

DECLARATION OF EMERGENCY NOTICE
(Title 49 CFR Section 390.23)

Pursuant to 49 CFR Section 390.23, I, Governor Maura T. Healey, declare that an emergency exists pertaining to intrastate transportation of residential heating fuels, specifically propane, heating oil, and natural gas to customers in the Commonwealth of Massachusetts.

The emergency exemption request is due to high demand from the recent and continuing colder than normal temperatures resulting in increased heating demand, as well as a multi-day storm that impacted the region last weekend and continues to impede local deliveries. Colder temperatures are forecast to continue through mid-February. The requested waiver will allow the delivered fuels industry to provide enough transportation to catch up with a backlog of heating fuel orders, meet current and ongoing high demand, and keep consumer storage tanks full and homes and businesses warm and safe.

It is in the best interests of the Commonwealth of Massachusetts to provide for the safe transportation of propane, heating oil, and natural gas within Massachusetts, and to assure that propane, heating oil, and natural gas supplies will remain sufficient to protect the health and safety of Massachusetts' residents.

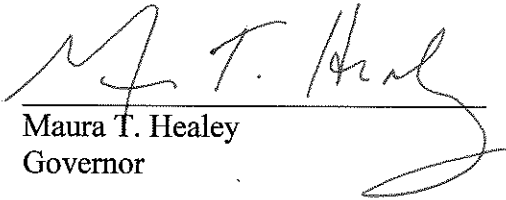
This emergency declaration provides regulatory relief for commercial motor vehicles operations while providing direct assistance supporting the delivery of propane, heating oil, and natural gas into the Commonwealth of Massachusetts and to consumers during the emergency.

This emergency exemption is effective immediately, superseding the one issued on January 23, 2026, and will remain in effect until **11:59 P.M., EST, on Tuesday, February 24, 2026** unless rescinded sooner by appropriate order.

The following is ordered:

1. An emergency exists that requires relief from regulations adopted in Massachusetts and Federal Statutes and Regulations pertaining to hours of service of motor carriers and drivers of commercial motor vehicles, while transporting and delivering fuels necessary for the continued heating of homes, businesses and other structures. (49 CFR Part 395).
2. Nothing contained in this declaration shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing requirements (49 CFR Part 382), the Commercial Driver's License requirements (49 CFR Part 383), the Financial Responsibility requirements (49 CFR Part 387), applicable Size and Weight requirements, or any other portion of the regulation not specifically authorized pursuant to Title 49 CFR Section 390.23.

3. No motor carrier operating under the terms of this exemption shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive hours off-duty before the driver is allowed to return to service.
4. Motor carriers or drivers that have an Out of Service Order in effect **may not** take advantage of the relief from regulations that this declaration provides under Title 49 CFR Section 390.23.
5. The relief from regulations provided by this declaration may not be relied upon when a driver or commercial vehicle is used to transport cargo or provide services not directly supporting the emergency relief effort.
6. Drivers of motor carriers that operate under this Declaration of Emergency Notice must have a copy of it in their possession.
7. Consistent with Title 49 CFR Section 390.23, this emergency notice will remain in effect through 11:59 P.M., EST, February 24, 2026 or sooner if terminated by the Governor.


Maura T. Healey
Governor

DATE: February 6, 2026

3:25 AM/PM