American Association of
Motor Vehicle Administrators

OUR VISION
Safe drivers
Safe vehicles
Secure identities
Saving lives!

May 21, 2021

United States Department of Transportation, Docket Operations
1200 New Jersey Avenue, SE
West Building, Ground Floor
Room W12-140
Washington, DC 20590-0001

RE: Extension of Compliance Dates for Medical Examiner's Certification Integration [FMCSA-2018-0152; RIN 2126-AC18]

The American Association of Motor Vehicle Administrators (AAMVA) thanks the Federal Motor Carrier Safety Administration (FMCSA) for its proposed extension of the compliance date for its Medical Examiner's Certification Integration final rule from June 22, 2021 to June 23, 2025. This extension is considered essential given the program's status and is welcomed by the AAMVA community. AAMVA offers the following comments relative to this extension and the technical aspects of administering the regulatory requirements of the rule as progress towards implementation continues.

Identification of System Used for Data Transfer

In its 2015 final rule, FMCSA stated that the Commercial Driver's License System (CDLIS)/AAMVAnet would serve as the appropriate and most cost-effective means of implementing the requirements of the final rule. As a result, data for CDL drivers will be electronically transmitted through the CDLIS/AAMVAnet communications system to the SDLAs. While this Supplemental Notice of Proposed Rulemaking (SNPRM) is silent on the system to be used for data transfer, AAMVA assumes that FMCSA has not changed its position regarding utilization of CDLIS/AAMVAnet as the data exchange methodology. AAMVA encourages FMCSA to explicitly reaffirm that data will be transmitted through CDLIS/AAMVAnet as originally planned. This affirmation will assist AAMVA and the State Driver's License Agencies (SDLAs) in planning for the system and procedure changes needed to comply with this rule. Not clearly calling out CDLIS/AAMVAnet impacts a state's ability to ensure all pertinent driver data affecting driver's status is available as needed. AAMVA also notes that should a different system be utilized, SDLAs would need significant additional time added to the extension date in order to meet additional statutory authorization and procurement requirements.

Content Posted on the CDLIS Driver Record

In the [Executive Summary section of the SNPRM](), FMCSA states that SDLAs must post *driver identification, examination results, and restriction information received electronically from FMCSA to the CDLIS driver record*. However, FMCSA in the [original rule]() stated that SDLAs must *post the required information from the certificate or a copy onto the CDLIS driver record*. AAMVA requests confirmation that no additional medical information needs to be posted to the CDLIS Driver History Record (DHR) in addition to that specified in 49 CFR §383.73(o)(1)(ii), the format which is currently supported by the CDLIS history record messaging.

Proposed Schedule

FMCSA anticipates that SDLAs will need 3 years to implement and become compliant by June 22, 2025. Given this schedule, FMCSA would be tasked with finalizing this process and creating and publishing all specifications

by June 2022. If the Medical Examiner's Certification Integration solution will utilize the same solution that was proposed in the 2015 rule, and AAMVA will be engaged in the same capacity, AAMVA will have the responsibility to publish specifications, develop procedure manuals and finalize training materials prior to both FMCSA and SDLAs to start implementation. Considering the amount of work required following FMCSA publication of specifications in June 2022, AAMVA will need additional time to complete what is proposed.

AAMVA provides the following listing to illustrate the scope of essential tasks that will need to be completed before states can start their implementation:

- Develop a contract, define scope of work, and identify funding mechanism between AAMVA and FMCSA to implement the rule.
- Review data elements of the current CDLIS DHR and determine changes needed to capture all the required information from the certificate.
- Create and publish National Registry of Certified Medical Examiners (NRCME) System Specifications for SDLAs that wish to use RESTful Web Services. When AAMVA originally designed and developed new transactions to support the integration between the NRCME and the SDLA, the system messaging options that were supported for use by FMCSA and the SDLAs were the AMIE (UNI) and NIEM (XML/SOAP web services) formats. Based on input and feedback received from the SDLAs, the NIEM format is scheduled to undergo a modernization and be replaced by RESTful. All new Web Services will be developed using RESTful.
- Review, update and publish a consolidated NRCME System Specifications for AMIE messages.
- Create NRCME specifications for FMCSA to integrate with CDLIS using RESTful services.
- Assuming CDLIS DHR needs changes, create, and publish SPEXS System Specifications that capture changes to the CDLIS DHR.
- Review, update and publish NRCME Procedure Manual.
- Review, update and publish training materials.

AAMVA estimates that it will need at least 12 months from contract start to complete the above activities.

Completeness of Data Fields to Capture MEC information in Current CDLIS Record

In its 2015 rule, FMCSA stated that all data fields to capture the required MEC information have been added to the CDLIS DHR. Based on initial analysis, AAMVA has determined changes will be needed to support data elements (including permissible values) conveying MEC and variance data. This data needs to be sent from the NRCME to the State of Record (SOR) to post to the CDLIS DHR. Though the changes could be minor, when deciding the time allowed for SDLAs and AAMVA to implement system changes and be compliant, the time needed to make changes to the CDLIS record and history record messages should be considered. While the changes to the CDLIS record represent one consideration in the proposed schedule, the amount of time the states may need in addition to that time from the date of release of full specifications by FMCSA may be significant. Depending on how the states have chosen to implement, and whether they have corresponding statutory changes that need changing, the schedule may need to be adjusted accordingly.

Additional SDLA Feedback

Based on feedback from our SDLA membership, FMCSA may need to contemplate how the paper certificate process integrates with the electronic data exchange. FMCSA should consider how the paper medical certificates may be needed until at least the full "go live" implementation date. Continued processes may be needed as state implementation progresses towards a sunset date for full electronic capabilities to be realized on a national level with the understanding that medical certified registry doctors will continue to issue paper certificates for the foreseeable future.

Finally, the SDLAs have noted that the current administrative issues of handling the interim manual process associated with the medical certification requirements are having a detrimental impact on the states. While awaiting the final technical solution (and while not advocating for a half measure by any means) any consideration regarding manual processing relief (to include the potential distribution of flat file data) that the agency may undertake would be welcome.

AAMVA thanks FMCSA for its continued commitment to safety and looks forward to continuing our close collaboration in ensuring the well-being of the commercial driver community.

Cian Cashin
AAMVA Director of Government Affairs
ccashin@aamva.org