



STATE OF CONNECTICUT

DEPARTMENT OF MOTOR VEHICLES

60 State Street, Wethersfield, CT 06161

<http://ct.gov/dmv>



DECLARATION OF EMERGENCY NOTICE

Pursuant to Title 49 of the Code of Federal Regulations (CFR) §390.23 and Connecticut General Statutes (CGS) §14-163c, Melody A. Currey, Commissioner of the Department of Motor Vehicles, has granted a limited exemption from the provisions of 49 CFR §395.3, specifically for the **intrastate** transportation of diesel fuel, gasoline and propane in connection with a weather emergency. The emergency exemption is issued as a result of emergency preparedness at government facilities, hospitals and businesses as Hurricane Sandy continues its track toward New England. **The emergency exemption is effective beginning October 26, 2012 at 5 p.m. EST.**

Declaration of this emergency provides motor carriers with relief from 49 CFR §395.3 and CGS §14-163c only while providing direct assistance through the delivery of diesel fuel, gasoline and propane to government facilities, hospitals and businesses within Connecticut in preparation for the approaching hurricane. This declaration of emergency applies to certain Hours of Service Regulations under 49 CFR Part 395. Direct assistance terminates when a driver or commercial motor vehicle is used in intrastate or interstate commerce to transport cargo not destined for the emergency relief effort or when the carrier dispatches such driver to another location to begin operations in commerce.

Nothing contained in this declaration shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing requirements (49 CFR 382), the Commercial Driver's License requirements (49 CFR 383), the Minimum Levels of Financial Responsibility for Motor Carriers (49 CFR 387), applicable size and weight requirements or any other portion of the statutes or regulations not specifically identified herein.

Motor Carriers that have an Out-of-Service Order in effect cannot take advantage of the relief from the regulations that this declaration provides under 49 CFR §390.23. Additionally, motor carriers who have any revocation of registration privileges under CGS §14-35a or §14-215 by the Commissioner of Motor Vehicles cannot take advantage of relief from regulations.

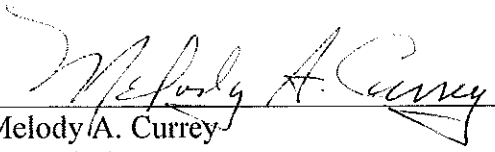
No motor carrier operating under the terms of this notice shall require or permit a fatigued or ill driver to operate a commercial motor vehicle. A driver who informs a motor carrier that he or she needs immediate rest shall be given at least ten consecutive hours off-duty before the driver is allowed to return to service.

Drivers of motor carriers that operate under the Declaration of Emergency Notice must have a copy of it in their possession.

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Drivers who utilize this exemption may come back into compliance and restart the hours of service clock after 24 hours off-duty which starts at the end of their extended-hours period.

Consistent with 49 CFR §390.23 and CGS §14-163c, the emergency notice will remain in effect for the duration of the emergency (as defined in 49 CFR §390.5) or until **Tuesday, November 6, 2012, 5 p.m. EST**, whichever is sooner.



Melody A. Currey
Commissioner
State of Connecticut
Department of Motor Vehicles

10/26/12
Date

cc: James Rio; Division Chief, Commercial Vehicle Safety Division
File