



**Federal Motor Carrier
Safety Administration**

**1200 New Jersey Ave. SE
Washington, D.C. 20590**

November 1, 2019

NOTICE OF ENFORCEMENT DISCRETION DETERMINATION

This is a Notice that the Federal Motor Carrier Safety Administration has exercised agency discretion and determined not to enforce the Temporary Operating Authority Registration fee provisions of 49 C.F.R. 360.3T(d)(2) and (f)(6) against those motor carriers requesting Temporary Operating Authority Registration in order to provide direct assistance to emergency relief efforts pursuant to the Regional Declaration of Emergency 2019-008, dated November 1, 2019, issued by FMCSA's Regional Field Administrators for the Midwestern and Western Service Centers, including any future amendments or extensions or limitations to that notice. This Notice will expire upon the termination or expiration of Regional Declaration of Emergency 2019-008, including any future amendments and extensions.

This Notice:

1. Acknowledges the severe anticipated damage and threat to public health, safety and welfare from heating oil shortages in the Affected States as set forth in Regional Declaration of Emergency 2019-008;
2. Considers the interests of safety and the immediate need to alleviate the effects of the heating fuel shortages;
3. Creates no individual rights of action and establishes no precedent for future determinations;
4. Is inapplicable to motor carriers whose operating authority registration is suspended or revoked.

James A. Mullen, Deputy Administrator
Federal Motor Carrier Safety Administration