

IMPORTANT INFORMATION FOR FIRST-TIME CDL APPLICANTS

Effective February 1, 2006, New York State Department of Motor Vehicles will be implementing changes that affect new applicants for a Commercial Driver License (CDL). On or after that date, all first-time CDL applicants must meet the Federal requirements set forth in 49 CFR 391 in order to get a CDL permit, or, if already holding a CDL permit, to get a CDL license.

What is 49 CFR 391? It is Part 391 of the Federal Motor Carrier Safety Regulations, which sets minimum qualification standards for persons who drive commercial motor vehicles. You must meet those minimum standards to be eligible for a commercial driver license, unless your commercial driving will be limited to municipal vehicles and/or school buses only. If you drive only municipal vehicles or school buses, you can have a CDL with an "A3" restriction that allows you to drive only those types of vehicles.

The information below will help you answer the question: **"Do you certify that you comply with federal requirements set forth in 49 CFR 391?"**, found on page 2 of the MV-44 Application for Drivers License or Non-Driver ID Card, in the box labeled "Commercial Driver License Applicants Only".

You can answer YES to this question on the MV-44, certifying that you do comply with the federal requirements set forth in 49 CFR 391, **ONLY IF** you can answer "yes" to ALL FIVE (5) of the questions below. If you *cannot* answer yes to *all five* questions, then you are *not* eligible for a CDL, unless your commercial driving will be limited to municipal vehicles and/or school buses only.

1. If you are applying for a Class A CDL, are you at least 21 years old?

OR

If you are applying for a Class B or Class C CDL, are you at least 18 years old?

Note: If you receive a Class B or Class C CDL, you can only drive commercially within New York State, until you are 21. However, you may not transport hazardous materials or drive a school bus. At age 21, these restrictions no longer apply.

2. Can you read and speak the English language well enough to:

- converse with other people,
- understand highway traffic signs and signals in the English language,
- answer questions from officials,
- and make entries on reports and records?

3. Have you had a physical examination within the past 24 months that was conducted in accordance with Part 391, "Physical Qualifications and Examinations"?

*Note: The physical examination conducted just for bus drivers who are subject to Article 19-A of the NYS Vehicle and Traffic Law does **not** meet the Part 391 of the Federal Motor Carrier Safety Regulations, unless the federal medical standards, procedures and forms were used, and you received a "Medical Examiner's Certificate" (card).*

4. Were you issued a "Medical Examiner's Certificate" (wallet-size card) certifying that you are physically qualified to drive a commercial motor vehicle?

Note: Effective 2/1/06, when completing the MV-44 Application for Drivers License or Non-Driver ID Card, you must enter the Medical Examiner's License or Certificate Number/Issuing State and the Medical Certificate Expiration Date to prove you meet this standard. If you do not have a Medical Examiner's Certificate or need instructions on how to obtain one, you should contact the Federal Motor Carrier Safety Administration (FMCSA), New York Division, at (518) 431-4145 or visit the FMCSA web site at www.fmcsa.dot.gov.

5. Do you affirm that you are not currently disqualified to drive a commercial motor vehicle due to a license / permit suspension, revocation, denial of privilege, or as the result of a conviction for a felony involving the use of a commercial motor vehicle?

Remember – If you cannot answer "Yes" to all the above questions, you are not eligible for a CDL, unless your commercial driving will be limited to municipal vehicles and/or school buses only.