

FMCSA statement on State and Local Shelter in Place and Other Restrictions on Movement Relating to COVID-19

<https://www.fmcsa.dot.gov/emergency/statement-state-and-local-shelter-place-and-other-restrictions-movement-relating-covid-19>

FMCSA Frequently Asked Questions Relating to the MCSAP Grant Program Expanded Emergency Declaration Under 49 CFR §390.23 No. 2020-002

<https://www.fmcsa.dot.gov/emergency/fmcsa-frequently-asked-questions-relating-mcsap-grant-program-expanded-emergency>

FMCSA Coronavirus (COVID-19) Information & Resources

<https://www.fmcsa.dot.gov/COVID-19>

Commercial Learners Permit Waiver

FMCSA issued a three month waiver in response to the COVID-19 Emergency - for States and Commercial Learners Permit (CLP) holders operating commercial motor vehicles. The waiver allows a commercial learner permit driver to operate a commercial motor vehicle alone without having a commercial driver license (CDL) holder in the front seat with the learner permit holder. The benefit of this waiver will allow CLP drivers to continue their training, due to the closures of state departments of motor vehicle facilities.

<https://www.fmcsa.dot.gov/emergency/three-month-waiver-response-covid-19-emergency-states-and-clp-holders-operating>

Round 2 FAQs

An additional round of [Emergency Declaration FAQs](#) have been posted to the website, covering important questions such as the inclusion of feed under the exemption and other products.

FMCSA Drug Testing Guidance

Drug testing guidance focused specifically on the FMCSA regulated community was posted on the Emergency Declaration page <https://www.fmcsa.dot.gov/emergency/fmcsa-covid-19-drug-alcohol-testing-guidance>. In addition to discussing other matters, this guidance provides information and guidance relating to how to handle random testing when some tests are unable to be completed.

Enforcement Notice on Expiring CDLs

<https://www.fmcsa.dot.gov/emergency/enforcement-notice-expiring-cdl-32420>

This Notice of Enforcement Policy, effective from March 24, 2020 to June 30, 2020, provides needed relief from specified FMCSRs for CLP holders, CDL holders, and non-CDL drivers and motor carriers using those drivers. This Notice of Enforcement Policy applies to all CLP holders, CDL holders, and non-CDL drivers *whose license was issued for less than the maximum period* established by 49 CFR 383.25 and 383.73 and was valid on February 29, 2020 and expired on or after March 1, 2020.

## Waiver for States, CDL Holders, CLP Holders, and Interstate Drivers Operating Commercial Motor Vehicles

<https://www.fmcsa.dot.gov/emergency/fmcsa-cdl-waiver-32420>

The waiver is effective until June 30, 2020 and provides important relief resulting from situations where many CDL and CLP holders are unable to renew their CDLs and CLPs and are unable to provide medical certificates to their State Driver Licensing Agencies. In addition, many medical providers nationwide have canceled regularly scheduled appointments to dedicate resources to the COVID-19 response. As a result, drivers are unable to obtain appointments for physical examinations with medical examiners.

## PHMSA Notice of Enforcement Policy Relating to HM Training

<https://www.phmsa.dot.gov/news/phmsa-enforcement-policy-notice-regarding-hazardous-materials-training>

PHMSA has provided there will not take enforcement action taken against any HM employer and/or HM employee unable to provide the required “recurrent training” during the Covid-19 pandemic. This policy was coordinated across the Department and applies to FMCSA and all modes. It does not apply to initial training, or the need to have a new HM employee work under the supervision of a trained HM employee until they can get their initial training.

## Guidance for Conducting Investigations

Attached is guidance for conducting investigations during the COVID-19 National Emergency, focusing on conducting Off-site investigation, particularly on moderate Risk 1 Carriers across the country. The policy also provides flexibility in the carriers that can be assigned an offsite investigation. We will continue to monitor the situation and provide more guidance on High Risk and other carriers required to have an onsite investigation at a later date. Also included for reference is the original policy.

## Drug Testing Guidance

ODAPC has posted guidance relating to the Drug and Alcohol Program during this time of National Emergency. That document can found at <https://www.transportation.gov/odapc/compliance-with-dot-drug-and-alcohol-testing-regulations>. We will be adding that link to our Declaration page as well. Additional information specific to FMCSA operations is currently under discussion, but this initial guidance provides important information for employers and employees subject to drug and alcohol testing.

## Notice to State Drivers Licensing Agencies of the Federal Motor Carrier Safety Administration’s Policy Regarding Effect of Actions during COVID-19 Emergency

This notice sets forth the Agency’s view of various actions State Drivers Licensing Agencies (SDLA) may exercise during the emergency relating to COVID-19 for which FMCSA would decline to issue a finding or make a determination of substantial non-compliance. Specifically, the following three issues:

1. FMCSA will not determine a State to be in substantial non-compliance or issue a finding under 49 CFR Part 384 if the State extends a Commercial Learner’s Permit (CLP) or

Commercial Driver's License (CDL) that would otherwise expire during the COVID-19 emergency

2. States may renew a CDL/CLP online
3. FMCSA will not determine a State to be in substantial non-compliance or issue a finding if a State does not change the medical certification status to "not certified" or downgrade a CDL/CLP holder whose Medical Examiner's Certificate has expired during the COVID-19 emergency

#### Notice of Enforcement Discretion Relating to Temporary Operating Authority

This notice indicates that FMCSA has exercised agency discretion and determined not to enforce the Temporary Operating Authority Registration fee provisions against those motor carriers requesting Temporary Operating Authority Registration, including passenger carriers requesting temporary authority to transport property, in order to provide direct assistance to the COVID-19 emergency relief efforts.

#### Frequently Asked Questions

As previously mentioned, last night we published some FAQs on the emergency declaration. For reference, the link is <https://www.fmcsa.dot.gov/emergency/expanded-emergency-declaration-under-49-cfr-ss-39023-no-2020-002-relating-covid-19>. In addition, a PDF version of the FAQs is attached for your use.

#### Emergency Declarations Questions

A centralized mailbox is available for questions related to the emergency declaration. This mailbox is available for both internal and external stakeholders. The address is [FMCSADeclaration@dot.gov](mailto:FMCSADeclaration@dot.gov).