

City of Amarillo

Minimum Physical Requirements for

Operating Commercial Motor Vehicle Equipment

The purpose of these rules is to provide a general guideline to provide consistent application of physicals to employees whose job requires them to possess a commercial driver's license to complete their assigned duties. This guide does not constitute an employment agreement or a guarantee to continue employment. This guideline is intended to comply with the Employee Handbook rules. In no way will these rules limit or prohibit the City from enforcing all City of Amarillo rules contained in the Employee Handbook.

This policy covers employees who;

- are required by their job description to maintain a Commercial Drivers License (CDL) designated as Class A CDL, Class B CDL or Class C CDL and operate a Commercial Motor Vehicle as defined by the Federal Commercial Motor Vehicle Safety Act of 1986 and as defined by the State of Texas Department of Public Safety.
- any employee that is seeking or being considered for employment, pre-employment, promotion, reclassification or transfer to a driving position requiring a CDL license.

City Equipment is defined as a licensed or unlicensed apparatus, vehicle, or machine which is:

- Owned by, leased, rented, loaned, or donated to the City; and
- Driven, ridden, operated or controlled by a City employee

Commercial vehicle is defined as a vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle: has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or has a gross vehicle rating of 26,001 or more pounds; is designed to transport 16 or more passengers including the driver; or is transporting hazardous materials and is required to be placarded in accordance with 49 C. F. R. Part 172, Subpart F.

It is noted that City of Amarillo employees that operate motor vehicles as defined in the Federal Motor Carrier Safety Regulations (FMCSR), Federal Transit Authority (FTA) and Federal Aviation Administration (FAA) are not subject to the requirements for medical certification. Texas law carves out an exemption for employees of state and local governments while operating a vehicle for a governmental entity. However, the City of Amarillo is adopting these procedures to ensure safety of the drivers and the citizens that share the road.

The City's Designated Physician is defined as a medical provider with which the City of Amarillo contracts, which provides physicals for employees that, drive City vehicles that are required to have a CDL or are in a safety sensitive position as defined by FMCSR, FTA and FAA. City employees are exempt from the DOT's medical requirements, therefore, the City's Designated Physician shall not rely on, or use any part of the Department of Transportation medical requirements in the FMCSR to influence their decision to medically pass or fail a City of Amarillo employee or applicant from driving a motor vehicle. The following guideline shall be used to make that determination.

All City of Amarillo employees covered under this policy shall submit to a physical by the City's Designated Physician every 2 years as defined below except for Transit drivers who shall submit to a physical every 12 months.

If the employee is unable to pass the physical:

1. because of a temporary medical condition, as determined by the City's evaluating physician, then the medical provider will determine if a temporary 30 or 60-day certification can be issued. Temporary certifications are determined only by the City's Designated Physician. This temporary certification is solely for the purpose of allowing the City CDL driver time to coordinate with his or her personal physician to obtain treatment necessary to treat the temporary condition. If after 120 days of temporary certification the employee is not able to pass the physical, a fit-for-duty evaluation will then be obtained and be evaluated if the condition can be designated as permanent.
2. because of a permanent medical condition, then the employee will be evaluated for a fit-for-duty examination.

If the employee is unable to pass the physical and obtain a medical certification card by the city's Designated Physician for any reason, employee will not be allowed to drive a City vehicle.

A person is physically qualified to drive a motor vehicle if that person:

1. Is an applicant and must not have tested positive for drugs or alcohol with the City or a prior employer within the last 12 months. If there has been a positive drug or alcohol test within the last 12 months, the applicant must supply an acceptable evidence of completion of substance abuse program;
2. Has not lost the use of a foot, a leg, a hand or an arm;
3. Has no impairment of a hand or finger which interferes with prehension or power grasping; or an arm, foot or leg which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle;
4. The employee must be able to complete the Essential Job Functions for the applicable position. A copy of the Essential Job Functions will be supplied by the City of Amarillo for the applicable job.
5. Has no established medical history or clinical diagnoses of uncontrolled diabetes mellitus. If the patient has diabetes mellitus, current medical records are required to document it is under control.
6. Has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse or congestive heart failure. If the person has a history of such condition, current medical records establishing that the person has had successful treatment and control will be accepted;
7. Has no current clinical diagnosis of uncontrolled high blood pressure likely to interfere with his/her ability to operate a commercial motor vehicle safely;
8. Has no established medical history or clinical diagnosis of epilepsy, narcolepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a commercial motor vehicle. If the person has a history of such condition, current medical records establishing that the person has had successful treatment and control will be accepted;
9. Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70 degrees in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green and amber;
10. First perceives a forced whispered voice in the better ear not less than 5 feet with or without the use of a hearing aid, or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5-1951;
11. Does not use a controlled substance that is identified in 21 CFR 1308.11 Schedule 1, an amphetamine, a narcotic or any other habit-forming drug. A driver may use a legally prescribed substance or drug, if the substance or drug is prescribed by a licensed medical practitioner who is familiar with the driver's medical history and has reviewed and considered the Essential Job Functions related to their job at the City and has advised the

driver that the prescribed substance or drug will not adversely affect the driver's ability to safely operate a commercial motor vehicle.

12. Does not regularly take over-the-counter or prescription drugs that will interfere with the safe operation of a commercial motor vehicle.