



Southern Service Center  
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In Reply Refer To: MC-EFS-SV

U.S. Department  
Of Transportation  
Federal Motor Carrier  
Safety Administration

May 21, 2013

## DECLARATION OF REGIONAL EMERGENCY 49 CFR § 390.23

Pursuant to Title 49 CFR § 390.23, I, Darrell L. Ruban, Field Administrator of the Federal Motor Carrier Safety Administration (FMCSA), declare a regional emergency exists that justifies an exemption from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations (49 CFR Parts 390-399). This Declaration of Regional Emergency is in response to a series of major tornadoes beginning on May 18, 2013, and its effect on people and property including an immediate threat to human life or public welfare, in affected areas in Oklahoma, including in and around Oklahoma City, Oklahoma.

This Declaration of Regional Emergency is issued as a result of interruptions in the availability and/or delivery and repair of services and property throughout the region, to include the State of Oklahoma, and a need for emergency transportation of medical supplies and personnel, first aid, food, fuel and other emergency relief. The Declaration is effective at 10:00 a.m., EDT, May 21, 2013.

This Declaration provides relief for commercial motor vehicle operations while providing emergency relief materials and services to customers in Oklahoma during the emergency. This exemption applies only to operations providing direct assistance to the emergency relief effort, as defined in 49 CFR 390.5 -- meaning "direct assistance to supplement State and local efforts and capabilities to save lives or property or to protect public health and safety." Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services not destined for the emergency relief effort or when the motor carrier operation dispatches such a driver or vehicle to another location to begin operations in furtherance of commerce.

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 (insurance) requirements (49 CFR Part 387), applicable size and weight requirements, or any other portion of the regulations not specifically identified.

**Drivers for motor carriers operating under this Declaration must have a copy of the Declaration in their possession. Motor carriers, drivers and vehicles currently subject to an out-of-service order are not eligible for the exemption until the order expires or they have met the conditions for its rescission.**

Consistent with 49 CFR § 390.23, the Declaration of Regional Emergency will remain in effect for the duration of the emergency (as defined in 49 CFR § 390.5) or 15 days (10:00 a.m. EDT, June 5, 2013) whichever is less.

A handwritten signature in black ink, appearing to read "Darrell L. Ruban".

Darrell L. Ruban  
Field Administrator  
Southern Service Center