



Eastern Service Center
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Glen Burnie, Maryland 21061

U.S. Department
Of Transportation
Federal Motor Carrier
Safety Administration

In Reply Refer To: MC-EFE-SV

October 28, 2012

DECLARATION OF REGIONAL EMERGENCY NOTICE 49 CFR §390.23

NOTICE: Effective November 7, 2012, Curtis L. Thomas, Regional Field Administrator of the Federal Motor Carrier Safety Administration, extends this Declaration of Regional Emergency for the duration of the emergency (as defined in 49 CFR Part 390.5) or until 11:59 P.M., EST, November 27, 2012, whichever is less

Pursuant to Title 49 CFR Part 390.23, I, Curtis L. Thomas, Regional Field Administrator of the Federal Motor Carrier Safety Administration, declare a regional emergency exists that justifies an exemption from Part 390 through 399 of the Federal Regulations (Federal Motor Carrier Safety Regulations). Such emergency is in response to Hurricane Sandy and its possible effects on people and property, including an immediate threat to human life or public welfare in the Eastern United States.

The emergency exemption is issued as a result of extreme weather conditions, shortages, and interruptions in the availability and/or delivery and repair of services and property throughout the States affected in the Eastern Region to include the following: Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia. It is effective beginning October 29, 2012.

This declaration of emergency provides relief for commercial motor vehicles operations while providing these emergency materials and services to customers in the above mentioned states during the emergency. This exemption applies only to those operations providing direct assistance to the emergency relief effort. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services not destined for the emergency relief effort or when the motor carrier operation dispatches such driver or vehicle to another location to begin operations in furtherance of commerce.

Nothing contained in this 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), applicable size and weight requirements, or any other portion of the regulations not specifically identified.

Motor carriers or drivers currently subject to an out-of-service order are not eligible for the exemption until the order expires or they have met the conditions for its rescission. Drivers for motor carriers operating under this declaration must have a copy of the declaration in their possession.

Consistent with Title 49 CFR Part 390.23, the emergency notice will remain in effect for the duration of the emergency (as defined in Title 49 CFR Part 390.5) or 15 days (11:59 P.M., EST, November 12, 2012) whichever is less.

Sincerely,

A handwritten signature in blue ink, appearing to read "Curtis L. Thomas".

Curtis L. Thomas
Regional Field Administrator