

On January 21, 2022, the Federal Motor Carrier Safety Administration (FMCSA) published the Qualifications of Drivers; Vision Standard final rule, allowing individuals who do not satisfy, with the worse eye, either the existing distant visual acuity standard with corrective lenses or the field of vision standard, or both, to be physically qualified to operate a commercial motor vehicle without obtaining an exemption from FMCSA (87 FR 3390). The new alternative vision standard eliminates the need for a Federal vision exemption program and allows certified medical examiners, in consultation with an ophthalmologist or optometrist and utilizing the new Vision Evaluation Report, Form MCSA-5871, to evaluate and determine whether to grant a Medical Examiner's Certificate (MEC), Form MCSA-5876, for up to one year.

Final Rule Effective Date:

On March 22, 2022, the rule becomes effective, and medical examiners must begin to apply the provisions adopted in the final rule. All provisions are discussed further in the final rule located on FMCSA's website at <https://www.fmcsa.dot.gov/regulations/federal-register-documents/2022-01021> The Vision Evaluation Report, Form MCSA-5871, is also effective on this date and will be available on FMCSA's website at <https://www.fmcsa.dot.gov/medical/driver-medical-requirements/medical-applications-and-forms>

Medical Examination Forms:

Based on the adoption of the final rule, FMCSA has determined that the Federal vision exemption program is no longer necessary. As of March 22, 2022, medical examiners should not mark the box for accompanied by a Federal vision waiver/exemption on the Medical Examination Report (MER) Form, MCSA-5875, or the Medical Examiner's Certificate (MEC), Form MCSA-5876. On and after March 22, 2022, any individual who might have been physically qualified by a vision exemption issued by FMCSA will have to be qualified by a medical examiner under the provisions adopted in the final rule. All individuals certified under the new alternative vision standard must provide the medical examiner with a Vision Evaluation Report, Form MCSA-5871, that has been signed and dated by an ophthalmologist or optometrist not more than 45 days before the physical qualification examination begins. The medical examiner considers the information provided by the ophthalmologist or optometrist, but the final qualification decision rests with the medical examiner. Medical examiners may qualify these individuals **for up to one year** and a copy of the Vision Evaluation Report, Form MCSA-5871, must be treated and retained as part of the MER Form for three years.

Federal Vision Exemptions:

As of January 21, 2022, FMCSA stopped accepting applications for new exemptions or renewal of previously granted exemptions under the Federal vision exemption program. Individuals holding exemptions in effect on March 22, 2022, have until **March 22, 2023** to be medically certified under the alternative vision standard, at which time all MECs issued with vision exemptions will become void. FMCSA will notify exemption holders, applicants, and grandfathered drivers by letter with details of the transition to the new standard.

Grandfathered Drivers:

The final rule eliminates 49 CFR 391.64(b), commonly known as the grandfather provision for drivers operating under the previous vision waiver study program, on **March 22, 2023**. Medical

examiners may continue to physically qualify individuals under section 391.64(b) until this time. However, individuals physically qualified under section 391.64(b) have until **March 22, 2023** to be medically certified under the alternative standard, at which time all MECs issued under 391.64(b) will become void.

Webinars:

FMCSA has posted a webinar on the FMCSA website for medical examiners learn more about the new alternative vision standard and their responsibilities in applying it to certification of individual with monocular vision. The webinar can be found at <https://www.fmcsa.dot.gov/regulations/medical/new-vision-standard-overview-webinar>.