

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION



Regulatory Status – 2021/22 Federal Regulations

(Items in red text indicate a change of status or new item)

October 22, 2021

Key Updates on IANA Policy Issues

Type	Date Posted	Title <i>(As Published in the Federal Register)</i>	Federal Register Page # (Vol. #)	Status
Final rule	10/07/21	Commercial Driver's License Drug and Alcohol Clearinghouse <i>Keywords: Truck, Safety</i>	55718(86)	FMCSA issues final rule establishing requirements for SDLAs to use information obtained through the Clearinghouse.
Notice of proposed rulemaking; request for comments	04/28/20		23670(85)	FMCSA proposes to prohibit SDLAs from issuing, renewing, upgrading, or transferring a CDL or CLP for drivers with drug or alcohol violations as identified through the Clearinghouse. Comments due 06/29/20.
Notice and request for comments	12/23/19		70619(84)	FMCSA submits new ICR to ensure Clearinghouse querying and reporting requirements are met to improve compliance with the existing requirement that CDL or CLP holders who have drug or alcohol testing violations cannot perform safety-sensitive functions, including driving a CMV, without participating in the required return-to-duty process. Comments due 01/22/20.
Final rule; extension of compliance date	12/13/19		68052(84)	FMCSA extends the compliance date for states to begin requesting CDL holders' data through the Clearinghouse. Compliance date is now 01/06/23.
Notice of a New System of Records	10/22/19		56521(84)	FMCSA proposes new system of records for Clearinghouse data, including granting access to certain non-USDOT agencies. Comments due 11/21/19.

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Update	10/01/19		<u>Announcement</u>	FMCSA opens registration for Clearinghouse. CDL holders and carriers are encouraged to register prior to 01/06/20 compliance date.
Update	08/20/19		<u>Announcement</u>	FMCSA announces pricing plans for the Clearinghouse database, all employers of CDL drivers must purchase a query plan.
Notice of proposed rulemaking; extension of compliance date	09/06/19		<u>46923(84)</u>	FMCSA proposes a three-year extension of the compliance date for states to begin requesting CDL holders' data through the Clearinghouse.
Final Rule	12/05/16		<u>87686(81)</u>	FMCSA establishes the CDL Drug and Alcohol Clearinghouse, a database with information on CDL holders' violations of FMCSA's drug and alcohol testing program.
Announcement of charter renewal of the Motor Carrier Safety Advisory Committee (MCSAC)	10/01/21	[Docket No. FMCSA-2006-26367] Motor Carrier Safety Advisory Committee; Request for Nominations <i>Keywords: Truck, Safety</i>	<u>54505(86)</u>	FMCSA announces two-year renewal of MCSAC charter.
Request for Nominations	10/29/20		<u>68621(85)</u>	FMCSA requests nominations for the Motor Carrier Safety Advisory Committee.
Update	08/31/21	Extension and Expansion of Emergency Declaration No. 2020-002 <i>Keywords: Truck</i>	<u>Order</u>	FMCSA extends emergency declaration waiving HOS regulations for essential supplies, now effective until 11/30/21.
Information collection request	08/27/21		<u>48291(86)</u>	FMCSA issues information collection request regarding emergency declaration waiving HOS regulations for essential supplies. Comments due 08/30/21.

