



COMMERCIAL DRIVER CERTIFICATION: TIER OF OPERATION

Wisconsin Department of Transportation
MV3230 2/2012

www.cdl.wi.gov

Federal and state regulations require all Commercial Driver License (CDL) holders to certify their tier of operation—the type of operation in which they are engaged. Based on that certification, some drivers will be required to provide a copy of their Federal Medical Examiner Certificate (Fed Med card) to the Wisconsin Division of Motor Vehicles (WI DMV) so the information can be added to their driver record.

Things to keep in mind when certifying your tier of operation:

- You are engaged in **interstate commerce if the load you are carrying crosses state lines at any point during its trip**. Interstate drivers will certify either Tier 1 or 2.
- Intrastate Commerce is any trade, traffic, or transportation in any state in which the load does **not** cross a state line. Intrastate drivers will certify either Tier 3 or 4.
- You are considered an excepted driver if you solely operate in one of the excepted industries. Excepted drivers will certify either Tier 2 or Tier 4. (see back for excepted industries)
- Commercial drivers under the age of 21 may not certify Tiers 1 or 2 by federal law.
- All Tier 1 and 'S' endorsement holders will have to submit a Fed Med card or form MV3030B to the WI DMV.
- You are allowed to operate in the tier you certify and all other tiers below it. For example, a Tier 4 driver can only operate in Tier 4 while a Tier 1 driver can operate in any tier. When operating in Tiers 1 or 3, drivers must carry a current Fed Med card, regardless of their level of certification.
- You should certify the highest tier that you may operate under. If you normally operate in intrastate commerce (just in the state of Wisconsin) but travel out of state once or twice a year, you must certify interstate because you will eventually leave the state at some point.
- If you want to operate in a higher tier after already certifying something lower to the DMV, you must come back into a service center or go online to update your certification and if needed, provide a Fed Med card.

Please check **only one** Tier and complete the information below:

(See back of form for description of the different tiers and excepted drivers/industries)

- Tier 1:** I operate in **interstate** commerce and am **required** to carry a valid Fed Med card pursuant to 49 CFR 391 because I do not solely operate in an excepted industry. I will contact the WI DMV whenever I obtain a new card or when there is a change in my medical situation that results in a change to my card. I acknowledge that my commercial privileges will be taken away if I do not comply with these requirements.
- Tier 2:** I operate in **interstate** commerce and am **not required** to carry a valid Fed Med card pursuant to 49 CFR 391 because I operate in an excepted industry. I do not have to contact the WI DMV with any medical forms unless I have a school bus endorsement.
- Tier 3:** I operate in **intrastate** commerce and am **required** to carry a valid Fed Med card pursuant to 49 CFR 391 and WI Trans 327 because I do not solely operate in an excepted industry. I do not have to contact the WI DMV with any medical forms unless I have a school bus endorsement.
- Tier 4:** I operate in **intrastate** commerce and am **not required** to carry a valid Fed Med card pursuant to 49 CFR 391 and WI Trans 327 because I only operate in an excepted industry. I do not have to contact the WI DMV with any medical forms unless I have a school bus endorsement.

| | | |
|------|----------------------------|-----------------------|
| Name | Date of Birth (mm/dd/yyyy) | Driver License Number |
|------|----------------------------|-----------------------|

I have read this document and certify the type of operation marked above is correct to the best of my knowledge.

| | |
|-------------|-------------------|
| X | |
| (Signature) | Date (mm/dd/yyyy) |

TIER 1: Non-Excepted Interstate

Engaged in **interstate** commerce (other than the exceptions listed in Tier 2) and required to provide a valid Fed Med card to the WI DMV under 49 CFR 391 and WI Trans 327. Failure to maintain valid Fed Med card will result in loss of all CDL privileges.

- Includes the Federal Special Performance Evaluation (SPE), diabetes and vision waivers.

TIER 2: Excepted Interstate

Engaged in **interstate** commerce and operating under one of the following exceptions below. No Fed Med card is required. School Bus medicals are still required for those drivers with an S endorsement.

Excepted Interstate Drivers/Industries:

- All **school bus** operations;
- Transportation performed by **any political subdivision**;
- Transportation of **human corpses or sick and injured persons**;
- Operation of **fire trucks and rescue vehicles** while involved in emergency and related operations;
- Operation of vehicles designed or used to transport between 9 and 15 passengers not for direct compensation;
- Transportation of **propane winter heating fuel** during an emergency or responding to a **pipeline emergency**;
- **Farm custom operation**: custom-harvesting operations, transporting farm machinery, supplies, or both, to or from a farm for custom-harvesting operations on a farm; or Transport custom-harvested crops to storage or market;
- Seasonal transportation of bees in a commercial motor vehicle **controlled and operated by a beekeeper**;
- Operation of **private motor carrier of passengers (non-business)**;
- Occasional transportation of **personal property not for compensation or commercial enterprise**.

TIER 3: Non-Excepted Intrastate

Engaged in **intrastate** commerce other than the exceptions listed in Tier 4 and a Fed Med card is required, pursuant to 49 CFR 391 and WI Trans 327. Tier 3 drivers must maintain a valid Fed Med card at all times but do not have to provide the card to the WI DMV, outside of a normal trip for a license renewal or replacement, unless they have an S endorsement.

- Does not include exceptions listed under Tier 2.

TIER 4: Excepted Intrastate

Engaged in **intrastate** commerce and operating under one of the following exceptions below. No Fed Med card is required. School Bus medicals are still required for those drivers with an S endorsement.

Excepted Intrastate Drivers/Industries:

- **Tow trucks** (if requested by Federal, State, or local officer to move wrecked or disabled vehicle);
- **Grandfathered** (held valid CDL since July 29, 1996 that has not been revoked);
- **Wisconsin diabetes exemption** to the Fed Med card;
- **Wisconsin vision exemption** to the Fed Med card;
- All **exceptions listed under Tier 2**, only **done within intrastate** commerce.

What is 49 CFR 391?

Title 49 of the Code of Federal Regulations, parts 391.41-391.49, is the regulation for physical qualifications and examinations of CMV operators. Your Fed Med card must be issued in accordance with 49 CFR 391.43 as proof that you are physically qualified under 49 CFR 391.45 to drive a commercial motor vehicle. Drivers meet these requirements when they legally obtain a Fed Med card from a medical provider who is allowed to complete the form.

What is WI Trans 327?

Wisconsin Transportation Code 327 requires Wisconsin CDL operators to submit a Fed Med card to the WI DMV if they do not operate in an excepted industry.