

FOR IMMEDIATE DISTRIBUTION
TRUCK INSPECTION
SAFETY NOTICE
August 1, 2013

Subject: Emergency Relief from Motor Carrier Safety Regulations

An Emergency Declaration has been issued by Governor John Kitzhaber. The emergency declaration is in response to an extreme fire that threatens to cause local adverse natural and economic disaster conditions in Josephine County. The conditions have resulted in loss of structures and vehicles, voluntary evacuations of one town, threats to additional structures, and broad impacts to timber lands. The conditions resulting from the "Pacific Fire" threaten significant economic loss to Josephine County, as well as to the county's agricultural and natural resource land bases.

Motor carriers and drivers providing emergency materials and services for direct assistance to emergency efforts in the affected areas are exempt from 49 CFR Parts 390-399 from 5:17 pm, PST, July 25, 2013, until 11:59 pm, PST, August 25, 2013. Direct assistance terminates when a driver or commercial motor vehicle is used to transport cargo or provide services not destined for the emergency relief effort or when the motor carrier operation dispatches such driver or vehicle to another location to begin operations in furtherance of commerce.

Motor carriers or drivers 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.

Drivers for motor carriers operating under this declaration must have a copy of it in their possession.

Pursuant to Federal Motor Carrier Safety Regulation (FMCSR) 390.23, as adopted by Oregon Administrative Rule (OAR) 740-100-0010, the Federal Motor Carrier Safety Regulations shall not apply to commercial motor vehicles providing relief during the declared emergency.

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), operating authority (49 CFR Part 365), applicable size and weight requirements, or any other portion of the regulations not specifically identified.

The 390.23 exemption shall not exceed the duration of the motor carrier's or driver's direct assistance in providing emergency relief. Upon termination of direct assistance to the emergency relief effort, the driver may return empty to the motor carrier's terminal or driver's normal work reporting location without complying with the regulations.

If, in the course of your inspection duties, you stop a commercial motor vehicle who is providing services in support of this emergency, or who is returning empty, DO NOT perform a truck inspection of any kind.

Oregon Department of Transportation
Motor Carrier Transportation Division
SN2013.10
8/1/2013

cc: FMCSA, Salem