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STATE OF MISSOURI
DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE DIRECTOR

Effective December 29, 2017 through January 2, 2018

In response to frigid temperatures and the continued demand for fuel delivery, the Missouri Department of Public Safety has issued an emergency declaration to waive certain federal regulations under the authority of 49 C.F.R. § 390.23, for carriers who directly assist in emergency relief efforts by transporting fuels commonly used in the heating of residences, businesses, and other facilities.

While this declaration is in effect, participating carriers are relieved from compliance with title 49, part 395 of the Code of Federal Regulations (hours of service regulations).

Carriers may benefit from the waiver while under load and when returning either empty or with loads directly related transporting heating fuels.

Carriers should carry a copy of the declaration in the vehicle while operating in response to the relief efforts.

NONE of the emergency provisions apply to carriers who are not directly involved in the emergency relief efforts through delivery of heating fuel.

Carriers must read and understand the attached emergency declaration. In the event this note contradicts any information in the declaration, the declaration language shall rule.

EMERGENCY DECLARATION

17-02

WHEREAS, in response to frigid temperatures and the continued demand for fuel delivery in the State of Missouri; and

WHEREAS, a massive public and private response is required to provide immediate, emergency assistance and continuing emergency relief to individual persons and businesses in need of such services; and

WHEREAS, Executive Order 09-29 issued December 31, 2009, authorizes the Director of the Department of Public Safety or the Director's designee, to issue Emergency Declarations for the limited purpose of temporarily suspending certain usual and necessary federal and state laws, regulations and administrative rules for commercial motor vehicles and drivers while they are transporting property to assist in the emergency relief efforts during the emergency;

NOW THEREFORE, I, Gregory J. Favre, Deputy Director of the Department of Public Safety and Director's designee, by virtue of the authority delegated to me by Executive Order 09-29, hereby declare that I acknowledge the existence of a state of emergency in the State of Missouri, and the need for emergency relief efforts; and further

WHEREAS, the safety and welfare of the citizens of Missouri require that operators of commercial motor vehicles upon the public highways within Missouri who are rendering direct assistance to the emergency relief efforts within the state through the delivery of fuel to heat residences, businesses, and other facilities should be allowed more rapid and efficient travel to meet this emergency need; and

WHEREAS, this requirement for more rapid and efficient transportation to assist in the relief efforts in the State of Missouri would be facilitated by the temporary suspension of the driver's hours of service regulations for drivers transporting heating fuel;

NOW THEREFORE, by virtue of the authority delegated to me by Executive Order 09-29, I hereby direct authorized personnel of the Missouri State Highway Patrol and employees within the Missouri Department of Public Safety, who are authorized to enforce the provisions of Title 49, Part 395 of the Code of Federal Regulations, as provided by the Revised Statutes of Missouri, shall recognize this temporary suspension of the driver's hours of service regulations during the duration of these emergency conditions, both while providing assistance to the emergency relief efforts during the emergency by transporting fuel commonly used for heating purposes (such as propane, natural gas, heating oil, and wood) for such use, and while returning empty to the motor carrier's terminal or driver's normal work reporting location; and

FURTHER, I remind all drivers affected by this temporary suspension of regulations of their obligation to observe appropriate safety precautions at all times; and

FURTHER, I direct that this emergency declaration shall become effective at 0000 hours (12 a.m.) on December 29, 2017, and shall continue in effect until 2400 hours (midnight) on January 2, 2018, unless extended in whole or in part by a subsequent emergency declaration.

Executed this 28th day of December 2017.



Gregory J. Favre, Deputy Director
Missouri Department of Public Safety
Jefferson City, Missouri