

State of Maine



Proclamation of Energy Emergency

WHEREAS, the State of Maine is experiencing a prolonged period of below average cold temperatures and windy conditions statewide, which has significantly increased heating demand for residences and businesses;

WHEREAS, the increased heating demand has resulted in fuel delivery backlogs statewide, particularly affecting will-call customers who are disproportionately low-income;

WHEREAS, heating fuel delivery crews will need to work continuously to ensure continuity of supply during this prolonged period of cold and windy weather;

WHEREAS, these severe winter weather conditions present a direct and immediate threat to the public health, safety, and welfare; and

WHEREAS, 49 CFR § 395.3 limits the number of hours that certain drivers of vehicles may operate unless, as contemplated by 49 CFR § 390.23(b), an Energy Emergency is declared pursuant to 37-B M.R.S. § 742(2); and

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to Me. Const. Art V, Pt 1, §§ 1 and 12, do hereby find that these conditions constitute an Energy Emergency under 37-B M.R.S. § 742(2)(A), and therefore by this Proclamation declare an Energy Emergency. This Proclamation shall constitute the exemption recognized by federal law that will enable heating fuel delivery crews to operate in Maine free from otherwise applicable hours of service limitations, provided that: (a) no motor carrier operating under this Proclamation shall require or allow an ill or fatigued driver to operate a motor vehicle; (b) a driver who notifies a motor carrier that such driver needs immediate rest shall be given at least ten (10) consecutive hours off-duty before returning to service; (c) the relief from 49 CFR § 395.3 provided by this Proclamation does not apply to motor carriers currently subject to an Out of Service Order or whose license is under suspension; (d) this Proclamation shall not be construed as affecting any applicable regulatory requirements other than those set forth in 49 CFR § 395.3; and (e) drivers operating under this Proclamation shall carry a copy as evidence of their direct emergency service to the people of Maine.

This Proclamation shall expire fourteen (14) days from its signature, unless otherwise terminated or extended. Dated this 10th day of January 2025.

Dated this 10th day of January, 2025.

In testimony whereof, I have caused the
Great Seal of the State to be hereunto
affixed GIVEN under my hand at Augusta
and dated this 10th day of January, Two
Thousand Twenty-Five.

Janet T. Mills
Governor

Shenna Bellows
Secretary of State
TRUE ATTESTED COPY