

## **Justification for Nonmaterial/Nonsubstantive Change for OMB Control Number 2126-0006 IC**

### **Medical Qualification Requirements**

This justification for a nonmaterial/nonsubstantive change is to request the Office of Management and Budget's (OMB) approval for nonsubstantive changes to the Federal Motor Carrier Safety Administration's (FMCSA) Information Collection (IC) titled *Medical Qualification Requirements*, covered by OMB Control Number 2126-0006. This IC currently contains all information collection requirements for interstate commercial motor vehicle (CMV) drivers, Medical Examiners (MEs) conducting medical examinations of CMV drivers, and motor carriers that are subject to 49 CFR part 391, including the use of certain forms to record medical examinations of CMV drivers, results of medical examinations conducted, and driver qualification decisions. Forms required in 49 CFR part 391 include the Medical Examination Report (MER) Form, MCSA-5875, CMV Driver Medical Examination Results Form, MCSA-5850 (electronic only), and the Medical Examiner's Certificate (MEC), Form MCSA-5876. FMCSA is requesting an expedited review and approval of this ICR to update the attached forms that are included as in 49 CFR 391 as part of the medical certification process for interstate CMV drivers. The requested updates are detailed below.

On April 23, 2015, FMCSA published the Medical Examiner's Certification Integration final rule (80 FR 22790) including the MER Form, MCSA-5875 (12/8/14 revision date) and MEC, Form MCSA-5876 (8/26/14 revision date). Due to the publication of the Medical Examiner's Certification Integration final rule, FMCSA also submitted a revision request for the IC titled *Medical Qualification Requirements*, covered by OMB Control Number 2126-0006. The revision request included a representation of the CMV Driver Medical Examination Results Form, MCSA-5850 (4/23/15 revision date) because the electronic version of the form in the National Registry system had not been developed. The CMV Driver Medical Examination Results Form, MCSA-5850 is an electronic form that is only available to certified Medical Examiners through their individual password protected National Registry account. Because the electronic version of the form in the National Registry system is now available, FMCSA is providing a screenshot of the CMV Driver Medical Examination Results Form, MCSA-5850.

On June 22, 2015, FMCSA published a correction notice to the Medical Examiner's Certification Integration final rule (80 FR 25577) including new versions of the MER Form, MCSA-5875 (5/27/15 revision date) and MEC, Form MCSA-5876 (4/24/15 revision date). The versions of the MER Form, MCSA-5875 and MEC, Form MCSA-5876 published with the final rule were not the correct versions. Therefore, the correct versions were submitted and published as part of the correction notice.

On December 18, 2016, FMCSA posted final versions of the MER Form, MCSA-5875 (12/9/15 revision date), the MEC, Form MCSA-5876 (12/6/15 revision date) on the FMCSA and National Registry websites. Changes made to the MER Form, MCSA-5875,

MEC, Form MCSA-5876, and CMV Driver Medical Examination Results Form, MCSA-5850 are detailed below.

### Changes to Medical Examination Report (MER) Form, MCSA-5875

Page	Section	Change
1	Privacy Act Statement Section	Changed <b>CMV Driver Signature</b> to <b>Driver's Signature</b>
1	Section 1. Driver Information, Personal Information	Changed <b>Address</b> to <b>Street Address</b>
3	Testing, Blood Pressure	<b>Vertical lines</b> inserted to separate Systolic and Diastolic
3	Testing, Urinalysis	<b>Vertical lines</b> inserted to separate Sp. Gr., Protein, Blood, and Sugar
4	Medical Examiner Determination (Federal) and Medical Examiner Determination (State)	Added ( <b>specify</b> ) to the other selection for length of driver qualification
4	Medical Examiner Determination (Federal)	Added ( <b>Federal</b> ) to Qualified by operation of 49 CFR 391.64
4	Medical Examiner Determination (Federal)	Added ( <b>Federal</b> ) to Driving within an exempt intracity zone (see 49 CFR 391.62)
4	Medical Examiner Determination (Federal) and Medical Examiner Determination (State)	Changed <b>Medical Examiner Signature</b> to <b>Medical Examiner's Signature</b>
4	Medical Examiner Determination (Federal) and Medical Examiner Determination (State)	Changed <b>Address</b> to <b>Medical Examiner's Address</b>
4	Medical Examiner Determination (Federal) and Medical Examiner Determination (State)	Changed <b>Medical Examiner Name</b> to <b>Medical Examiner's Name</b> and added ( <b>please print or type</b> )
4	Medical Examiner Determination (Federal) and Medical Examiner Determination (State)	Added <b>Medical</b> to Examiner's State license, Certificate . . .
4	Medical Examiner	Changed <b>phone</b> to <b>Medical Examiner's Telephone</b>

