



New Mexico
Department of Public Safety

MICHELLE LUJAN GRISHAM
GOVERNOR

By Jason R. Bowie 1/8-20-2021

JASON R. BOWIE
CABINET SECRETARY DESIGNATE

TIM Q. JOHNSON
CHIEF / DEPUTY SECRETARY

BENJAMIN A. BAKER
DEPUTY SECRETARY

**DECLARATION OF EMERGENCY NOTICE
(TITLE 49, CODE OF FEDERAL REGULATIONS, PARTS 390.23)**

Pursuant to title 49, Code of Federal Regulations (CFR), Part 390.23 and Chapter 65 of the New Mexico Motor Carrier Act, Cabinet Secretary Designate Jason R. Bowie of the New Mexico Department of Public Safety, has declared a local emergency exists which justifies an exemption from Parts 390 through 399 of Title 49 CFR (Federal Motor carrier Safety Regulations). Such emergency declaration is in response to the severe weather conditions in the State of New Mexico.

Declaration of this emergency provides relief from Title 49, CFR, Part 395.3 of the Federal Motor Carrier Safety Regulations for motor carriers in New Mexico providing direct assistance to the delivery of propane and home heating oils to storage facilities and homes in the State of New Mexico.

Nothing contained herein shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing Requirements of Title 49, CFR, Parts 40 and 382; Commercial Driver's License requirements of Title 49, CFR, Part 383 and Chapter 65 of the New Mexico Motor Carrier Act; the Financial Responsibility requirements in Title 49, CFR, Part 387 and Chapter 65 of the New Mexico Motor Carrier Act; the Hazardous Material Transportation Regulations of Title 49, CFR, Parts 107 (Subpart G), 171, 172, 173, 177, 178, and 180; or the applicable State of New Mexico size, weight, or traffic safety regulations/statutes.

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 Title 49, CFR, Part 390.23.

Consistent with Title 49, CFR, Part 390.23, the emergency declaration will take effect at 6:00 p.m., January 6, 2022, and will remain in effect for the duration of the emergency (as defined in Title 49, CFR, Part 390.5) or for ten days, ending at 11:59 p.m., January 15, 2022, whichever is less.

A handwritten signature in black ink, appearing to read "Jason R. Bowie", is written over a horizontal line.

Jason R. Bowie
Cabinet Secretary Designate