



U.S. Department  
of Transportation  
**Federal Motor Carrier  
Safety Administration**

Eastern Service Center  
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Baltimore, MD 21201

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

Southern Service Center  
1800 Century Boulevard, Suite 1700  
Atlanta, GA 30345

Western Service Center  
12600 W. Colfax Avenue, Suite B-300  
Lakewood, CO 80215

**December 30, 2017**

## **REGIONAL DECLARATION OF EMERGENCY UNDER 49 CFR 390.23**

In accordance with the provisions of 49 CFR 390.23, the Regional Field Administrators for the Federal Motor Carrier Safety Administration (FMCSA) Eastern Service Center, Southern Service Center, Midwestern Service Center, and Western Service Center 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 by this Emergency Declaration. Such emergency is in response to anticipated home heating fuel shortage due to Winter Storm Frankie severe weather and the demand for increased usage.

Affected States and jurisdictions included in this Emergency Declaration are: Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Maine, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, DC, West Virginia, and Wisconsin.

This Emergency Declaration responds to emergency conditions created as a result of Winter Storm Frankie, including anticipated fuel shortages in the Affected States and jurisdictions, which will create a need for immediate transportation of propane and home heating oil and fuels, into and from the Affected States and jurisdictions and provide necessary relief.

By execution of this Emergency Declaration, motor carriers and drivers providing direct assistance to the emergency transporting fuel products into and from the above listed Affected States and jurisdictions are granted emergency relief from Parts 390 through 399 of Title 49 Code of Federal Regulations except as restricted herein, including for any portion of the trip that occurs outside of the Affected States and jurisdictions.

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 383), the financial responsibility (insurance) requirements (49 CFR 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.

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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), January 14, 2018, whichever occurs first.



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



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



Darrell L. Ruban, Regional Field Administrator  
Federal Motor Carrier Safety Administration  
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Terry D. Wolf, Acting Regional Field Administrator  
Federal Motor Carrier Safety Administration  
Western Service Center