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Final rule	07/23/21	[Docket No. FMCSA-2020-0198] Commercial Driver's License Standards, Requirements and Penalties; Exclusively Electronic Exchange of Driver History Record Information <i>Keywords: Truck; Safety; CDL</i>	38937(86)	FMCSA issues final rule codifying requirement that state driver licensing agencies implement a system for the exclusively electronic exchange of driver history record information through the Commercial Driver's License Information System. Effective 08/23/21.
Notice of application for exemption; request for public comment	07/14/21	[Docket No. FMCSA-2021-0070] Inspection, Repair and Maintenance; Inspector Qualifications; Application for an Exemption From the American Trucking Associations (ATA) <i>Keywords: Truck; Safety</i>	37208(86)	FMCSA issues request for public comment on an application from the American Trucking Associations for an exemption from the Federal Motor Carrier Safety Regulations.
Report	07/14/21	Oversight of CDL Disqualification Regulations <i>Keywords: Truck; Safety</i>	Report	USDOT Office of the Inspector General issues report on FMCSA oversight of states' CDL disqualification regulations.
Final rule	06/30/21	Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators <i>Keywords: Truck</i>	34631(86)	FMCSA extends compliance date for ELDT final rule, now effective 02/07/22.
Notice and request for comments	04/07/20		19570(85)	FMCSA seeks OMB approval to collect information on registered training providers and entry-level drivers. Comments due 05/07/20.
Interim final rule with request for comment	02/04/20		6088(85)	FMCSA extends compliance date for all ELDT final rule requirements to 02/07/22. Comments due 03/20/20.
Notice of proposed rulemaking; extension of compliance date	07/18/19		34324(84)	FMCSA proposes extending the compliance date for two provisions relating to entry-level driver certification.
Final rule	03/06/19		8029(84)	FMCSA amends entry-level driver training requirements for drivers upgrading from a Class B CDL to a Class A CDL.

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Final rule; further delay of effective date	05/23/17		<u>23516 (82)</u>	FMCSA further postpones effective date of entry-level driver rule to 06/05/17.
Final rule	12/08/16		<u>88732(81)</u>	FMCSA establishes minimum training standards for entry-level truck and bus drivers effective 02/06/17.
Notice and request for comments	04/23/21	Trucking Fleet Concept of Operations (CONOPS) for Managing Mixed Fleets <i>Keywords: Truck, Safety</i>	<u>21781(86)</u>	FMCSA seeks to collect information on trucking industry perceptions of automated driving systems. Comments due 05/24/21.
Notice and request for comments	11/03/20		<u>69678(85)</u>	FMCSA seeks to collect information on trucking industry perceptions of automated driving systems. Comments due 01/04/21.
Update	02/18/21	FMCSA-2004-19608 - Hours of Service of Drivers <i>Keyword: Hours of Service (HOS)</i>	<u>Motion</u>	FMCSA files motion to hold petition for HOS final rule review in abeyance for 60 days.
Update	01/15/21		<u>Opinion</u>	U.S. Court of Appeals for the Ninth Circuit denies petitions to review FMCSA's determination that California's meal and rest break laws are preempted.
Notice of proposed pilot program; request for comments	01/14/21		<u>Notice</u>	FMCSA proposes pilot program to test two additional options for splitting sleeper berth periods: 6/4 and 5/5 splits. Comments due 60 days after publication in the Federal Register.
Notice of proposed regulatory guidance; request for comments	01/04/21		<u>179(86)</u>	FMCSA proposes revisions to its guidance on "yard moves" under its HOS regulations. Comments due 02/03/21.

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Notice of final disposition; grant of exemption	12/23/20		<u>84096(85)</u>	FMCSA grants AAR and ASLRRA's request for an exemption from HOS regulations for railroad employees responding to emergency events.
Order; grant of petition for determination of preemption	11/17/20		<u>73335(85)</u>	FMCSA grants WTA petition, determining that Washington State's meal and rest break provisions are preempted by federal law.
Update	09/16/20		<u>Lawsuit</u>	The International Brotherhood of Teamsters and three safety groups file petition with U.S Court of Appeals DC Circuit for federal court review of FMCSA's HOS final rule.
Notice of proposed pilot program; request for comments	09/03/20		<u>55061(85)</u>	FMCSA proposes Split Duty Period Pilot Program to test safety impacts of pausing 14-hour driving window. Comments due 11/02/20.
Notice of application for exemption; request for comments	8/20/20		<u>51546(85)</u>	AAR and ASLRRA request exemption from HOS regulations for railroad employees responding to emergency events. Comments due 09/21/20.
Petition for Reconsideration	06/30/20		<u>Petition</u>	The International Brotherhood of Teamsters union and four safety groups petition FMCSA to reconsider its HOS final rule.
Final Rule	06/01/20		<u>33396(85)</u>	FMCSA publishes final rule amending its HOS regulations, effective 09/29/20.
Notice of petition for determination of	10/09/19		<u>54266(84)</u>	WTA petitions FMCSA to make a determination that Federal law preempts

