
DECLARATION OF TRANSPORTATION EMERGENCY BY THE SECRETARY OF THE
MARYLAND DEPARTMENT OF TRANSPORTATION

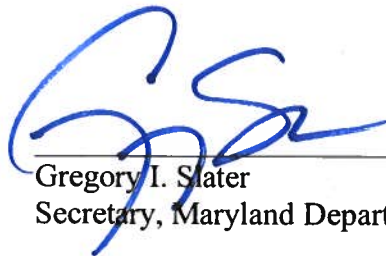
Emergency Waiver from Motor Carrier Transportation Regulations in Maryland

- WHEREAS, A REGIONAL EMERGENCY DECLARATION UNDER 49 CFR § 390.23 HAS BEEN DECLARED BY THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION UNDER ORDER No. 2021-002 FOR THE STATES OF ALABAMA, ARKANSAS, DISTRICT OF COLUMBIA, DELAWARE, FLORIDA, GEORGIA, KENTUCKY, LOUISIANA, MARYLAND, MISSISSIPPI, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, SOUTH CAROLINA, TENNESSEE, TEXAS, VIRGINIA AND WEST VIRGINIA;
- WHEREAS, Regional Emergency Declaration No. 2021-002 is in direct response to an unanticipated shutdown of the Colonial pipeline fuel distribution system due to network issues that affect the supply of gasoline, diesel, jet fuel, ethanol and other refined petroleum products throughout the affected States which includes Maryland;
- WHEREAS, The failure of the pipeline constitutes a man-made emergency that may interrupt the delivery of essential services or essential supplies or otherwise immediately threatens human life or public welfare;
- WHEREAS, Addressing this emergency condition which has created an immediate need for transportation of gasoline, diesel, jet fuel, ethanol and other refined petroleum products throughout the State of Maryland as a result of the Colonial pipeline shutdown is in the best interests of the citizens of Maryland and will facilitate emergency relief efforts;
- WHEREAS, Efficient and effective distribution of these products necessitates an emergency waiver of those regulations specified herein and an increase in current weight limitations imposed by statute;
- WHEREAS, Larry Hogan, Governor of the State of Maryland, by virtue of the authority vested in him by the Constitution and Laws of Maryland, including but not limited to Title 25 of the Transportation Article of the Annotated Code of Maryland, has delegated to me as Secretary of Transportation, the power to declare a transportation emergency pursuant to Transportation Article § 25-111.

NOW, THEREFORE, I, GREGORY I. SLATER, SECRETARY OF THE MARYLAND DEPARTMENT OF TRANSPORTATION, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY A DELEGATION FROM LARRY HOGAN, GOVERNOR OF THE STATE OF MARYLAND AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 25 OF THE TRANSPORTATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND, DO HEREBY ORDER:

1. There is a transportation emergency throughout the State acknowledged by the Federal Motor Carrier Safety Administration with the issuance of Emergency Declaration 2021-002.
2. The United States Department of Transportation has advised that Presidential Declarations issued under the Stafford Act and currently in effect provide states authority to raise weight limits on the Interstate Highway System to address this specific emergency.
3. Pursuant to Title 49, Code of Federal Regulations Part 390.23 and Title 25, Subtitle 25-111 of the Transportation Article of Maryland motor carriers and drivers transporting gasoline, diesel, jet fuel, ethanol and other refined petroleum products, and provided relief from Parts 390-399 of Title 49 Code of Federal Regulations by Federal Motor Carrier Safety Administration Emergency Declaration 2021-002, are extended identical relief while in intrastate operation on state and local roadways. Motor carriers and drivers must adhere to the requirement of Title 49, Code of Federal Regulations Part 390.3 related to ill or fatigued drivers and all requirements so stated in Federal Motor Carrier Safety Administration Order 2021-002.
4. Vehicles Transporting gasoline, diesel, jet fuel, ethanol and other refined petroleum products for emergency relief are allowed a 15% tolerance above any weight limit imposed by statute. Said tolerance shall be the only tolerance applicable to the vehicle. Vehicles exceeding this tolerance and carrying a non-divisible load shall obtain a hauling permit as required. No vehicle shall exceed any tire manufacturer's maximum load capacity rating or cargo tank laden weight specification as required by 49 CFR 178.345-14.
5. The Administrator, Maryland State Highway Administration, or the Administrator's designee may temporarily waive or modify hauling permit restrictions and conditions deemed safe and appropriate to facilitate relief efforts.

6. Carriers and drivers operating under the provisions of this declaration must adhere to all roadway restrictions of the Maryland State Highway Administration, Maryland Transportation Authority and local jurisdictions regarding roadway, bridge and tunnel size, weight and hazardous material limitations.
7. Nothing in this declaration relieves the carrier or driver of responsibility for the safe operation of the vehicle.
8. The provisions of this Order regarding increased vehicle weight limitations on the Interstate Highway System are only applicable as provided by federal code. Such relief is strictly under the purview of and must be independently declared by the appropriate federal agency. Any such declaration currently in effect or any future declaration so made and receiving concurrence by me as the Maryland Secretary of Transportation shall become a part of this Order.
9. This Order shall remain in effect for 5 days from the date of issuance unless rescinded or extended by the Secretary.



Gregory I. Slater

Secretary, Maryland Department of Transportation

Date: May 12, 2021