

**State Emergency Action on Commercial Driver Hours of Service:**

- U.S. 49 CFR 395 details the “Hours of Service of Drivers”;
- Although numerous states recently granted exemptions to Hours of Service, only the U.S. Department of Transportation (DOT) has the authority to provide such an exemption;
- ***On March 13, 2020, the U.S. DOTs Federal Motor Carrier Safety Administration (FMCSA) issued a national emergency declaration to provide hours-of-service regulatory relief to commercial vehicle drivers transporting emergency relief in response to the nationwide coronavirus (COVID-19) outbreak.***
- This declaration is the first time FMCSA has issued nationwide relief.
- Although some state waivers on Hours of Service require drivers to carry a copy of the emergency declaration, such requirement of drivers for the national emergency declaration is not required.
- <https://www.fmcsa.dot.gov/emergency/emergency-declaration-under-49-cfr-ss-39023-no-2020-002>

**State Emergency Action on Truck Weight and/or Truck Size Increase for Commercial Vehicles:**

- U.S. 49 CFR 390.23 (relief from regulations) authorizes a state governor to declare a regional emergency during the duration of the emergency conditions, not to exceed thirty (30) days from the date of the initial declaration of emergency, and to exempt any motor carrier or driver operating a commercial vehicle to provide direct assistance in providing emergency relief during an emergency from Parts 390 through 399 of Chapter 49, Code of Federal Regulations;
- Although only states have the authority to increase weight limits and/or truck size for commercial deliveries, on March 18, 2020 ***ABA requested the federal government and the President to step in to implement a nationwide increase on truck weight limits but no federal action has been taken yet on the request.***
- Please note that any state relief on truck weight may require continued adherence to other regulations such as truck weight and height limits on bridges, speed limits, etc.

***Below is a list of state actions to-date on:***

- 1) Truck weight and/or truck size; and,  
2) Hours of Service***

Alabama	3/15	ALABEV has received an email from state DOT that weight and size limits have <b>NOT</b> been waived.
Alaska		
Arizona		
Arkansas	3/11	Hours of Service: <a href="#">Governor Tim Hutchinson Executive Order 20-03</a> <ul style="list-style-type: none"><li>• Executive Order 20-03 seeks to lift the Hours of Service limits.</li><li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li></ul>

California		
Colorado		
Connecticut		
Delaware	3/15	<p>Weight and Size:  <a href="#">DOT Secretary Jennifer Cohen Waiver</a></p> <ul style="list-style-type: none"> <li>The Delaware Food Industry has requested a waiver of Hauling Permit requirements for the movement of divisible relief supplies up to 100,000 pounds.</li> <li>“The Delaware Department of Transportation hereby grants regulatory relief for the Overweight Hauling Permit requirements beginning 8:00 a.m. March 15, 2020, and ending April 11, 2020, for the truck drivers operating a commercial motor vehicle in Delaware <i>intrastate</i> commerce for the purpose of delivering grocery supplies to retailers.”</li> <li>Visit <a href="http://www.deldot.gov/osow/application/login">www.deldot.gov/osow/application/login</a> to obtain the State of Delaware, Emergency Permit, for operation on federally maintained highways.</li> </ul> <p>Hours of Service:  <a href="#">DOT Secretary Jennifer Cohen Waiver</a></p> <ul style="list-style-type: none"> <li><i>“The Delaware Dept. of Transportation hereby grants regulatory relief for Commercial Drivers hours of service requirements beginning 8:00 am March 15, 2020 and ending April 11, 2020 for the truck drivers operating a commercial motor vehicle in Delaware intrastate commerce for the purpose of delivering grocery supplies to retailers.”</i></li> <li>Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
Florida	3/13	<p>Weight and Size:  <a href="#">Governor Ron DeSantis Executive Order 20-52</a>  <a href="#">Specific FDOT letter for drivers for use with law enforcement on waiver</a></p> <ul style="list-style-type: none"> <li>The Florida DOT permits the movement of divisible loads of any vehicles transporting emergency equipment, services, supplies, and necessary agricultural commodities in excess of normal restrictions on weight, height, length and width as detailed.</li> </ul>
Georgia	3/14	<p>Weight and Size:  <a href="#">Governor Brian Kemp Executive Order 20.01</a></p> <ul style="list-style-type: none"> <li>“That weight, height, and length for any such vehicle traveling through the State of Georgia for the purposes of providing disaster relief and/or preparation, which traverses roadways maintained by the State of Georgia, shall not exceed...” certain limits outlined in the Executive Order.</li> <li>Commercial vehicles operating outside the normal weight, height, and length restrictions shall be issued permits by the Georgia Dept. of Public Safety.</li> </ul> <p>Hours of Service:  <a href="#">Governor Brian Kemp Executive Order 20.01</a></p>

