Federal Motor Carrier
Safety Administration

September 11, 2026

EXTENSION OF EMERGENCY DECLARATION
PURSUANT TO 49 CFR § 390.25
No. 2026-002

NEBRASKA

The United States Department of Transportation (USDOT), Federal Motor Carrier Safety Administration (FMCSA) declares that an emergency exists that warrants extension of the emergency declaration issued by the Governor of the State of Nebraska to continue emergency relief granted from certain regulatory requirements in the Federal Motor Carrier Safety Regulations (FMCSRs).[1] This Extension of Emergency Declaration is in response to widespread wildfires in the State of Nebraska, and their effect on people, property, and food supply, including immediate threats to human life, public safety, or public welfare. This Extension of Emergency Declaration addresses the emergency conditions creating a need for immediate transportation relating to the restoration of essential supplies and essential services, and provides necessary relief in the State of Nebraska.

On March 16, 2026, the Governor of the State of Nebraska issued a State of Emergency (No. 26-07) related to widespread wildfires and severe impacts on livestock, feed, and supplies. On March 30, 2026, following a request by the State of Nebraska, FMCSA extended the emergency regulatory relief from Federal hours-of-service regulations for commercial motor vehicle drivers and motor carriers providing direct assistance to the emergency through April 14, 2026. On April 10, 2026, May 8, 2026, June 10, 2026, July 9, 2026, and August 5, 2026, the State of Nebraska requested additional extensions of the emergency relief from Federal hours-of-service regulations; FMCSA granted 30-day extensions on April 14, 2026, May 14, 2026, June 12, 2026, July 14, 2026, and August 11, 2026. Due to ongoing windblown wildfire activity and severe drought conditions resulting in the urgent need for and hauling of livestock feed from ever-greater distance, on September 10, 2026, the State of Nebraska requested an additional 30-day extension of the emergency regulatory relief. Because emergency conditions have not abated, FMCSA is issuing this Extension of Emergency Declaration and granting regulatory relief in accordance with 49 CFR § 390.25 as set forth herein.

The Extension of Emergency Declaration provides regulatory relief for commercial motor vehicle operations while providing direct assistance supporting emergency relief efforts related to the emergency in the State of Nebraska. By execution of this Extension of Emergency Declaration, motor carriers and drivers providing direct assistance to the emergency in the State of Nebraska 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. The

[1] This Declaration is posted at https://www.fmcsa.dot.gov/emergency-declarations.

regulatory relief under this Extension of Emergency Declaration applies regardless of the origin of the trip, so long as the carrier or driver is providing direct assistance to the emergency in the State of Nebraska. 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 the Declaration.

Emergency Declaration Restrictions & Conditions

By execution of this Extension of Emergency Declaration, motor carriers and drivers providing direct assistance to the emergency in the State of Nebraska as set forth herein are granted emergency relief from regulations in 49 CFR § 395.3, maximum driving time for property-carrying vehicles, subject to the following restrictions and conditions:

1. Nothing in this Emergency Declaration 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 substances and alcohol use 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 Extension of Emergency Declaration 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 of Emergency Declaration 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 of Emergency Declaration, 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 of the Emergency Declaration, the motor carrier and driver are subject to the requirements of 49 CFR § 395.3 while operating commercial motor vehicles in interstate commerce, 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 driver is moving from emergency relief efforts to normal operations, if the 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.

In accordance with 49 CFR § 390.25, this Extension of Emergency Declaration 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), October 11, 2026, whichever is earlier. FMCSA intends

to review continually the status of this Declaration and the relief granted herein. As necessary, FMCSA may take action to modify this Extension of Emergency Declaration, including modification of the transportations and commodities covered by the Declaration, and to extend, or to terminate this Extension of Emergency Declaration if conditions warrant.

Issued this 11th day of September 2026

Derek D. Barrs
Administrator