

QUESTIONS and ANSWERS

on

COLONIAL PIPELINE EMERGENCY

Federal Motor Carrier Safety Administration / Federal Highway Administration

May 12, 2021

Q: What does this announcement mean?

A: It allows the identified States that have existing major disaster declarations in place to increase weight limits on their Interstate roads.

Q: What can States do to increase weight limits for trucks to help with fuel shortages?

A: State have a range of legal authorities, and we are encouraging them to make use of these. For example:

- States are issuing Emergency declarations and giving their state DOTs broad authority to allow overweight vehicles to operate on roads other than the Interstate System.
- States issue permits for overweight trucks on specific routes to ensure those locations – particularly bridges on these routes – have the capacity to safely handle the increased weights.
- Some States are issuing additional relief, such as waivers for fuel trucks to allow them to bypass State weigh stations and inspection stations.

Q: Why can't States raise the weight limits on Interstates for fuel trucks?

A: They can, but only in certain circumstances.

- Federal law imposes weight limitations on the Interstate System. There are some exceptions to the limitations, but most do not apply here.
- However, one such exception allows States to issue special permits for vehicles and loads that are delivering relief supplies when:
 1. The President declares the emergency is a “major disaster” under the Stafford Act;
and
 2. The State permits are issued in accordance with State laws and regulations; *and*
 3. The permits are for delivery of essential services, in this case gasoline and other fuel.
- By statute, the State’s authority to issue special permits expires 120 days after the President issues the major disaster declaration.

Q: Does the FMCSA Declaration issued on May 9 include ethanol?

A: Yes.