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July 9, 2020

Mr. Roy Morrison, Director
Brotherhood of Maintenance of Ways Employees
Safety Department
25 Louisiana Ave, N.W.
Washington, DC 20001

Dear Brother Morrison:

This letter is a follow up to our conversation regarding the regulatory requirements for commercial drivers and motor carriers that employ them regarding medical certification.

The Federal Motor Carrier Safety Administration (FMCSA) does not require that individuals who are applying for employment to be examined by a medical examiner who is employed by or designated by the motor carrier. A motor carrier can accept a medical certificate from a driver who was examined by a medical examiner who is on the National Registry of Medical Examiners, but is not in the employ of or designated by the carrier. However, the regulations also state that the motor carrier is ultimately responsible for ensuring that the medical examiner is informed of the minimum medical requirements per the FMCSA, which in today's world means that the medical examiner is listed on the National Registry of Medical Examiners.

In addition, motor carriers can make it a condition of employment for drivers to exclusively use company-approved medical examiners to perform DOT medical examinations, as the carrier is ultimately responsible for ensuring that all drivers in its employ comply with the FMCSA medical requirements. So, the bottom line answer is yes, the carrier can require drivers to use carrier-designated medical examiners and the carrier is not required by regulation to accept a medical certificate issued by a medical examiner who is not designated by or in the employ of the carrier.

Hopefully, this information is useful. If you have questions or need information, feel free to contact me.

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Lamont Byrd, Director
Safety and Health Department

LB/fp

cc: Azita Mashayekhi, Industrial Hygienist, Safety and Health Department