



**Federal Motor Carrier
Safety Administration**

November 8, 2024

**AMENDED EXTENSION OF EMERGENCY DECLARATIONS
PURSUANT TO 49 CFR § 390.25
Nos. 2024-008 and 2024-010**

FLORIDA, GEORGIA, NORTH CAROLINA, SOUTH CAROLINA, AND TENNESSEE

The United States Department of Transportation (USDOT), Federal Motor Carrier Safety Administration (FMCSA) declares that an emergency exists that warrants extension of Regional Emergency Declarations to continue emergency relief granted from certain regulatory requirements in Parts 390-399 of the Federal Motor Carrier Safety Regulations (FMCSRs).¹ This Amended Extension of Emergency Declarations is in response to Hurricanes Helene and Milton and their effects on people and property, including immediate threats to human life, public safety, and public welfare from heavy rains, strong winds, storm surge, high surf, and flooding. This Amended Extension of Emergency Declarations addresses the emergency conditions creating a need for immediate transportation relating to the restoration of essential supplies and essential services and provides necessary relief. Affected States included in this Amended Extension of Emergency Declarations are: Florida, Georgia, North Carolina, South Carolina, and Tennessee.

Between September 23-27, 2024, the Governors of the States of Florida, Georgia, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia issued emergency declarations related to Hurricane Helene; the Governor of the State of Florida also issued an emergency declaration on October 5, 2024 related to Hurricane Milton. Each of these declarations resulted in up to 14 days of emergency relief from 49 CFR §§ 395.3 and 395.5. Additionally, during the period of September 24 through 27, the President of the United States issued major disaster and/or emergency declarations for the States of Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Virginia related to Hurricane Helene and on October 7-11 issued emergency declarations related to Hurricane Milton. These declarations result in up to 30 days of emergency relief from certain FMCSRs.

On October 4 and 17, 2024, FMCSA issued Regional Declarations of Emergency and Extension of Emergency Declarations Nos. 2024-008 and 2024-010 related to Hurricanes Helene and Milton. Because emergency conditions have not abated several States, FMCSA is issuing this Amended Extension of Emergency Declarations and granting regulatory relief in the Affected States in accordance with 49 CFR § 390.25.

¹ This Amended Extension of Emergency Declarations is posted at <https://www.fmcsa.dot.gov/emergency-declarations>.

This Amended Extension of Emergency Declarations provides regulatory relief for commercial motor vehicle operations providing direct assistance supporting emergency relief efforts involving transportation and other relief services incident to the immediate restoration of essential supplies or essential services in the Affected States as follows:

1. Direct assistance supporting emergency relief efforts including transportation related to the immediate restoration of essential supplies.

Motor carriers and drivers providing direct assistance related to the emergency resulting from Hurricanes Helene and Milton related to the immediate restoration of essential supplies and essential services in the Affected States are granted relief from 49 CFR § 395.3, maximum driving time for property-carrying vehicles and 49 CFR § 395.5, maximum driving time for passenger-carrying vehicles, subject to the restrictions and conditions set forth herein.

2. Direct assistance related to the immediate restoration of essential services through operation of utility service vehicles.

Motor carriers and drivers operating utility service vehicles and providing direct assistance to the emergency resulting from Hurricanes Helene and Milton related to the immediate restoration of essential services in the Affected States are granted emergency relief from 49 CFR Parts 391 and 395, subject to the restrictions and conditions set forth herein.

The regulatory relief under this Amended Extension of Emergency Declarations applies regardless of the origin of the trip, so long as the carrier or driver is providing direct assistance to the Affected States. Direct assistance does not include transportation related to long-term rehabilitation of damaged physical infrastructure after the initial threat to life and property has passed, nor does it include routine commercial deliveries, including mixed loads with a nominal quantity of qualifying emergency relief added to obtain the benefits of this emergency declaration.

Restrictions & Conditions

By execution of this Amended Extension of Emergency Declarations, motor carriers and drivers providing direct assistance to the emergency in the Affected States are granted emergency relief from certain FMCSRs as set forth herein, subject to the following restrictions and conditions:

1. Nothing in this Amended Extension of Emergency Declarations shall be construed as a waiver of or exemption from any applicable requirements or any portion of the FMCSRs (49 CFR Parts 350-399) including the controlled substance and alcohol uses and testing requirements (49 CFR Part 382), the commercial driver's license requirements (49 CFR Part 383), or the financial responsibility (insurance) requirements (49 CFR Part 387); Federal Hazardous Materials Safety Regulations (HMRs) (49 CFR Parts 100-180); vehicle size, and weight limitations, as well as route designations administered by the Federal Highway Administration (23 CFR Part 658;

23 U.S.C. 127; 49 U.S.C. §§ 31111-31115); or any other regulations for which relief is not specifically granted herein.

2. Motor carriers or drivers currently subject to an out-of-service order are not eligible for the relief granted by this Amended Extension of Emergency Declarations until they have met the applicable conditions for its rescission and the order has been rescinded in writing by the issuing jurisdiction.
3. This Amended Extension of Emergency Declarations provides for regulatory relief for commercial motor vehicle operations while providing direct assistance supporting emergency relief efforts in the Affected States. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services that are not in support of emergency relief efforts related to the emergency as set forth in this Amended Extension of Emergency Declarations, or when the motor carrier dispatches a driver or commercial motor vehicle to another location to begin operations in commerce. Upon termination of direct assistance to emergency relief efforts related to the emergency as set forth in this Amended Extension of Emergency Declarations, the motor carrier and driver are subject to the requirements of all FMCSRs while operating commercial motor vehicles, except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location without complying with the regulations for which the driver was provided emergency relief as set forth in this Amended Extension of Emergency Declarations, except as noted herein. When a driver is moving from emergency relief efforts to normal operations, (1) if a driver is transporting property, a 10-hour break is required when the total time a driver is engaged in emergency relief efforts, or in a combination of emergency relief and normal operations, equals or exceeds 14 hours; and (2) if a driver is transporting passengers, an 8-hour break is required when the total time a driver is engaged in emergency relief efforts, or a combination of emergency relief and normal operations, equals or exceeds 10 hours.

In accordance with 49 CFR § 390.25, this Amended Extension of Emergency Declarations is effective immediately and shall remain in effect until the end of the emergency (*as defined in 49 CFR § 390.5T*) or until 11:59 P.M. (ET), November 26, 2024, whichever is earlier. FMCSA intends to continually review the status of this Declaration and the relief granted herein. As necessary, FMCSA may take action to modify this Amended Extension of Emergency Declarations, including modification of the transportations and commodities covered by the Amended Extension of Emergency Declarations, and extend, or terminate the Declaration if conditions warrant.



Issued this 8th day of November 2024

Vincent G. White, Deputy Administrator
Federal Motor Carrier Safety Administration