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preemption; request for comments				Washington's meal and rest break provisions. Comments due 11/08/19.
Final Rule	09/12/19		<u>48077(84)</u>	FMCSA issues final rule removing restrictions to the 34-hour restart provision.
Notice of proposed rulemaking	08/22/19		<u>44190(84)</u>	FMCSA proposes changes to its HOS requirements.
Update	02/07/19		<u>Lawsuit</u>	The State of California petitions the U.S. Court of Appeals for the Ninth Circuit to reverse FMCSA's decision to preempt California's meal and rest break laws.
Update	02/06/19		<u>Lawsuit</u>	The International Brotherhood of Teamsters union petitions the U.S. Court of Appeals for the Ninth Circuit to reverse FMCSA's decision to preempt California's meal and rest break laws.
Update	12/27/18		<u>Lawsuit</u>	Teamsters Local 2785 of the International Brotherhood of Teamsters union petitions the U.S. Court of Appeals for the Ninth Circuit to reverse FMCSA's decision to preempt California's meal and rest break laws.
Grant of Petition for Determination of Preemption	12/21/18		<u>67470(83)</u>	FMCSA grants ATA petition that California's meal and rest break provisions are preempted by federal law.

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Grant of waiver	02/16/21	Waiver in Response to the COVID-19 Emergency – For States, CDL Holders, CLP Holders, and Interstate Drivers Operating Commercial Motor Vehicles <i>Keywords: Truck; Safety</i>	<u>Announcement</u>	FMCSA extends order waiving renewal requirements for commercial driver’s licenses, permits and medical certificates, effective 03/01/21 until 05/31/21.
Guidance	04/13/20		<u>Announcement</u>	FMCSA issues guidance permitting the administration of CDL testing without an examiner’s physical presence.
Notice of proposed rulemaking	01/12/21	Qualifications of Drivers; Vision Standard <i>Keywords: Truck, Safety</i>	<u>2344(86)</u>	FMCSA proposes alternative framework to evaluate drivers who do not meet current vision standards in one eye. Comments due 03/15/21.
Notice of proposed rulemaking	12/29/20	Rear Impact Guards and Rear Impact Protection <i>Keywords: Truck, Safety</i>	<u>85571(85)</u>	FMCSA proposes to include rear impact guards during annual CMV inspections and revise its labeling requirements. Comments due 03/01/21.
Final Rule	12/17/20	Commercial Driver’s License (CDL) Testing <i>Keyword: Truck, Safety</i>	<u>Final Rule</u>	FMCSA adopts final rule allowing third-party CDL test examiners to conduct CDL skills tests to applicants the examiner has also provided skills training to, effective 60 days from publication in the Federal Register.
Notice and request for comments	12/14/20		<u>80887(85)</u>	FMCSA seeks to renew its annual survey collecting information on CDL skills testing delays. Comments due 01/13/21.
Notice of proposed rulemaking	07/29/19		<u>36552(84)</u>	FMCSA proposes allowing CDL applicants to take general and specialized knowledge tests in states other than their state of residence.
Notice of proposed rulemaking	07/09/19		<u>32689(84)</u>	FMCSA proposes removing restrictions prohibiting states to allow third-party CDL skills instructors to perform both

