

COUNTY OF SANTA CLARA

Office of the Sheriff

55 West Younger Avenue
San Jose, California 95110-1721
(408) 808-4605



Laurie Smith
Sheriff

MEMORANDUM

TO: Enforcement Staff

FROM: COVID-19 Incident Command Center

SUBJECT: ICC Directive 20-33 (DMV Update)

DATE: 07/08/2020

Sheriff's Office Personnel,

On June 15, 2020, Federal Motor Carrier Safety Administration (FMCSA) announced an extension of the CDL and CLP waiver which was set to expire as of June 30, 2020. The extension of the waiver will be effective July 1, 2020, through September 30, 2020. California law enforcement personnel are asked to honor the waiver mentioned above, recognize that CDLs and CLPs are extended with or without a physical paper extension.

Please refer to the attached LEM 20-11 Memo issued by the DMV for further information.



LAW ENFORCEMENT INFORMATION MEMO: 20-11
SUBJECT: COVID-19 Commercial Driver License and
Commercial Learner's Permit Extension Update
Memo Date: July 1, 2020

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Purpose

To notify California law enforcement agencies of a possible delay for customers renewing an expired or expiring commercial driver license (CDL) or commercial learner's permit (CLP), and/or medical certification on record.

Background

On March 4, 2020, California Governor Gavin Newsom issued a Proclamation of a State of Emergency due to an outbreak of novel coronavirus (COVID-19).

On March 24, 2020, the Federal Motor Carrier Safety Administration (FMCSA) granted, until June 30, 2020, a waiver from certain regulations applicable to interstate and intrastate CDL and CLP holders and to other interstate drivers operating commercial motor vehicles (CMVs). FMCSA initiated this action in response to the President's declaration of a national emergency under 42 U.S.C. § 5191(b) related to COVID-19.

On April 14, 2020, DMV Director Gordon issued Director's Order 2020-03 to extend the expiration date for CDLs and CLPs that would have expired in the months of March 2020 through June 2020, until June 30, 2020.

On April 16, 2020, Governor Newsom issued Executive Order N-52-20, waiving the timeframes set forth in Vehicle Code section 12804.9(c) for current CDL holders whose medical certificates expired on or after March, 1, 2020. This waiver applies until June 30, 2020.

New Information

According to the Centers for Disease Control and Prevention, certain populations have been advised to stay home due to the risk of exposure to COVID-19. Some Californians are required to visit a DMV field office in order to renew their CDL and may be unable to do so at this time.

On June 15, 2020, FMCSA announced an extension of the waiver which was set to expire as of June 30, 2020. The extension of the waiver will be effective July 1, 2020, through September 30, 2020. FMCSA indicated the extension was issued because several states continue to experience greater than normal employee absences or have closed offices of their State Driver Licensing Agencies resulting in many CDL and CLP holders being unable to complete the necessary application process.

**New
Information
Continued**

Pursuant to Director's Order 2020-08, which supersedes Director's Order 2020-03, DMV has extended the expiration date of CDLs and CLPs that have or are set to expire in March 2020 through September 2020, until September 30, 2020. CDL endorsements and certificates, except medical certificates, are also extended.

Pursuant to Executive Order N-17-20, current, valid CDL and CLP holders whose medical certification expire on or after March 1, 2020, have an extension until September 30, 2020, to obtain and submit a new, valid medical certificate in accordance with applicable state and federal requirements.

Californians with a suspended record are not eligible for the temporary extension.

Note: While DMV has taken action to extend licenses and permits, the department will not update driver license records to reflect this extension. For those with expired medicals during this time period, eligible cardholder licenses and permits remain valid to operate a CMV. A message indicating "LICENSE VALID PENDING REVIEW" status has been added to the record of eligible commercial drivers.

Due to this emergency, California law enforcement personnel are asked to honor the waivers mentioned above, recognize that CDLs and CLPs are extended (with or without a physical paper extension), accept a record with "license valid pending review" as valid, and are encouraged to exercise flexibility and discretion when reviewing DL records. Please disseminate this information to all interested persons and agencies within your jurisdiction.

Contact

Questions regarding the information contained in this memo or changes to the email distribution list may be directed to the Justice and Government Liaison Branch at (916) 657-7732 or via email at jaglaw@dmv.ca.gov.



SONIA HUESTIS
Deputy Director
Customer Services Division