Page	Section	Change
	Determination (Federal) and Medical Examiner Determination (State)	Number
4	Medical Examiner Determination (Federal) and Medical Examiner Determination (State)	Added (specify) to Other Practitioner and added a line
4	Medical Examiner Determination (State)	Added (State) to Grandfathered from State requirements
4	Medical Examiner Determination (Federal) and Medical Examiner Determination (State)	Changed Date to Date Certificate Signed

#### Changes to Medical Examiner's Certificate (MEC), Form MCSA-5876

Page	Section	Change
1	First section for certification	Changed A complete examination form to A complete Medical Examiner's Report Form, MCSA-5875 in the certification section next to the MEC expiration date.
1	Second section for ME information	Changed Signature of Medical Examiner to Medical Examiner's Signature
1	Second section for ME information	Changed Medical Examiner Name to Medical Examiner's Name
1	Third section for driver information	Changed Signature of Driver to Driver's Signature
1	Third section for driver information	Changed Street to Street Address for Address of Driver

#### Changes to CMV Driver Medical Examination Results Form, MCSA-5850

Page	Section	Change
1	CMV Driver Name and Address	Moved Last Name to be first followed by First Name and Middle Initial (also changed Middle Name to Middle Initial and removed suffix)
1	CMV Driver Name and Address	Changed Street to Street Address in the Driver Name and Address section
1	CMV Driver's License Information	Changed Number to Driver's License Number in the CMV Driver's License Information section
1	Examination Information	Added Use this section for . . . to both the Federal and Federal with State Variances certification statements
1	Examination	Changed Examination Date to Date of Examination in

Page	Section	Change
	Information	the Federal with State Variances certification
1	Restrictions and Variances	Moved <b>SPE</b> to after Skill Performance Evaluation, prior to the word Certificate
1	Restrictions and Variances	Deleted the boxes for <b>vision, diabetes and other</b> so it now says <b>Accompanied by a waiver/exemption (specify type):</b>

In addition to the nonsubstantive changes describe above, on 8/5/15, FMCSA received approval of the revision request for the IC titled *Medical Qualification Requirements*, covered by OMB Control Number 2126-0006 and the new expiration date 8/31/2018 was added to all 3 forms and the functional changes below were made throughout the forms.

1. Increased the size of drop down menus so that text is not obscured
2. Left justified text in drop down menus
3. Corrected the State/Province fields to contain the 50 States, DC, and Canada

After learning that the OMB expiration date for the IC titled *Medical Qualification Requirements*, covered by 2126-0006 is the only official date that should be on the forms, FMCSA removed the revision dates from the top left corner of the forms. In addition, the functional changes below were made throughout the forms to correct problems encountered by users.

1. Removed commas from the National Registry number field
2. Corrected ability to add restrictions and variances to all qualification selections
3. Corrected ability to select determination pending and later amend, allowing for the selection of more than one qualification determination
4. Changed driver's DOB selection from a calendar to use mm/dd/yyyy
5. Moved restrictions and variances to the left margin
6. Changed hearing section so that left ear and right ear can both be selected

FMCSA has prepared revised final versions of the MER Form, MCSA-5875 and the MEC, Form MCSA-5876 that include all of the nonsubstantive and functional changes detailed above and are ready to be posted on the FMCSA and National Registry websites.

There are no changes to the currently approved burden for this ICR as a result of these nonsubstantive changes to the forms.