		<ul style="list-style-type: none"> <li>• “...the federal rules and regulations limiting hours operators of commercial vehicles may drive are suspended to ensure that carrier crews are available as needed to provide emergency relief.”</li> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
Hawaii		
Idaho		
Illinois		<p>Weight and Size:  Governor J.B. Pritzker Permit Letter on file with ABA.  DOT Secretary Omer Osman Letter on file with ABA.</p> <ul style="list-style-type: none"> <li>• Illinois Dept. of Transportation may issue permits for the transportation of emergency response/relief supplies for the COVID-19 pandemic as follows until April 12, 2020: <ol style="list-style-type: none"> <li>1. Overweight permits may be issued by the IL DOT and fees shall be waived;</li> <li>2. Haulers must verify their route using <a href="http://www.gettingaroundillinois.com">www.gettingaroundillinois.com</a> to ensure their route is free of size and weight restrictions;</li> <li>3. A permit issued under this order does not authorize the operation of any vehicle combination at a maximum gross weight in excess of 88,000 pounds. A permit may only authorize weights not more than 10 percent greater than gross axle, gross axle combination, or gross vehicle weight limitations.</li> </ol> </li> </ul>
Indiana		<p>Hours of Service:  <a href="#">Governor Eric Holcomb Executive Order 20-03</a></p> <ul style="list-style-type: none"> <li>• “During this public health emergency, motor carriers and drivers of commercial vehicles...are exempt from regulations restricting their hours of service...until April 5, 2020...”</li> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
Iowa	3/13	<p>Weight and Size:  <a href="#">Governor Kim Reynolds Proclamation (updated on 3/17)</a></p> <ul style="list-style-type: none"> <li>• Temporarily suspend regulator provisions to loads transported on all highways within Iowa, excluding the interstate system for those which do not exceed a maximum of 90,000 pounds gross weight, and those which do not exceed the maximum axle weight limit by more than 12.5%, do not exceed the legal maximum axle weight limit of 20,000 pounds, and comply with posted limits on roads and bridges.</li> </ul> <p>Hours of Service:  <a href="#">Governor Kim Reynolds Proclamation (updated on 3/17)</a></p> <ul style="list-style-type: none"> <li>• Temporarily suspend the state regulation pertaining to hours of service “while transporting vaccines, antivirals, prescription drugs, protective equipment, and other necessary medical asset” subject to conditions.</li> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
Kansas		

Kentucky	3/13	<p>Weight and Size:</p> <p><a href="#">Governor Andy Beshear Declaration</a>  <a href="#">KYTC Secretary Jim Gray Order</a></p> <ul style="list-style-type: none"> <li>• Waiver of stopping at all weigh stations;</li> <li>• Exempt from permit fees for overweight/over-dimensional vehicles;</li> <li>• That the IRP Registration Requirements for commercial vehicles providing bottled water, food, medicine, fuel, and other supplies to the affected areas shall be waived...;</li> <li>• Shall remain in effect until 12:01 AM EDT, April 12, 2020.</li> </ul> <p>Hours of Service:</p> <p><a href="#">Governor Andy Beshear Declaration</a>  <a href="#">KYTC Secretary Jim Gray Order</a></p> <ul style="list-style-type: none"> <li>• “That commercial vehicles providing relief and their operators shall be exempt from the hours of service...”</li> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
Louisiana	3/18	<p>Weight and Size:</p> <p><a href="#">LA Dept of Transportation and Development</a></p> <ul style="list-style-type: none"> <li>• Effective as of March 18, 2020 and shall remain in effect until April 18, 2020, unless amended, modified or rescinded.</li> <li>• The following size and weight restrictions for such vehicles be as follows:  The total gross weight of any vehicle or combination of vehicles shall not exceed eighty-eight thousand pounds</li> <li>• Does not apply to travel on non-state maintained highways.</li> </ul>
Maine		
Maryland		
Massachusetts		
Michigan	3/15	<p>Weight and Size:</p> <p><a href="#">MDOT Director Paul C. Ajegba Statement</a></p> <ul style="list-style-type: none"> <li>• On March 15, 2020, “The Michigan Department of Transportation announced today that the department will exempt from seasonal weight restrictions motor carriers and drivers providing direct assistance in support of relief efforts related to COVID-19 outbreaks.”</li> </ul>
Minnesota	3/17	<p>Weight and Size:</p> <p><a href="#">MN Governor Tim Walz Exec Order</a></p> <ul style="list-style-type: none"> <li>• “The weight-related regulatory provisions of Minnesota Statutes 2019, sections 169.80, 169.823, 169.824, and 169.87, are temporarily suspended...”</li> <li>• Unless the Federal Highway Administration suspends the federal weight limitations on the interstate system, vehicles over 80,000 pounds gross weight may not use the interstate system.</li> </ul>

