



**U.S. Department  
of Transportation**

**Federal Motor Carrier  
Safety Administration**

**1200 New Jersey Ave,  
SE**

**Waiver For CDL Holders, CLP Holders and Motor Carriers During Initial National  
Registry II Implementation**

**August 21, 2025**

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

**ACTION:** Modification of waiver.

**SUMMARY:** FMCSA modifies a waiver initially granted on July 14, 2025, from certain regulations applicable to interstate commercial driver's license (CDL) holders, commercial learner's permit (CLP) holders, and motor carriers to allow them to continue to rely on a paper copy of the medical examiner's certificate as proof of the driver's medical certification. The initial waiver allowed CDL holders, CLP holders, and motor carriers to rely on the paper copy of the medical examiner's certificate for up to 15 days after the date the medical examiner's certificate was issued. FMCSA modifies the waiver to allow CDL holders, CLP holders, and motor carriers to rely on the paper copy of the medical examiner's certificate as proof of the driver's medical certification for up to 60 days after the date the medical examiner's certificate was issued. FMCSA notes that it strongly recommends that, in addition to submitting physical qualification examination results electronically, all Medical Examiners continue to issue paper Medical Examiner's Certificates, Form MCSA-5876, to drivers at the time of their examination until further notice.

**DATES:** This waiver is effective July 14, 2025, and expires on October 12, 2025.

**FOR FURTHER INFORMATION CONTACT:** Ms. Evangela Hollowell, Acting Chief, Medical Programs Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 205901-0001, (202) 527-4750.

**Legal Basis**

The Transportation Equity Act for the 21st Century (TEA-21) (Pub. L. 105-178, § 4007, 112 Stat. 107, 401, June 9, 1998) provides the Secretary of Transportation (the Secretary) authority to grant a waiver that relieves a person from compliance, in whole or in part, with any of the Federal Motor Carrier Safety Regulations issued under either 49 U.S.C. § 31136 or Chapter 313 of Title 49 of the United States Code (49 U.S.C. §§ 31136(e), 31315(a)). The Secretary must make a determination that the waiver is in the public interest and that it is likely to achieve a level of safety that is equivalent to, or greater than, the level of safety that would be obtained in the absence of the waiver. Individual waivers may be granted only for nonemergency and unique events for a period not in excess of three months. TEA-21 authorizes the Secretary to grant waivers without requesting public comment and without providing public notice.

The Administrator of FMCSA has been delegated authority under 49 U.S.C. § 113(f) and 49 CFR 1.87(e) and (f) to carry out the functions vested in the Secretary by 49 U.S.C. chapter 313, relating to commercial motor vehicle operators, and 49 U.S.C. chapter 311, subchapter I and III, relating to commercial motor vehicle programs and safety regulations.

## **Background**

FMCSA published the Medical Examiner's Certification Integration (NRII) final rule in 2015 (80 FR 22790, Apr. 13, 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 Medical Examiner's Certificate, Form MCSA-5876 (MEC), to CLP applicants and CDL holders. CLP applicants and CDL holders are no longer required to submit a paper MEC to their State Driver's Licensing Agency (SDLA). Instead, FMCSA will electronically transmit examination results and medical variance information for CLP applicants and CDL holders from the National Registry to the SDLAs. SDLAs will post the driver's information on the Commercial Driver's License Information System (CDLIS) driver motor vehicle record (MVR).

As of the date of this waiver, 38 States and the District of Columbia have implemented NRII. Twelve States have not yet implemented NRII and are continuing to rely on the paper MEC. FMCSA is aware that during this initial period of transition to NRII, some CLP applicants and CDL holders may face delays in the time between receipt of their medical certification and the update to their CDLIS driver MVR as medical examiners and SDLAs onboard to the new system.

FMCSA notes that it strongly recommends that, in addition to submitting physical qualification examination results electronically, Medical Examiners continue to issue paper Medical Examiner's Certificates, Form MCSA-5876, to drivers at the time of their examination until further notice. The paper copy allows the driver to troubleshoot and resolve issues with the SDLA while States continue to transition to NRII. Some States have not yet implemented NRII and still rely on paper records. A complete list of States that have not yet implemented NRII is available at: <https://nationalregistry.fmcsa.dot.gov/nriilearning-center>.