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				instruction and qualifying testing for CDL applicants.
Notice of proposed rulemaking	12/14/20	Record of Violations <i>Keywords: Truck, Safety</i>	<u>80745(85)</u>	FMCSA proposes to eliminate annual reporting requirements for drivers' traffic violations. Comments due 02/12/21.
Petition for rulemaking; request for public comments	11/25/20	[Docket No. FMCSA-2020-0150] Owner-Operator Independent Drivers Association, Small Business in Transportation Coalition Petitions for Rulemaking; Transparency in Property Broker Transactions <i>Keywords: Truck</i>	<u>75280(85)</u>	TIA submits petition for rulemaking requesting FMCSA rescind its regulations allowing parties to review broker transaction records and issue guidance on dispatch services. Comments due 01/25/21.
Notice; extension of comment period	10/16/20		<u>65898(85)</u>	FMCSA extends comment period for OOIDA and SBTC petitions to amend FMCSA's regulations related to broker transaction records, now due 11/18/20.
Notice of public listening session	10/13/20		<u>64613(85)</u>	FMCSA announces public listening session to discuss property carrier broker regulations, to be held on 10/28/20.
Notice; request for public Comments	08/19/20		<u>51145(85)</u>	OOIDA and SBTC submit petitions for rulemaking requesting changes to strengthen FMCSA's regulations related to broker transaction records. Comments due 10/19/20.
Letter	10/30/20	Request for Information Concerning Large Truck Crash Causal Factors Study <i>Keywords: Truck, Safety</i>	<u>Letter</u>	Senator Markey requests detailed information on FMCSA's safety plans to address fatalities in large truck crashes.
Notice: request for information	01/15/20		<u>2481(85)</u>	FMCSA seeks comments to develop updated Large Truck Crash Causal Factors Study. Comments due 03/16/20.

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Notice of final disposition; denial of application for exemption.	10/16/20	FMCSA-2010-0167: Electronic Logging Devices and Hours of Service Supporting Documents <i>Keywords: Electronic Logging Devices (ELD), Hours of Service (HOS), Safety</i>	65896(85)	FMCSA denies request from Small Business in Transportation Coalition to exempt drivers traveling with domestic animals from certain ELD and HOS provisions.
Application for exemption; final determination.	04/13/20		20562985	FMCSA denies request from Small Business in Transportation Coalition for ELD exemption for small carriers.
Notice of application for exemption; request for comments.	03/11/20		14289(85)	Small Business in Transportation Coalition requests FMCSA exempt drivers accompanied by domestic animals from ELD compliance and certain HOS provisions. Comments due 04/10/20.
Notice of application for exemption; request for comments.	10/29/19		57932(84)	Small Business in Transportation Coalition requests FMCSA reconsider its denial of ELD compliance exemption for small carriers, originally submitted 06/05/19. Comments due 11/29/19.
Guidance	03/13/18		Guidance	FMCSA issues additional guidance to assist in the effective implementation of the ELD rule.
Final Rule	12/16/15		78292(80)	FMCSA issues a final rule requiring all drivers to use electronic logging devices by 12/18/17.
Notice of pilot program; request for comments	10/09/20	Commercial Driver's Licenses; Proposed Pilot Program to Allow Persons Between the Ages of 18 and 21 With Military Driving Experience to Operate Commercial Motor Vehicles in Interstate Commerce <i>Keywords: Truck</i>	64218(85)	FMCSA proposes expanding military under 21 program to drivers with nine additional Military Occupational Specialties. Comments due 11/09/20.

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Update	10/28/19		<u>Announcement</u>	FMCSA announces launch of job opportunities website for military "Under 21 Pilot Program" participants.
Notice of a New System of Records	09/05/19		<u>46779(84)</u>	USDOT proposes a new record system to collect and store data for FMCSA's pilot program allowing individuals between the ages of 18 and 21 to operate CMVs in interstate commerce if they have certain military experience.
Notice of proposed pilot program; request for comments.	09/04/20	[Docket No. FMCSA-2018-0346] Commercial Driver's Licenses; Pilot Program To Allow Drivers Under 21 To Operate Commercial Motor Vehicles in Interstate Commerce <i>Keyword: Truck</i>	<u>55928(85)</u>	FMCSA proposes new pilot program to permit CDL holders under 21 to operate CMVs in interstate commerce. Comments due 11/09/20.
Notice and request for comments	05/15/19		<u>21895(84)</u>	FMCSA seeks comments on the parameters of a pilot program to allow CMV drivers under 21 to operate in interstate commerce.
Notice of final disposition	08/18/20	Inspection, Repair and Maintenance; Inspector Qualifications; Application for an Exemption From the Intermodal Association of North America (IANA) <i>Keywords: Truck, Safety, Intermodal</i>	<u>50876(85)</u>	FMCSA grants IANA's request for a five-year exemption allowing chassis mechanics who complete a training program consistent with IRPs to conduct intermodal equipment and break inspections, effective 08/18/20.
Grant of waiver	06/01/20		<u>Waiver</u>	FMCSA grants IANA's waiver request permitting the operation of chassis with annual inspection decals expired on or after 03/31/20, effective until 09/01/20.
Notice of application for exemption; request for comments.	04/03/20		<u>19055(85)</u>	IANA requests FMCSA consider chassis mechanics qualified inspectors upon completion of IRP training. Comments due 05/04/20.

