



## About the Fire Service CDL Exemption

Periodically, the Safety Director is asked about the specifics or limitations of the exemption granted to the fire service, first aid and rescue agencies, and the office of emergency management (OEM). Upon an examination of the exemption, we provide the following guidance.

Title 39:3-10k states, “unless otherwise required by federal law or regulations, and subject to any rules and regulations promulgated pursuant to the provisions of this act, no designated operator of firefighting apparatus ... or operator of emergency or rescue equipment operated for the purposes of a first aid, ambulance, or rescue squad or for disaster control shall be subject to the licensing provisions of the “Commercial Motor Vehicle Safety Act of 1986.” 39:310k1 specifically extends the exemption to the local offices of emergency management.

The wording does not specify any limitations to the exemption. The Safety Director is also not aware of federal laws, or further regulations of this provision that places any limitations or restrictions on this exemption. **It is the opinion of the Safety Director that the exemption extends to any designated operator of fire apparatus, rescue unit, or OEM vehicle who operates that vehicle for emergency responses, drills, parades, repair and maintenance in the State of New Jersey.** This is a State exemption, so non-emergency operation of vehicles over 26,000 gross vehicle weight beyond the State borders should be performed by a properly licensed and credentialed holder of a Commercial Drivers’ License.

The Safety Director recommends emergency agencies update their lists of designated drivers / operators on at least a yearly basis. It is also important to have a comprehensive driver training program and driver training records. The Safety Director can assist agencies with written policies, initial and refresher training programs and resources, and with in-house accident investigations.

Specific concerns regarding the operation of your agency’s vehicles can be brought to the attention of your town’s or district’s attorney. Members can also contact their Risk Manager with insurance or coverage questions.