## **FMCSA's Determination and Regulatory Provisions Waived**

Consistent with the statutory requirements for waivers, FMCSA determined on July 14, 2025, that it is in the public interest to issue a waiver, limited in scope and circumstances, that is likely to achieve a level of safety that is equivalent to, or greater than, the level of safety that would be obtained in the absence of the waiver, until October 12, 2025. Drivers with valid medical certification and their employers should not be penalized for delays outside of their control as medical examiners and SDLAs transition to a new system.

Since the initial waiver grant on July 14, 2025, FMCSA has become aware that some drivers with a current, valid MEC may face delays beyond 15 days to update their CDLIS driver MVR. In recognition of those delays, FMCSA determines that it is in the public interest to modify the waiver to allow a motor carrier and driver to continue to use a copy of the MEC as proof of the driver's medical certification for 60 days from the date of the medical certification. The waiver, with this modification, is likely to achieve a level of safety that is equivalent to, or greater than, the level of safety that would be obtained in the absence of the waiver. The waiver does not allow any driver who does not have a current, valid MEC to operate a commercial motor vehicle in interstate commerce.

To respond to this unique event of transition to NRII and to continue the ability of interstate CDL holders, CLP holders, and motor carriers to continue operations uninterrupted, this waiver:

1. Extends until October 12, 2025, 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) & 49 CFR 391.23(m)(3)(i)(C).
2. Extends until October 12, 2025, 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) & 49 CFR 391.41(a)(2)(ii).
3. Extends until October 12, 2025, the ability of a motor carrier to continue 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).

Interstate CDL holders, CLP holders, and motor carriers are covered under this waiver without further action.

### ***Public Interest***

FMCSA finds that the granting of this waiver is in the public interest to ensure that the operations of interstate CDL holders, CLP holders, and motor carriers are not interrupted, and drivers may continue transporting the Nation's goods to businesses, customers, and communities safely, reliably, and efficiently.

### ***Safety Equivalence***

Due to the limited scope of this waiver, the short duration, and the ample precautions that remain in place, FMCSA has determined that the waiver is likely to achieve a level of safety that is equivalent to the level of safety that would be obtained absent the waiver. This waiver does not alter the requirement that a person may not operate a CMV unless he or she is certified by a medical examiner listed on the National Registry as physically qualified to do so. This waiver does not alter any physical qualification requirements for drivers, nor does it alter any requirements for certified medical examiners or the requirement for States to come into substantial compliance with the requirements of NRII. This waiver simply allows drivers and motor carriers to continue using a paper copy of the MEC for a 60-day period, during a limited

transition period to NRII.

FMCSA believes that the measures listed below under Terms, Conditions, and Restrictions of the Waiver, taken collectively, provide the assurance needed to meet the legal standard that granting the waiver is likely to achieve an equivalent level of safety.

### ***Unique Circumstances***

FMCSA finds that the circumstances surrounding this waiver are unique due to the transition from paper MECs to electronic transmission under the NRII final rule and the continued implementation of NRII by States.

### **Terms, Conditions, and Restrictions of the Waiver**

This waiver covers interstate CDL holders, CLP holders, and motor carriers for the period beginning at 12:00 a.m. on July 14, 2025, through 11:59 p.m. on October 12, 2025.

- (1) This waiver 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 waiver 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.
- (3) FMCSA reserves the right to revoke this waiver if the waiver results in a lower level of safety than was maintained before it was granted, or continuation of the waiver would not be consistent with the goals and objectives of 49 USC 31136(e) and 31315(a).

### **Preemption**

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this waiver is in effect, no State shall enforce any law or regulation applicable to interstate commerce that conflicts with or is inconsistent with this waiver with respect to a driver or motor carrier operating under the waiver. States may also adopt the same waiver or policy with respect to operations in intrastate commerce.

Issued: August 21, 2025

Jesse Elison  
Chief Counsel