



**Federal Motor Carrier
Safety Administration**

January 27, 2025

EXTENSION AND MODIFICATION OF REGIONAL EMERGENCY DECLARATION
No. 2025-001

**ALABAMA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, CONNECTICUT,
DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, IDAHO,
KENTUCKY, LOUISIANA, MAINE, MARYLAND, MASSACHUSETTS, MISSISSIPPI,
MONTANA, NEVADA, NEW HAMPSHIRE, NEW JERSEY, NEW MEXICO, NEW
YORK, NORTH CAROLINA, NORTH DAKOTA, OKLAHOMA, OREGON,
PENNSYLVANIA, RHODE ISLAND, SOUTH CAROLINA, SOUTH DAKOTA,
TENNESSEE, TEXAS, UTAH, VERMONT, VIRGINIA, WASHINGTON, WEST
VIRGINIA, WISCONSIN, AND WYOMING**

The Federal Motor Carrier Safety Administration (FMCSA) hereby declares that an emergency exists that warrants extension of Regional Emergency Declaration No. 2025-001 and continuing the emergency relief from certain regulatory requirements in Part 395 of the Federal Motor Carrier Safety Regulations (FMCSRs), except as otherwise restricted herein. Affected States and jurisdictions (Affected States) included in this extension and modification of Emergency Declaration No. 2025-001 are: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

On January 10, 2025, due to severe winter storms, extreme low temperatures, and high fuel demand resulting in difficulty in distribution of necessary heating fuel, including propane, natural gas, and heating oil, in the Affected States, and the ongoing and anticipated effects on people and property including the immediate risk to public health, safety and welfare, FMCSA issued Regional Emergency Declaration No. 2025-001 providing emergency relief from 49 CFR § 395.3 for motor carriers and drivers providing direct assistance to the winter storm emergency in the Affected States. The emergency regulatory relief provided by the Emergency Declaration No. 2025-001 expires on January 31, 2025. On or about January 24, 2025, FMCSA received requests to extend the Emergency Declaration through February 15, 2024, and modify the declaration to include the transportation of gasoline and diesel fuel. Because emergency conditions have not abated, FMCSA is extending and modifying Emergency Declaration No. 2025-001 and granting regulatory relief in accordance with 49 CFR § 390.25 as set forth herein.

By execution of this extension and modification of Emergency Declaration 2025-001, motor carriers and drivers providing direct assistance supporting emergency relief efforts transporting

heating fuel, including propane, natural gas, and heating oil, and gasoline and diesel fuel into the Affected States are granted emergency relief from 49 CFR § 395.3, maximum driving time for property-carrying vehicles, subject to the restrictions and conditions set forth herein.¹ Direct assistance means transportation and other relief services provided by a motor carrier or its driver(s) incident to the immediate restoration of essential supplies or essential services. 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.

Emergency Declaration Restrictions & Conditions

By execution of this extension and modification of Emergency Declaration No. 2025-001, motor carriers and drivers providing direct assistance to the emergency as set forth herein are granted relief from 49 CFR § 395.3, maximum driving time for property-carrying vehicles, subject to the following restrictions and conditions:

1. Nothing in this extension and modification of Emergency Declaration No. 2025-001 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 § 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 extension and modification of Emergency Declaration No. 2025-001 until they have met the applicable conditions for its rescission and the order has been rescinded in writing by the issuing jurisdiction.
3. This extension and modification of Emergency Declaration No. 2025-001 provides for regulatory relief from 49 CFR § 395.3 for commercial motor vehicle operations while providing direct assistance supporting emergency relief efforts. 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 extension and modification of Emergency Declaration No. 2025-001, or when the motor carrier dispatches a driver or commercial motor vehicle to another location to begin operations in commerce. (49 CFR § 390.23(e)). Upon termination of direct assistance to emergency relief efforts related to the emergency as set forth in this extension and modification of Emergency Declaration No. 2025-001, the motor carrier and driver are subject to the requirements of 49 CFR § 395.3 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 49 CFR § 395.3, except as noted herein. When a

¹ This extension and modification of Emergency Declaration No. 2025-001 is posted at <https://www.fmcsa.dot.gov/emergency-declarations>.

driver is moving from emergency relief efforts to normal operations, 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.

In accordance with 49 CFR § 390.23, this extension and modification of Emergency Declaration No. 2025-001 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), February 15, 2025, whichever is earlier. FMCSA intends to continually review the status of Emergency Declaration No. 2025-001 and the relief granted herein. As necessary, FMCSA may take action to modify the Emergency Declaration, including modification of the transportations and commodities covered by the Emergency Declaration, extend, or terminate the Emergency Declaration if conditions warrant.

Please note: If the President of the United States or the Governor or authorized representative of the State in which you are providing direct assistance to emergency relief efforts has also issued an emergency declaration relating to this emergency for that State, that Declaration may provide additional regulatory relief.

Issued this 27th day of January 2025

Federal Motor Carrier Safety Administration