



## Federal Regulatory Training Requirements Compliance Guide

RELEASE 198 – SEPTEMBER 2021

### new & noteworthy

- **FMCSA Extends Compliance Dates for Medical Examiner's Certification Integration:** The U.S. Federal Motor Carrier Safety Administration (FMCSA) has amended its regulations to extend the compliance date from June 22, 2021, to June 23, 2025, for several provisions of its April 23, 2015, Medical Examiner's Certification Integration final rule. As a result of this rule, motor carriers must continue verifying that drivers were certified by a medical examiner listed on the existing National Registry of Certified Medical Examiners (National Registry). This final rule will provide FMCSA time to complete certain information technology (IT) system development tasks, and provide the State Driver's Licensing Agencies (SDLAs) sufficient time to make the necessary IT programming changes, for when the new National Registry, which will replace the existing system, is completed and available. This final rule (86 FR 32643) became effective June 22, 2021.

Section I-13.4 was revised due to this final rule.

- **FMCSA Amends Federal Motor Carrier Safety Regulations:** FMCSA has issued a final rule that makes various technical amendments throughout the Federal Motor Carrier Safety Regulations. The final rule includes minor changes to correct inadvertent errors and omissions, remove or update obsolete references, and improve the clarity and consistency of certain regulatory provisions. FMCSA has also made nondiscretionary, ministerial changes that are statutorily mandated and changes that merely align regulatory requirements with the underlying statutory authority. This final rule (86 FR 35633) became effective July 7, 2021.

Sections I-12 and I-13 were revised due to this final rule.

- **DHS Amends Chemical Facility Anti-Terrorism Standards:** The U.S. Department of Homeland Security (DHS) has issued a final rule that makes non-substantive technical, organizational, and conforming amendments to the Chemical Facility Anti-Terrorism Standards. These changes correct errors, change addresses, update titles, and make other non-substantive amendments that improve the clarity of the rule. This final rule (86 FR 41889) became effective August 4, 2021.

Section G-0.5 was revised due to this final rule.

- **UNRC Issues Miscellaneous Corrections Rule:** The U.S. Nuclear Regulatory Commission (NRC) has issued a final rule that makes amendments throughout its regulations to implement a number of miscellaneous corrections. These changes include: correcting mailing addresses, typographical errors, grammatical errors, references, spelling, agency names, and office titles; removing outdated reporting requirements; clarifying language; adding metric units; and inserting missing language. This final rule (86 FR 43397) became effective on September 8, 2021.

Sections S-4 and S-5 were revised due to this final rule.

# release notes

*please review*

- **USCG Enables Electronic Submission of Facility Operations and Emergency Manuals:** The U.S. Coast Guard (USCG) has issued a final rule that enables regulated facilities to electronically submit their Operations Manuals and Emergency Manuals and to electronically communicate with the USCG. This rule allows facility operators to submit one electronic or printed copy of the manuals and one electronic or printed copy of the amendments to the manuals, and also requires regulated facilities to maintain either an electronic or a printed copy of each required manual in the marine transfer area of the facility during transfer operations. This final rule (86 FR 43915) became effective September 10, 2021.

Section Q-61 was revised due to this final rule.

- **FMCSA Incorporates CVSA Into Regulations for Certification to Perform a Safety Audit or Investigation:** FMCSA has issued a final rule that incorporates, by reference in its regulations, the Commercial Vehicle Safety Alliance's (CVSA) "Operational Policy 4: Inspector Training and Certification," as required by the Fixing America's Surface Transportation Act (FAST Act). The CVSA policy provides the current policy and practices for FMCSA employees, State or local government employees, and contractors to obtain and maintain certification for conducting safety audits or investigations. This final rule (86 FR 48038) became effective August 27, 2021.

New Section I-13.1 was added due to this final rule.

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## highlights of this release

- The following indices and introduction have been revised to update information related to new content and to make minor corrections:
  - Tab B Key Words
  - Tab D CFR Index
  - Tab I Introduction
- The following sections have been revised to incorporate regulatory changes and to make minor corrections:
  - G-0.5 6 CFR 27.230 Department of Homeland Security (DHS) Chemical Facility Security
  - I-12 49 CFR 382.601 Employer Policy on Alcohol and Controlled Substances
  - I-13 49 CFR 382.603 Training for Supervisors of Drivers
  - I-13.4 49 CFR 391.31 Commercial Motor Vehicle Drivers Road Test
  - Q-61 33 CFR 154.710 Marine Facilities Bulk Transfer: Person in Charge
  - S-4 10 CFR 35.50 Radiation Safety Officer for Medical Use of Byproduct Material
  - S-5 10 CFR 35.51 Authorized Medical Physicist for Medical Use of Byproduct Material

- The following sections have been added:
  - I-13.1 49 CFR 385.203 Motor Carrier Safety Auditors and Investigators
- The following sections have been revised to update resource information and to make minor corrections:
  - L-1 29 CFR 1910.7(b) Nationally Recognized Testing Laboratory
  - L-1.5 29 CFR 1910.30 Walking and Working Surfaces
  - L-5 29 CFR 1910.95(k) Occupational Noise Exposure
  - L-6.5 29 CFR 1910.109(k)(1)&(2) Explosives Process Safety Management
  - L-8 29 CFR 1910.111(b)(13) Anhydrous Ammonia Unloading
  - L-9 29 CFR 1910.119(g) Process Safety Management for Employees
  - L-10 29 CFR 1910.119(h) Process Safety Management for Contractors
  - L-10.5 29 CFR 1910.132 General Personal Protective Equipment
  - L-11 29 CFR 1910.134 Respiratory Protection

## did you know?

- **Enhanced Measures to Combat Exposure to Extreme Heat:** The U.S. Occupational Safety and Health Administration (OSHA) has issued a news release to announce enhanced, expanded measures to protect workers from hazards of extreme heat, both indoors and outdoors. OSHA is implementing an enforcement initiative on heat-related hazards, developing a National Emphasis Program on heat inspections, and is also launching a rulemaking process to develop a workplace heat standard. In addition, the agency is forming a National Advisory Committee on Occupational Safety and Health Heat Injury and Illness Prevention Work Group to provide a better understanding of the challenges and to identify best practices to protect workers. OSHA has issued an Advance Notice of Proposed Rulemaking on heat injury and illness prevention in outdoor and indoor work settings as a first step towards a federal heat standard to ensure protections in workplaces across the country.



### industry insight

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