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## SUMMARY OF EMERGENCY DECLARATION EXEMPTIONS

The Federal Motor Carrier Safety Administration (FMCSA) has authority to temporarily lift most safety regulations from interstate motor carrier drivers and operators providing emergency relief. The regulatory Parts of 49 CFR that can be lifted are from 390 – 399. The most significant Parts are highlighted below:

- 390: General Requirements (e.g., recordkeeping, vehicle marking)
- 391: Driver Qualifications (e.g., physical standards, English language proficiency)
- 392: Driving of CMVs (e.g., pre-trip inspection, fatigued operation)
- 393: Parts and Accessories (e.g., lighting, cargo securement)
- 395: Hours of Service (e.g., 11-hour driving limit, 14-hour on-duty limit)
- 396: Inspection, Repair and Maintenance (e.g., post-trip and annual inspections)

The exemptions do not cover drug and alcohol testing, CDL requirements, size and weight limitations, or insurance requirements. These rules still apply, as do the Federal Hazardous Materials Regulations. Other regulations affecting many CMV operators, such as Federal motor carrier registration requirements, household goods consumer protection and other Federal commercial regulations, and State vehicle registration and other regulations also continue to apply.

The exemptions apply automatically where the President of the United States or a State Governor issues a declaration of emergency. The FMCSA Regional Field Administrator has authority to issue the declaration for geographic areas within his or her delegated authority.

The exemptions apply only to interstate transportation of emergency relief. “Emergency relief” means an operation in which a motor carrier or driver of a commercial motor vehicle is providing direct assistance to supplement State and local efforts and capabilities to save lives or property or to protect public health and safety as a result of an emergency as defined in this section. “Direct assistance” means transportation and other relief services provided by a motor carrier or its driver(s) incident to the immediate restoration of essential services (such as, electricity, medical care, sewer, water, telecommunications, and telecommunication transmissions) or essential supplies (such as, food and fuel). It does not include transportation related to long-term rehabilitation of damaged physical infrastructure or routine commercial deliveries after the initial threat to life and property has passed.

For more information on regulations falling under the emergency exemption, and those that remain in force, visit the FMCSA's [All Regulations page](#).