



## **FAQs** for Amendment to Section 9 of Chapter 90F – “An Act Relative to Commercial Drivers Licenses”

**Q: Why did the law related to Commercial Driver’s Licenses change?**

**A:** The new legislation will amend the statute to eliminate consideration of offenses in passenger vehicles that occurred prior to September 30, 2005, with an exception for drivers with felony OUI convictions.

- This change will closely align state law with federal law, by excluding most pre-September 30, 2005, passenger vehicle offenses from mandatory commercial disqualification.
- This change does not lift the state and/or federal lifetime commercial disqualification for drivers who have convictions for drug or human trafficking, 3 or more OUI convictions, two or more convictions after September 30, 2005, or where disqualification is required under federal law.
- With these changes, Massachusetts will maintain its commitment to roadway safety and uphold our commitment to a safety-centered disqualification system.

The new legislation requires the RMV to promulgate regulations by July 1, 2025 relating to a 10-year reinstatement program for eligible drivers with a lifetime disqualification.

**Q: I have violations that occurred after September 2005, will this law help me?**

**A:** Each customer record must be reviewed before determining if this law will provide you any relief. Please call 617-657-3623 and ask that your record be reviewed.

Note: This change does not lift the lifetime commercial disqualification for drivers who have convictions for drug or human trafficking, 3 or more OUI convictions, two or more convictions post September 30, 2005, or where disqualification is required under federal law.

**Q: When will this law take effect?**

**A:** Immediately.

**Q: Will you notify drivers who received a letter in August of 2024?**

**A:** Drivers whose disqualification status will change by the update to state law will be notified via email and letter.

**Q: I didn't receive a letter from the RMV but believe this law will help me retain/regain my commercial driver's license. Who can I contact?**

**A:** You can contact the RMV's dedicated commercial driver phone line at 617-657-3623.

**Q: Why can I not drive a Commercial motor vehicle (CMV) if the lifetime disqualification has been removed from my record?**

**A:** There are several reasons the removal of the lifetime disqualification does not permit immediate restoration of your commercial driving privileged.

A few examples are:

- Having a post September 20, 2005 conviction and you still need to serve all or part of the 1-year disqualification;
- Having other obligations restricting your commercial or underlying passenger license, such as being in prohibited status with the Federal Drug and Alcohol Clearinghouse;
- Having an expired commercial medical self-certification;
- Having an Ignition Interlock Device Requirement; or

- If you have outstanding child-support, taxes or other financial obligations impacting your license.

**Q: What if I am not being helped or still have a 1-year disqualification to serve, do I still have a temporary hold on the disqualification?**

**A:** Yes. Provided you met the January 2, 2025 deadline for requesting an RMV Hearing, and if applicable appealing an RMV decision to the Board of Appeals, and your driving privilege remains in good standing, you will retain the temporary hold through the hearing and appeals processes.

Remaining Deadline to meet:

- **After the RMV hearing**, if you dispute the RMV's hearing decision and wish to appeal, you must submit an appeal application and applicable fee to the Division of Insurance's Board of Appeals no later than **March 3, 2025**. <https://www.mass.gov/doc/appeal-of-a-rulingdecision-of-the-registrar-of-motor-vehicles/download>

**Q: How do I know how much time I have left on my remaining disqualification?**

**A:** You can contact the RMV's dedicated commercial driver phone line at 617-657-3623 and they will schedule you for an RMV Hearing to review your account.

**Q: Does the change to this law mean that I will never be lifetime disqualified in the future?**

**A:** No. If you receive new major offense convictions under state and/or federal law you will receive the required disqualification, which may include a lifetime disqualification.

**Q: The amendment to the law will remove one of my two major violations so I will no longer be lifetime disqualified. What are the major disqualifications that would lifetime disqualify my commercial driver's license in the future?**

**A:** Any major offense listed under Table A in 49 CFR 383.51 and any major offense listed under Subsections (A) –(D) in Section 9 of Chapter 90F. Examples of these include:

- Operating under the influence of alcohol or drugs (OUI);
- Refusing or Failing a Breathalyzer Test or other Chemical Test;
- Leaving the scene of an accident;
- Using a commercial motor vehicle or a motor vehicle in the commission of a felony;
- Causing a fatality through the negligent operation of a CMV, including but not limited to the crimes of motor vehicle manslaughter, homicide by motor vehicle and negligent homicide; and
- Trafficking of drugs or people.

**Q: Does the amendment require the RMV to create allow reinstatement after 10-years ?**

**A:** The amendment to the law requires the RMV to issue regulations related to a 10-year reinstatement program by July 1, 2025.