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[Coronavirus Response](#)

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FMCSA Expands Extension of Limited Regulatory Relief Waiver

The Federal Motor Carrier Safety Administration (FMCSA) has expanded the extension of the [emergency declaration](#), originally issued on March 13, 2020, and previously extended through May 15, 2020, regarding certain federal safety regulations, including Hours of Service (HOS). This extension is now in effect through June 14, 2020.

The declaration provides relief from Parts 390 through 399 of the FMCSA for commercial motor vehicle (CMV) operations that are providing direct assistance in support of relief efforts related to the COVID-19 outbreaks, which includes:

- 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 and other grocery items for emergency restocking of stores.
- Raw materials required for use in manufacturing of items in the categories listed above.
- Fuel.
- Liquefied gases to be used in refrigeration or cooling systems.
- Equipment, supplies and persons necessary to establish and manage temporary housing, quarantine and isolation facilities related to COVID-19.
- Persons designated by Federal, State or local authorities for medical, isolation or quarantine purposes.
- Persons necessary to provide other medical or emergency services affected by the COVID-19 response.

There are restrictions and limitations to this waiver that must be observed. Routine commercial deliveries and mixed loads that are

not providing direct assistance for COVID-19 relief efforts do not qualify for this exemption. Motor carriers must still comply with state laws and regulations, such as speed limits and traffic regulations. Motor carriers and drivers currently subject to an out-of-service order are ineligible for this waiver. Fatigued or ill drivers shall not be allowed to operate a CMV and shall be immediately allowed ten consecutive hours of rest after notice of the condition is provided by driver to the motor carrier. Additionally, all crash reporting requirements remain in full effect, as do the requirements for controlled substance and alcohol testing, commercial driver's licenses, insurance, hazardous materials, size and weight, and any other portion of the regulations not specifically exempted under 49 CFR § 390.23.

The full text of the FMCSA's extension can be found on their [website](#).

For more information please contact [Michael Case](#), [Eric Baker](#), [Stacey Katz](#), [Jeff Hunt](#), or any attorney in Frost Brown Todd's [Mobility & Transportation](#) practice group.

To provide guidance and support to clients as this global public-health crisis unfolds, Frost Brown Todd has created a [Coronavirus Response Team](#). Our attorneys are on hand to answer your questions and provide guidance on how to proactively prepare for and manage any coronavirus-related threats to your business operations and workforce.

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