

As of the date of this notice, 45 States and the District of Columbia have implemented NRII. The States of Alaska, California, Kentucky, Louisiana, and New Hampshire have not yet implemented NRII and are continuing to rely on the paper MEC.

#### *Applicant's Request*

CVSA's request was described in detail in a Federal Register notice published on February 6, 2026 (91 FR 5551) and will not be repeated as the facts have not changed.

#### **IV. Public Comments**

FMCSA received nine comments to the docket, one of which was unrelated to CVSA's request. Of the eight relevant comments submitted, six commenters supported granting the exemption, including Crane Cartage LLC, who said "As long as states are not compliant, paper med cards should continue to be allowed as proof of certification." Tim Watson commented that the exemption should extend for an additional year after all States implement NRII to ensure that all States are "actually" compliant. The Owner-Operator Independent Drivers Association expressed that "No driver who has been medically cleared should be forced off the road due to external processing errors."

CVSA neither supported nor opposed the exemption but commented that the need for a full-year exemption, as opposed to a short-term waiver, depends on the timeline for the remaining five States to implement NRII and the impact to the motor carriers operating in those States. CVSA noted that since it submitted its request, States have made NRII

implementation progress and “many of the data exchange issues have been resolved.” CVSA encouraged FMCSA to continue monitoring implementation of the NRII and, if necessary, to rescind any exemption when all States become compliant.

The American Trucking Associations (ATA) opposed granting a long-term exemption, noting that many technical issues have been resolved since the summer and fall of 2025. ATA stated that rather than granting an exemption, FMCSA should continue to issue short-term waivers.

## **V. FMCSA Decision**

FMCSA has evaluated CVSA’s request and the public comments and grants the exemption for a period of six months while the remaining five States implement NRII. The exemption provides the same regulatory relief as the waivers provided. Accordingly, FMCSA has determined that the exemption is likely to achieve a level of safety that is equivalent to the level of safety that would be achieved absent the exemption for the same reasons that supported the granting of the waivers. The exemption does not alter the requirement that a person may not operate a commercial motor vehicle unless he or she is certified by a medical examiner as physically qualified to do so and does not alter any physical qualification requirements for drivers. Further, the length of the exemption is for a limited period of six months to enable most of the remaining States to fully implement NRII.

In response to ATA’s comment that FMCSA should continue to re-issue waivers, rather than granting a long-term exemption, FMCSA agrees that a long-term exemption of up to five years is unnecessary. The Agency believes that a shorter-term exemption of six months allows sufficient time for most of the remaining States to implement NRII and reduces any uncertainty as to the expected duration of the regulatory relief. States, motor carriers, and drivers should not expect additional nationwide waivers or exemptions beyond the six-month duration of this exemption.

## **VI. Exemption**

### **A. Applicability of Exemption**

This exemption covers CDL holders, CLP holders, and motor carriers for the period beginning at 12:00 a.m. on April 11, 2026 through 11:59 p.m. on October 11, 2026. This exemption:

1. Extends until October 11, 2026, the ability of a motor carrier to continue to use a copy of the MEC as proof of the driver's medical certification for up to 60 days from the date of the medical certification by waiving the end date of June 22, 2025, and the 15-day time period in 49 CFR 391.23(m)(2)(iii) and 49 CFR 391.23(m)(3)(i)(C).

2. Extends until October 11, 2026, the ability of a driver to continue to use a copy of the MEC carried on his or her person as proof of the driver's medical certification for up to 60 days from the date of the medical certification by waiving the end date of June 22, 2025, and the 15-day time period in 49 CFR 391.41(a)(2)(i)(A) and 49 CFR 391.41(a)(2)(ii).

3. Extends until October 11, 2026, the ability of a motor carrier to continue to use a copy of the MEC in the driver qualification file for up to 60 days from the date of the medical certification by waiving the end date of June 22, 2025, and the 15-day time period in 49 CFR 391.51(b)(6)(ii).

### **B. Terms and Conditions**

1. This exemption does not apply to a driver if the driver does not have a copy of his or her current, valid, MEC on his or her person that was issued by a certified medical examiner within the prior 60 days.

2. This exemption does not apply to a motor carrier if the motor carrier does not have a copy of the driver's current, valid, MEC that was issued by a certified medical examiner within the prior 60 days.

### **C. Preemption**

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no State shall enforce any law or regulation applicable to interstate commerce that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption. States may, but are not required to, adopt the same exemption with respect to operations in intrastate commerce.

## **VII. Termination**

FMCSA does not believe the motor carriers and drivers covered by this exemption will experience any deterioration of their safety record. However, the exemption will be revoked if the exemption has resulted in a lower level of safety than was maintained before it was granted or continuation of the exemption would not be consistent with the goals and objectives of Title 49, chapter 313 or section 31136.

**Derek Barrs,**  
*Administrator.*

[FR Doc. 2026-07173 Filed: 4/13/2026 8:45 am; Publication Date: 4/14/2026]