



# **Illinois Department of Transportation**

Office of Finance & Administration / Bureau of Investigations & Compliance / Rm 323  
2300 South Dirksen Parkway / Springfield, Illinois 62764

**FEBRUARY 16, 2021**

## **DECLARATION OF EMERGENCY**

Pursuant to Title 49 CFR 390.23, the Illinois Department of Transportation declares an emergency exists that warrants issuance of this emergency declaration. This emergency declaration is in response to a request from the Midwest Truckers Association and the Illinois Propane Gas Association for emergency relief from Parts 390-399 of the Illinois Motor Carrier Safety Regulations. The emergency is due to the extreme arctic cold weather and delays at propane terminals causing interruptions in availability and/or the delivery of propane and other home heating fuels throughout the State of Illinois.

This Declaration of Emergency provides for the regulatory relief for commercial motor vehicle operations including the maximum hours of service while providing direct assistance supporting the delivery of propane and home heating fuels to customers throughout the State of Illinois.

The Illinois Department of Transportation, in order to allow for the transportation of propane within the state in a safe manner and as described in this declaration that will benefit the citizens of Illinois, requires the following conditions to be met by the industry participants to qualify for this emergency relief:

- 1) No motor carrier operating under the terms of this emergency declaration shall require or allow an ill or fatigued driver to operate a motor vehicle, as indicated in Title 49 CFR 390.23(b).
- 2) When the driver has been relieved of all duty and responsibilities upon termination of direct assistance to a local emergency relief effort, no motor carrier shall permit or require any driver used by it to drive nor shall any such driver drive in commerce until the driver has met the requirements of Title 49 CFR 395.3(a) and (c) of this chapter.
- 3) Any motor carrier having a current out-of-service order against them from either the Federal Motor Carrier Safety Administration and/or any governmental agency of the state of Illinois or currently has no valid operating authority as defined by either the Federal Motor Carrier Safety Administration and/or any governmental agency of the state of Illinois in effect during any period of this declaration timeframe may not take advantage of the relief from regulations that this declaration provides under Title 49 CFR, Part 390.23.

This emergency relief extends from Tuesday, February 16, 2021 at 12:00 a.m. to Saturday, February 20, 2021 at 11:59 p.m., or until the emergency subsides, whichever

occurs first. Should these severe conditions persist beyond the expiration date, an extension of relief will be considered at that time.

This Declaration of Emergency will be transmitted to the Illinois State Police, Midwest Truckers Association, Illinois Trucking Association, and the Illinois Propane Gas Association for release statewide.

A handwritten signature in dark ink, appearing to read 'Bill Hutton', with a long horizontal stroke extending to the right.

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Bill Hutton, Bureau Chief  
Bureau of Investigations and Compliance  
Illinois Department of Transportation