

PMAA Regulatory Compliance Bulletin

FMCSA ISSUES NATIONAL DRIVER HOS WAIVER THROUGH APRIL 12, 2020

March 18, 2020

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ISSUE: Since last week, PMAA relayed information gathered from state association executives to FMCSA on the need for a fuel Hours of Service (HOS) waiver from the Federal Motor Carrier Safety Administration (FMCSA). Today, FMCSA issued an updated national emergency declaration to provide a hours of service (HOS) waiver for commercial drivers transporting fuel and propane and other emergency relief in response to the coronavirus (COVID-19) outbreak.

FMCSA WAIVER:

The updated FMCSA HOS waiver declaration can be found [here](#).

UPDATED FMCSA HOS WAIVER INCLUDES PETROLEUM FUEL

FMCSA issued a new CDL driver HOS waiver today that includes liquid petroleum fuels used for the immediate restoration of emergency services directly related to the coronavirus (COVID-19) outbreak. The waiver applies to the following products:

- Petroleum fuels both liquid and gas used to restore emergency relief efforts related to the coronavirus. Emergency relief infrastructure includes emergency generators for health care facilities, including nursing homes, and emergency response facilities; commercial business facilities supporting medical and emergency response activities; emergency medical and emergency response fleet vehicles; utility repair fleets responding to a communication or power outage that effects emergency communication. Medical supplies and equipment related to the 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—that are required and to be used for the manufacture of essential items.
- Equipment supplies and persons necessary to establish and manage temporary housing, quarantine.
- Persons designated by federal, state or local authorities for medical, isolation, or quarantine purposes.
- Persons necessary to provide other medical or emergency services.

The updated HOS waiver issued today includes transportation of fuels. PMAA worked with the FMCSA in requesting the HOS waiver in response to the need for fuel deliveries across the country and to mitigate any exacerbated driver shortage due to illness or quarantine. PMAA is also in conversation with the EPA to determine if a delay in the RVP transition will be warranted.

WAIVER PERIOD:

The emergency HOS waiver is effective March 18, 2020 through midnight April 12, 2020.

IMPORTANT! This is not a blanket HOS waiver. The waiver only applies to drivers delivering fuel for restoration of emergency response infrastructure related to the coronavirus response effort.