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Notice and request for comments	08/18/20	[Docket No. FMCSA-2015-0124] Potential Benefits and Feasibility of Voluntary Compliance; Public Listening Sessions <i>Keywords: Safety</i>	50875(85)	FMCSA seeks OMB approval to collect data on effective policies for motor carrier safety to develop the Beyond Compliance Program. Comments due 09/17/20.
Notice; request for comment	04/20/16		23351(81)	FMCSA proposes Beyond Compliance program including a new BASIC within SMS.
Notice of public meeting	07/21/20	Trucking Safety Summit; Public Meeting <i>Keywords: Trucks; Safety</i>	44141(85)	FMCSA announces virtual meeting to discuss truck safety improvements to be held on 08/05/20.
Notice	05/06/20	FMCSA 2012-0074: Improvements to the Compliance, Safety, Accountability (CSA) Motor Carrier Safety Measurement System (SMS) <i>Keywords: FMCSA Compliance, Safety, Accountability Program (CSA), Hazmat, Truck</i>	27017(85)	FMCSA establishes new Crash Preventability Determination Program (CPDP) allowing drivers with crashes on or after 08/01/19 to submit evidence that it was not preventable.
Report	09/25/19		Report	OIG issues report assessing FMCSA's corrective action plan and its implementation of prior recommendations made by OIG, NAS, and GAO.
Notice and request for comments	08/05/19		38087(84)	FMCSA proposes making permanent its crash determination program and modifying the SMS to eliminate unpreventable crashes from SMS Crash Indicator BASIC calculations.
Notice of correction; extension of comment period	05/04/20	Registration and Financial Security Requirements for Brokers of Property and Freight Forwarders; Small Business in Transportation Coalition (SBTC) Exemption Application <i>Keywords: Truck</i>	26516(85)	FMCSA corrects docket number in original notice and extends comment period. Comments now due 06/03/30.
Notice of application for exemption; request for comments	04/10/20		20334(85)	FMCSA seeks comments on Small Business in Transportation Coalition application for exemption from bond security requirements for small business

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				brokers and freight forwarders. Comments due 05/11/20.
Notice; request for comments	04/21/20	Agency Information Collection Activities; Renewal of an Approved Information Collection: Training Certification for Drivers of Longer Combination Vehicles <i>Keywords: Truck, Freight</i>	22244(85)	FMCSA seeks OMB approval to collect information relating to the certification of drivers operating Longer Combination Vehicles (LCVs). Comments due 05/21/20.
Final rule	02/13/20	[Docket No. FMCSA-2019-0066] Fees for the Unified Carrier Registration Plan and Agreement <i>Keywords: Truck; Safety</i>	8192(85)	FMCSA issues final rule on fee reductions for the UCR Plan and Agreement for 2020, 2021, and thereafter, effective 02/13/20.
Notice of proposed rulemaking	08/27/19		44826(84)	FMCSA proposes fee reductions for the UCR Plan and Agreement for 2020, 2021, and thereafter.
Notice of Program Change	12/27/19	Annual Random Controlled Substances Testing Percentage Rate for Calendar Year 2020 <i>Keywords: Safety</i>	71527(84)	FMCSA increases the minimum annual percentage rate for random controlled substances testing of CMV CDL holders from 25 percent to 50 percent. Effective 01/01/20.
Notice and Request for Comments	12/27/19	Unified Registration System <i>Keywords: Truck, Safety</i>	71523 (84)	FMCSA requests approval to renew the ICR titled "Unified Registration System, FMCSA Registration/Updates," which applies to new registrants seeking operating authority from FMCSA. FMCSA also seeks to declare a decrease in hours of burden since its 09/11/19 estimate. Comments due 01/27/20.
Notice and request for comments	12/04/19		66452(84)	FMCSA proposes changes to its registration forms for existing registrants. Comments due 01/03/20.
Notice and request for comments	09/11/19		48001(84)	FMCSA proposes changes to its registration forms for first-time registrants. Comments due 11/12/19.

