



**Federal Motor Carrier
Safety Administration**

**Eastern Service Center
802 Cromwell Park Drive, Suite N
Glen Burnie, MD 21061**

September 7, 2017

REGIONAL EMERGENCY DECLARATION
UNDER 49 CFR § 390.23

**DISTRICT OF COLUMBIA, CONNECTICUT, DELAWARE, MAINE, MARYLAND,
MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA,
RHODE ISLAND, VERMONT, VIRGINIA, WEST VIRGINIA**

In accordance with the provisions of 49 CFR § 390.23, the Regional Field Administrator for the Federal Motor Carrier Safety Administration's (FMCSA) Eastern Service Center, hereby declares 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 by this Emergency Declaration. Such emergency is in response to Hurricane Irma and its anticipated effects on people and property, including the immediate threat to human life or public welfare.

On September 5, 2017, President Donald J. Trump declared that an emergency exists in the State of Florida, the Commonwealth of Puerto Rico and the territory of the U.S. Virgin Islands, and ordered Federal assistance to supplement response efforts due to the emergency conditions resulting from Hurricane Irma.

On September 6, 2017, FMCSA issued a Regional Declaration of Emergency covering the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee and the Commonwealth of Puerto Rico and the territory of the U.S. Virgin Islands.

The latest projected track of Hurricane Irma indicates additional States may be impacted. This Emergency Declaration addresses anticipated emergency conditions creating a need for immediate transportation of supplies, equipment and persons and provides necessary relief. Affected States and jurisdictions included in this Emergency Declaration are: the District of Columbia, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia.

By execution of this Emergency Declaration, motor carriers and drivers providing direct assistance to the emergency in the Affected States and jurisdictions in direct support of relief efforts related to Hurricane Irma are granted emergency relief from Parts 390 through 399 of Title 49 Code of Federal Regulations except as restricted herein.

This Emergency Declaration provides for regulatory relief for commercial motor vehicle operations while providing direct assistance supporting emergency relief efforts transporting supplies and equipment into the Affected States and jurisdictions or transporting persons into

or from the Affected States and jurisdictions or providing other assistance in the form of emergency services during the emergency in the Affected States and jurisdictions resulting from Hurricane Irma. 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. 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.

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), October 6, 2017, whichever is less.



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Curtis L. Thomas, Regional Field Administrator
Federal Motor Carrier Safety Administration
Eastern Service Center