

## Questions and Answers

Questions Posted 07/06/10  
Questions Updated or Added 07/13/10

### **1. What is the effective date of the new law regulating medical examinations for school bus drivers?**

The Governor signed PA 93 of 2010, which amended the medical examination procedure for school bus drivers, on June 22, 2010. The bill took immediate effect, so the effective date of the new law is June 22, 2010.

### **2. Our school bus drivers had their medical examinations completed on June 21, 2010. Do they have to be re-examined?**

No. Their medical examinations were completed under state law which was in effect on that date. These examinations are valid for one year until June 21, 2011.

### **3. Some clinics had performed Michigan Department of Education (MDE) physicals on the 22<sup>nd</sup> and 23<sup>rd</sup> of June using the MDE physical form and blue cards. We did not find out about the bill being signed until the morning of the 24<sup>th</sup>. Since the bill was signed on the 22<sup>nd</sup>, are the physicals from the 22<sup>nd</sup> and 23<sup>rd</sup> still valid or do they need to be transferred to the DOT form and white card?**

The answer is yes, the physicals are valid, but you will need to transfer the data to the DOT forms and issue the DOT Medical Examiner's Certificate (white card). If medical information may have been omitted as a result of using the MDE format, this will need to be updated, since as of June 22, 2010, the MDE medical form was no longer valid.

### **4. Who can serve as a Medical Examiner and perform DOT medical examinations?**

Federal Motor Carrier Safety Regulations (FMCSR) define Medical Examiner as a person who is licensed, certified and/or registered in accordance with applicable state laws and regulations to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic.

### **5. What form will the physician performing the medical examination be required to fill out?**

The medical examiner will be required to complete the Medical Examination Report #649-F, which can be obtained from the Federal Motor Carrier Safety Regulations or the Pupil Transportation website with MDE.

**(Added 07/13/10)**

### **6. Can a person obtain DOT medical certification if they have diabetes?**

Some individuals may obtain DOT medical certification and obtain the DOT white card if they have diabetes under the provisions found in 391.41 (b) (3). If the condition can be controlled by the use of oral medication and diet, then an individual may be qualified under the present federal rule. If they do not qualify under the federal rule, individuals with diabetes and also those that are insulin dependent that were employed as bus drivers as of June 22, 2010, will be eligible for the Michigan diabetes waiver based upon the determination of the medical examiner. If the medical examiner determines the individual's diabetes condition is in proper control, a one year certification period may be granted and a Michigan Bus Driver Certificate of Medical Fitness Card, SM-2934 (blue card) will be issued.

**(Updated 07/13/10)**

**7. Will drivers who qualify for the diabetes exemption be able to obtain a white DOT physical card (certificate)?**

No, due to the Michigan exemption, these individuals will not be certified using the federal standards. School bus drivers with diabetes and who are insulin dependent who were employed as of June 22, 2010, will be eligible for the diabetes waiver. The same DOT medical form will be completed by the medical examiner and, in addition, the diabetes exemption information must also be completed. If the medical examiner determines the individual's diabetes condition is in proper control, a one year certification period may be granted and a Michigan Bus Driver Certificate of Medical Fitness Card, SM-2934 (blue card) will be issued.

**(Updated 07/13/10)**

**8. Will individuals with diabetes who are applying to be a school bus driver be eligible for the Michigan diabetes exemption?**

No, the diabetes waiver is in place to allow school bus drivers who were actively employed on the effective date of this bill which was June 22, 2010, to continue as a bus driver under the provisions of the previous law. All new drivers must comply with the Federal DOT medical examination standards. Refer to question 6 for additional information.

**9. Will diabetic school bus drivers who possess a MDE blue card maintain the diabetes waiver if they take a position with a different school district or employer?**

Credentials follow an individual. As long as the school bus driver has an up-to-date MDE medical blue card, that person's medical certification continues with a new employer and would be renewable in future years. If a person with an MDE medical blue card allows the card to expire, that person would then need to comply with Federal DOT medical standards upon return to school bus driving.

**(Added 07/13/10)**

**10. Will school bus drivers be eligible to access the waiver procedure with the Motor Carrier Safety Appeal Board as found in MCL 480.13?**

No, not according to information MDE has received from the Motor Carrier Division of the Michigan State Police. Though the Motor Carrier Safety Appeal Board and its operating procedures are identified in MCL 480.13, a different section of law found in MCL 480.15 (8) states that "This act and the rules promulgated under this act do not apply to a school bus as defined in the pupil transportation act."

**(Added 07/13/10)**

**11. On June 21, 2010, some of our school bus drivers had both a valid DOT white card and MDE blue card. The DOT white cards do not expire for several months. Do these drivers have to obtain a new DOT medical examination and white card (medical certificate)?**

No. Credentials follow the individual. If a school bus driver possesses a valid DOT white card, that person would not need to be re-examined until the expiration date of the white card unless the driver's employer requires the individual to be re-evaluated for purposes or reasons determined at the local level.

**12. We have had bus drivers experience raised blood pressure when they go for their physical. The doctor performing the physical usually sends them to their personal physician for clearance. Will this still be allowed under the DOT physical qualifications?**

Yes, this practice should not present a problem as long as the medical examiner performing the examination meets the FMCSR definition as a health professional who can legally perform DOT medical examinations.

**(Updated 07/13/10)**

**13. Currently, we obtain our blue MDE physical cards from our training agency. Where will we get the white DOT cards?**

The white medical certificates (cards) will be available from MDE and distributed to training agencies. Pupil transportation providers can also access the medical certificates by going to the MDE pupil transportation website and downloading paper copies of the DOT medical certificate. The medical certificates are valid as long as they are signed by an appropriate medical examiner. Additionally, the SM-2934 cards referred to as "blue cards" will still be available from MDE since these cards will be required for certified school bus drivers that were diagnosed with diabetes and employed as a school bus driver on the effective date of this Act, which was June 22, 2010.

**14. How are DOT medical certificates (white cards) issued?**

If the medical examiner finds that the person he/she examined is physically qualified to drive a commercial motor vehicle, the medical examiner will furnish one copy of the results to the examined person and will complete a Medical Examiner's Certificate.

**15. Our school district is concerned about the health of a driver and concerned about going to two-year physicals.**

Even though DOT medical examinations may be valid for up to 24 months, the medical examiner may issue a medical certificate for less than 24 months when it is necessary to monitor certain medical conditions. Additionally, a school district has the option of developing local policy which would require their school bus drivers to complete an annual physical examination. This decision would be made at the local district level.

**16. Where can I find information regarding the DOT physical requirements?**

The full rules and supporting documents can be found at the following link:  
<http://www.fmcsa.dot.gov/rulesregulations/administration/fmcsr/fmcsrruletext.aspx?reg=r49cfr391.41>