



**Federal Motor Carrier
Safety Administration**

January 7, 2022

**REGIONAL EMERGENCY DECLARATION
No. 2022-001**

ALABAMA, ARIZONA, ARKANSAS, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, GEORGIA, IDAHO, IOWA, KENTUCKY, LOUISIANA, MAINE, MARYLAND, NEW HAMPSHIRE, NEW JERSEY, NEW MEXICO, NEW YORK, NORTH CAROLINA, NORTH DAKOTA, PENNSYLVANIA, RHODE ISLAND, SOUTH CAROLINA, SOUTH DAKOTA, TENNESSEE, UTAH, VERMONT, VIRGINIA, WEST VIRGINIA, WISCONSIN, AND WYOMING

The Federal Motor Carrier Safety Administration hereby declares that an emergency exists that warrants issuance of a Regional Emergency Declaration and an exemption from certain regulatory requirements in Part 395 of the Federal Motor Carrier Safety (FMCSRs), except as otherwise restricted in this Emergency Declaration. Such emergency is in response to winter storms and high demand resulting in decreased availability of heating fuel, including propane, natural gas, and heating oil, in the Affected States and the current and anticipated effects on people and property, including the immediate risk to public health, safety and welfare. This Declaration addresses the emergency conditions creating a need for immediate transportation of heating fuel, including propane, natural gas, and heating oil, and provides necessary relief. Affected States and jurisdictions (Affected States) included in this Emergency Declaration are: Alabama, Arizona, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Idaho, Iowa, Kentucky, Louisiana, Maine, Maryland, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

By execution of this Emergency Declaration, motor carriers and drivers providing direct assistance supporting emergency relief efforts transporting heating fuel, including propane, natural gas, and heating oil, into the Affected States are granted emergency relief from 49 CFR § 395.3, maximum driving time for property-carrying vehicles, subject to the restrictions and conditions set forth herein.

Nothing in this Extension of the Emergency Declaration shall be construed as a waiver of or exemption from any applicable requirements or any portion of the FMCSRs or other regulations for which relief is not specifically granted herein. Motor carriers or drivers currently subject to an out-of-service order are not eligible for the relief granted by this Emergency Declaration until they have met the applicable conditions for its rescission and the order has been rescinded in writing by the issuing jurisdiction.

This Emergency Declaration provides for regulatory relief for commercial motor vehicle operations while providing direct assistance supporting emergency relief efforts. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate

commerce to transport cargo or provide services that are not in support of emergency relief efforts related to the emergency in the Affected States as set forth in this Emergency Declaration, or when the motor carrier dispatches a driver or commercial motor vehicle to another location to begin operations in commerce. (49 CFR § 390.23(b)). Upon termination of direct assistance to emergency relief efforts related to the emergency in the Affected States, the motor carrier and driver are subject to the all requirements of the FMCSRs while operating commercial motor vehicles, except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location without complying with 49 CFR § 395.3, except as noted herein. When a driver is moving from emergency relief efforts to normal operations, a 10-hour break is required when the total time a driver is engaged in emergency relief efforts, or in a combination of emergency relief and normal operations, equals 14 hours.

Please note: If the Governor or authorized representative of the State in which you are providing direct assistance to emergency relief efforts has also issued an emergency declaration relating to this emergency, that State Declaration may provide additional regulatory relief.

In accordance with 49 CFR § 390.23, this Emergency Declaration is effective immediately and shall remain in effect until the end of the emergency (*as defined in 49 CFR § 390.5*) or until 11:59 P.M. (ET), February 6, 2022, whichever is earlier. FMCSA intends to continually review the status of this Emergency Declaration and may take action to modify or terminate the Emergency Declaration sooner if conditions warrant.

A handwritten signature in black ink, appearing to read "Darrell L. Ruban", with a stylized flourish at the end.

Darrell L. Ruban
Acting Associate Administrator for Safety
Federal Motor Carrier Safety Administration