



**Federal Motor Carrier
Safety Administration**

**Eastern Service Center
Fallon Federal Building
31 Hopkins Plaza, Ste. 800
Baltimore, MD 21201**

**Midwestern Service Center
4749 Lincoln Mall Drive, Suite 300A
Matteson, IL 60443**

January 18, 2019

**REGIONAL EMERGENCY DECLARATION
UNDER 49 CFR § 390.23
No. 2019-001**

**CONNECTICUT, ILLINOIS, INDIANA, MAINE, MASSACHUSETTS, NEW
HAMPSHIRE, NEW JERSEY, NEW YORK, OHIO, PENNSYLVANIA, RHODE ISLAND
AND VERMONT**

In accordance with the provisions of 49 CFR § 390.23, the Regional Field Administrator and the Field Administrator for the Federal Motor Carrier Safety Administration's (FMCSA) Midwestern and Eastern Service Centers hereby declare that an emergency exists that warrants issuance of a Regional Emergency Declaration and an exemption from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations (FMCSRs), except as otherwise restricted in this Emergency Declaration. Such emergency is in response to significant winter storms and anticipated heating and other fuel shortages in the Affected States. This Declaration addresses the anticipated emergency conditions creating a need for immediate transportation of heating fuels, including propane, natural gas, and heating oil, and other fuel products, including gasoline, into the Affected States and provides necessary relief. Affected States included in this Emergency Declaration are: Connecticut, Illinois, Indiana, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island and Vermont.

By execution of this extension of the Emergency Declaration, motor carriers and drivers providing direct assistance supporting emergency relief efforts transporting heating fuel, including propane, natural gas and heating oil, and other fuel products, including gasoline, into the Affected States are granted emergency relief from Parts 390 through 399 of Title 49 Code of Federal Regulations except as restricted herein.

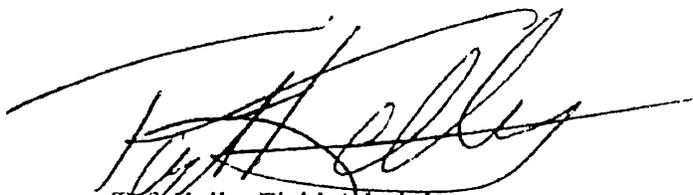
Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services not directly supporting the emergency relief effort or when the motor carrier dispatches a driver or commercial motor vehicle to another location to begin operations in commerce. Upon termination of direct assistance to the emergency relief effort, the motor carrier and driver are subject to the requirements of 49 CFR Parts 390 through 399, except that a driver may return empty to the motor carrier's terminal or

the driver's normal work reporting location without complying with Parts 390 through 399. However, if the driver informs the motor carrier that he or she needs immediate rest, the driver must be permitted at least 10 consecutive hours off duty before the driver is required to return to the motor carrier's terminal or the driver's normal reporting location. Once the driver has returned to the terminal or other location, the driver must be relieved of all duty and responsibilities and must receive a minimum of 10 hours off duty if transporting property, and 8 hours if transporting passengers,

Nothing contained in this Emergency 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), the hazardous material regulations (49 CFR Parts 100-180), applicable size and weight requirements, or any other portion of the regulations not specifically authorized pursuant to 49 CFR § 390.23.

Motor carriers or drivers currently subject to an out-of-service order are not eligible for the relief granted by this declaration until they have met the applicable conditions for its rescission and the order has been rescinded by FMCSA.

In accordance with 49 CFR § 390.23, this declaration is effective immediately and shall remain in effect for the duration of the emergency (*as defined in 49 CFR § 390.5*) or until 11:59 P.M. (ET), February 2, 2019, whichever is less.



Tara Kelly, Field Administrator
Federal Motor Carrier Safety Administration
Eastern Service Center



Darin G. Jones, Regional Field Administrator
Federal Motor Carrier Safety Administration
Midwestern Service Center