



FMCSA OFFERS HOS RELIEF IN EMERGENCY COVID-19 RESPONSE

The FMCSA has issued an emergency declaration under 49 CFR 390.23, applicable nationwide. This emergency declaration is in response to Coronavirus Disease 2019 (COVID-19) outbreaks, and its effects on people, and the immediate risk to public health, safety and welfare. This declaration addresses conditions that create a need for immediate transportation of essential supplies, equipment and persons, and provides relief from FMCSRs for motor carriers and drivers engaged in the transportation of such provisions. [Click Here to View the Expanded Emergency Declaration Under 49 CFR § 390.23 No. 2020-002](#)

MOTOR CARRIERS AND DRIVERS

Motor carriers and drivers providing **direct assistance** in support of relief efforts are granted relief from Parts 390 – 399 of Title 49 CFR. Commercial motor vehicle operations which are providing transportation of materials to meet immediate needs for;

- ◆ Medical Supplies and equipment related to testing, diagnosis and treatment of COVID-19;
- ◆ Supplies and equipment necessary for community safety, sanitation, and prevention of community transmission of COVID-19 such as, masks, gloves, hand sanitizer, soap and disinfectants;
- ◆ Food, paper products and other groceries for emergency restocking of distribution centers or stores;
- ◆ Immediate precursor raw materials, such as paper, plastic or alcohol which are required and to be used for the manufacture of items in the above bullet points;
- ◆ Fuel;
- ◆ Equipment, supplies and persons necessary to establish and manage temporary housing, quarantine, and isolation facilities related to COVID-19;
- ◆ Persons designated by federal, state or local authorities for medical isolation, or quarantine purposes;
- ◆ Persons necessary to provide other medical or emergency services, the supply of which may be affected by the Covid-19 response.

Among the major regulations which are being exempted are those safety rules relating to hours of service and vehicle maintenance and inspection. The complete Federal Motor Carrier Safety Regulations can be found at: www.fmcsa.dot.gov/regulations

Even though safety regulations may be suspended, drivers and carriers are expected to use good judgement and not to operate vehicles when drivers are ill or fatigued, or under any conditions presenting a clear hazard to other motorists using the highways.

Upon termination of direct assistance to emergency relief efforts related to COVID-19, the motor carrier and the driver are subject to the requirements of 49 CFR 390-399, 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 390-399. All regulations associated with Drug/Alcohol use and/or testing (49 CFR 382) STILL APPLY, as do regulations which apply to commercial driver's license requirements (49 CFR 383), Financial Responsibility (49 CFR 387), Hazardous materials regulations (49 CFR 100 -180), applicable size and weight requirements, or any other portion of the regulations not specifically exempted under 49 CFR 390.23.

FAQ'S

- ◆ Since the hours of service rules do not apply when operating under an emergency declaration, you do not have to maintain a record of duty status. It is recommended you explain the activity in a remarks section, without completing the detailed grid, for future reference.
- ◆ Weigh stations are managed by individual states, so requirements to stop may vary. You should assume normal rules apply.

Drivers should be prepared to explain to law enforcement officers how their shipment qualifies under the emergency provisions.

[Click Here to View General Emergency FAQs](#)



Find Out More

We are always here to answer any questions you may have and look forward to hearing from you.

INSURICA.com