

Federal Motor Carrier Safety Administration, DOT

§ 391.46

the individual is excepted from the requirement in paragraph (d)(1) of this section to have a road test.

[87 FR 3417, Jan. 21, 2022]

§ 391.45 Persons who must be medically examined and certified.

The following persons must be medically examined and certified in accordance with § 391.43 as physically qualified to operate a commercial motor vehicle:

(a) Any person who has not been medically examined and certified as physically qualified to operate a commercial motor vehicle;

(b) Any driver who has not been medically examined and certified as qualified to operate a commercial motor vehicle during the preceding 24 months, unless the driver is required to be examined and certified in accordance with paragraph (c), (d), (e), (f), (g), or (h) of this section;

(c) Any driver authorized to operate a commercial motor vehicle only within an exempt intracity zone pursuant to § 391.62, if such driver has not been medically examined and certified as qualified to drive in such zone during the preceding 12 months;

(d) [Reserved]

(e) Any driver who has diabetes mellitus treated with insulin for control and who has obtained a medical examiner's certificate under the standards in § 391.46, if such driver's most recent medical examination and certification as qualified to drive did not occur during the preceding 12 months;

(f) Any driver who does not satisfy, with the worse eye, either the distant visual acuity standard with corrective lenses or the field of vision standard, or both, in § 391.41(b)(10)(i) and who has obtained a medical examiner's certificate under the standards in § 391.44, if such driver's most recent medical examination and certification as qualified to drive did not occur during the preceding 12 months;

(g) Any driver whose ability to perform his or her normal duties has been impaired by a physical or mental injury or disease; and

(h) On or after June 23, 2025, any person found by a medical examiner not to be physically qualified to operate a

commercial motor vehicle under the provisions of paragraph (g)(3) of § 391.43.

[83 FR 47520, Sept. 19, 2018, as amended at 86 FR 32651, June 22, 2021; 87 FR 3419, Jan. 21, 2022; 88 FR 80192, Nov. 17, 2023; 89 FR 90623, Nov. 18, 2024]

§ 391.46 Physical qualification standards for an individual with diabetes mellitus treated with insulin for control.

(a) *Diabetes mellitus treated with insulin.* An individual with diabetes mellitus treated with insulin for control is physically qualified to operate a commercial motor vehicle provided:

(1) The individual otherwise meets the physical qualification standards in § 391.41 or has an exemption or skill performance evaluation certificate, if required; and

(2) The individual has the evaluation required by paragraph (b) and the medical examination required by paragraph (c) of this section.

(b) *Evaluation by the treating clinician.* Prior to the examination required by § 391.45 or the expiration of a medical examiner's certificate, the individual must be evaluated by his or her "treating clinician." For purposes of this section, "treating clinician" means a healthcare professional who manages, and prescribes insulin for, the treatment of the individual's diabetes mellitus as authorized by the healthcare professional's State licensing authority.

(1) During the evaluation of the individual, the treating clinician must complete the Insulin-Treated Diabetes Mellitus Assessment Form, MCSA-5870.

(2) Upon completion of the Insulin-Treated Diabetes Mellitus Assessment Form, MCSA-5870, the treating clinician must sign and date the Form and provide his or her full name, office address, and telephone number on the Form.

(c) *Medical examiner's examination.* At least annually, but no later than 45 days after the treating clinician signs and dates the Insulin-Treated Diabetes Mellitus Assessment Form, MCSA-5870, an individual with diabetes mellitus treated with insulin for control must be medically examined and certified by a medical examiner as physically qualified in accordance with § 391.43 and