

DECLARATION OF EMERGENCY NOTICE (Title 49 CFR 390.23)

*****Modification 01/06/14*****

Pursuant to 49 CFR Section 390.23 and Vermont Title 5 VSA 2101, the Vermont Department of Motor Vehicles declares that an emergency exists pertaining to the delivery of propane to distributors within the State of Vermont.

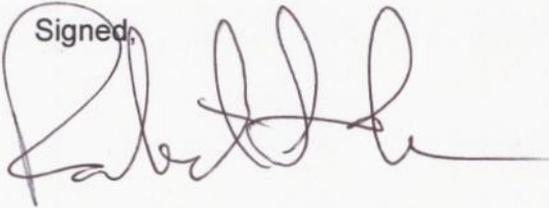
The emergency exemption is issued in connection with anticipated emergency conditions from a shortage of propane at terminals and a period of sub-zero temperatures, all of which have resulted in hazardous driving conditions and extra demands on propane supplies. It is deemed that a declaration of emergency is required to ensure the continuation of these essential services within the State.

As a result of the emergency conditions, the following Declaration of Emergency is ordered:

1. Relief from the Hours of Service Regulations contained in 49 CFR 395.3 of the Federal Motor Carrier Regulations adopted pursuant to Title 23 VSA 2101, for motor carriers providing delivery of propane to distributors in Vermont. The relief applies to motor carriers engaged in the transportation of propane from terminal locations to local distributors. **The emergency exemption for hours of service regulations are modified to include the transportation of propane to homes and businesses for heating purposes performed by motor carriers.**
2. No motor carrier operating under the terms of this declaration 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 required to return to service.
3. Motor Carriers that have an Out of Service Order in effect cannot take advantage of the relief from regulations that this declaration provides under Title 49 CFR 390.23.

4. Nothing contained in this declaration shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing requirements, Commercial Driver's License requirements, Financial Responsibility requirements, Size and Weight requirements or any other portion of the regulations not specifically identified.
5. Drivers for motor carriers that operate under this Declaration of Emergency Notice must have a copy in their possession.
6. Consistent with Title 49 CFR Part 390.23, the Emergency Declaration is extended until midnight on January 13, 2014.
7. Drivers who utilize this exemption may come back into compliance and restart the hours of service clock after taking 24 hours off-duty at the end of their period of extended hours.

Modification issued at 10:45 A.M. on January 6, 2014.

Signed, 

Robert Ide, Commissioner
Vermont Department of Motor Vehicles