



State of Emergency Declaration to Provide Temporary Hours of Service Regulatory Relief due to Winter Weather and Extreme Cold

In accordance with the authority delegated to me to activate the Tennessee Emergency Management Plan and the authority granted to me by Governor Bill Lee, pursuant to Tennessee Code Annotated § 58-2-107(b)(1)(A), (b)(1)(B), and (k), to declare a state of emergency so that certain commercial vehicles engaged in the supply of fuel may be considered participants in an emergency relief effort for the purpose of the suspension of federal hours-of-service regulations promulgated by the federal motor carrier safety administration; and given the extreme winter weather and extended frigid temperatures forecasted for Tennessee and the nation that will result in increased demand for fuels and energy, I, Patrick C. Sheehan, Director of the Tennessee Emergency Management Agency, do hereby declare a state of emergency throughout the State of Tennessee due to a minor disaster.

This state of emergency provides temporary relief from 49 CFR § 395.3, limiting the hours of service of the operator of a commercial motor vehicle providing fuels, including fuel oil, diesel oil, gasoline, kerosene, propane, liquid petroleum, and other refined petroleum products and heating fuels and is declared in accordance with 49 CFR § 390.23 as adopted by Tenn. Comp. R. & Regs, Chapter 1340-06-01-.08.

Nothing in this declaration shall be construed as an exemption from the Commercial Driver's License requirements in 49 CFR, Part 383, the financial requirements in 49 CFR, Part 387, or applicable federal size and weight limitations.

No motor carrier operating under the terms of this declaration shall require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor carrier that he or she needs immediate rest shall be given at least ten (10) consecutive hours off-duty before the driver is required to return to service.

The hours-of-service exemption authorized in this declaration shall be effective at 4:00 pm CST on January 13, 2024, and remain in effect for fourteen (14) days, terminating at 3:59 pm CST on January 27, 2024.

A handwritten signature in black ink, appearing to read "P.C. Sheehan".

Patrick C. Sheehan, Director