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Final rule; suspension of effective date and temporary final rule	01/17/17		<u>5292(82)</u>	FMCSA suspends its Unified Registration System requirement. Entities needing to file are instructed to follow same procedures and forms used to submit information to FMCSA as they use today.
Notice and request for comments	11/15/19	[Docket No. FMCSA-2019-0152] Agency Information Collection Activities; Renewal of an Approved Information Collection: Designation of Agents, Motor Carriers, Brokers and Freight Forwarders <i>Keywords: Truck</i>	<u>62564(84)</u>	FMCSA seeks OMB approval to renew its information collection request used to provide registered motor carriers, property brokers, and freight forwarders a means of meeting process agent requirements. Comments due 12/16/19.
Advanced notice of proposed rulemaking	05/28/19	[Docket No. FMCSA-2018-0037] Request for Comments Concerning Federal Motor Carrier Safety Regulations (FMCSRs) Which May Be a Barrier to the Safe Testing and Deployment of Automated Driving Systems-Equipped Commercial Motor Vehicles on Public Roads <i>Keywords: Safety, Truck</i>	<u>24449(84)</u>	FMCSA seeks comments to better understand how certain regulatory changes can account for difference between human operators and automated driving systems.
Notice and request for comments	07/03/19	[Docket No. FMCSA-2019-0157] Agency Information Collection Activities; Revision of an Approved Information Collection: Training Certification for Entry-Level Commercial Motor Vehicle Operators <i>Keyword: Truck</i>	<u>31982(84)</u>	FMCSA modifies its entry-level driver information collection request to adhere to MAP-21 standards.
Request for information	06/10/19	Docket No. FMCSA-2019-0054] Request for Information Concerning Commercial Motor Vehicle Driver Detention Times During Loading and Unloading <i>Keywords: Truck</i>	<u>26932(84)</u>	FMCSA requests information on existing or potential sources of data to better understand driver detention times during loading and unloading of CMVs.
Report	01/31/18		<u>Report</u>	OIG finds that increased CMV operator dwell time increases the average expected crash rate. However, OIG also finds that accurate industry wide data about driver detention do not currently exist and recommends FMCSA improve future data collection.

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Advance notice of proposed rulemaking	03/08/19	[Docket No. FMCSA-2018-0247] Qualification of Drivers; Employment Application <i>Keyword: Truck</i>	<u>8497(84)</u>	FMCSA considers revising or eliminating prospective driver employment applications.
Notice and request for comments	10/25/18	[Docket No. FMCSA-2018-0279] Agency Information Collection Activities; New Information Collection: Crash Risk by Commercial Motor Vehicle Driver Schedules <i>Keywords: Truck; Safety</i>	<u>53945(83)</u>	FMCSA submits an ICR to investigate how CMV drivers' schedules impact driver performance and safety.
Advanced notice of proposed rulemaking; request for comments	09/27/18	FMCSA 2016-0101: Broker and Freight Forwarder Financial Responsibility <i>Keywords: Truck</i>	<u>48779(83)</u>	FMCSA initiates a rulemaking pertaining to financial security for brokers and freight forwarders.