		<p>Hours of Service:  <a href="#">MN Governor Tim Walz Exec Order</a></p> <ul style="list-style-type: none"> <li>• Motor carriers and drivers providing direct assistance to emergency relief efforts are exempt from regulations pertaining to hours of service.</li> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
Mississippi		<p>Weight and Size:  MSDOT Executive Director Melinda McGrath letter to MS Trucking Association is on file with ABA.  <a href="#">MSDOT announcement of waiver</a></p> <ul style="list-style-type: none"> <li>• Until April 12, 2020, the MS Dept. of Transportation is waiving required weight permits and fees and allowing a weight increase for commercial vehicles providing direct assistance supporting emergency relief efforts.</li> <li>• Maximum gross weight under this allowance is 90,000 pounds on a 5-axle commercial vehicle with a minimum of 51 foot outer bridge measurement.</li> <li>• The maximum tandem limit is 40,000 pounds.</li> </ul>
Missouri		<p>Weight and Size:  <a href="https://www.modot.org/node/18179">https://www.modot.org/node/18179</a></p> <ul style="list-style-type: none"> <li>• Effective through April 30, 2020, private and for-hire motor carriers are allowed to haul up to 100,000 pounds as long as their trailers are at least 53-feet long.</li> <li>• Motor carriers are limited to transporting supplies and equipment only within the state of Missouri;</li> <li>• Drivers must obey posted bridge weight limits;</li> <li>• When crossing a bridge, drivers must restrict the vehicle speed to no more than 30 mph;</li> <li>• Travel under this allowance is only allowed on non-interstate highways.</li> </ul> <p>Hours of Service:  <a href="https://www.modot.org/node/18186">https://www.modot.org/node/18186</a></p> <ul style="list-style-type: none"> <li>• Gov. Parson’s Executive Order on March 18 supports the U.S. FMCSA’s national emergency declaration to provide hours-of-service regulatory relief to commercial vehicle drivers transporting emergency relief in response to the nationwide coronavirus (COVID-19) outbreak.</li> <li>• The governor’s executive order specifically waives the provisions of section 307.400, RSMo, which regulate motor carriers’ hours of service.</li> </ul>
Montana		
Nebraska	3/13	<p>Weight and Size:  <a href="#">Governor Pete Ricketts Executive Order 20-01 (drivers should carry proclamation)</a></p> <ul style="list-style-type: none"> <li>• “The length and weight hauling requirements of federal and state law are hereby suspended through the duration of the motor carrier’s assistance in the pandemic relief effort.”</li> </ul>

		<p>Hours of Service:</p> <p><a href="#">Governor Pete Ricketts Executive Order 20-01 (drivers should carry proclamation)</a></p> <ul style="list-style-type: none"> <li>• “Hours of Service of Drivers requirements...are hereby suspended...”</li> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
Nevada		
New Hampshire		
New Jersey		
New Mexico		
New York	3/7	<p>Hours of Service:</p> <p><a href="#">Governor Andrew Cuomo Executive Order 202</a></p> <ul style="list-style-type: none"> <li>• “...this declaration satisfies the requirements...which provides relief from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations...”</li> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
North Carolina	3/13	<p>Weight and Size:</p> <p><a href="#">Governor Roy Cooper Executive Order 116</a></p> <ul style="list-style-type: none"> <li>• “...shall waive certain size and weight restrictions and penalties...” and DOT shall temporarily suspend weighing vehicles...”: under 90,000 pounds gross vehicle weight and tandem axles weight under 42,000 pounds and single axle weight under 22,000 pounds.</li> </ul> <p>Hours of Service:</p> <p><a href="#">Governor Roy Cooper Executive Order 116</a></p> <ul style="list-style-type: none"> <li>• The NC DOT shall waive the maximum hours of service for drivers...</li> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
North Dakota		
Ohio		<p>Weight and Size:</p> <p>Ohio Beverage Association is working with allies to request a waiver from the DeWine Administration.</p>
Oklahoma		
Oregon		
Pennsylvania		
Rhode Island		

South Carolina	3/13	<p>Hours of Service:</p> <p><a href="#">Governor Henry McMaster Executive Order 2020-08</a></p> <ul style="list-style-type: none"> <li>• Provides an exemption pursuant to 49 C.F.R. 390.23 and section 56-5-70 of the South Carolina Code of Laws regarding hours of service for 15 days from March 13, 2020.</li> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
South Dakota		<p>Hours of Service:</p> <p><a href="#">Governor Kristi Noem Executive Order 2020-04</a></p> <ul style="list-style-type: none"> <li>• Provides an exemption pursuant to 49 C.F.R. Parts 390-399 regarding hours of service until April 12, 2020.</li> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
Tennessee		<p>Weight and Size:</p> <p><a href="#">Governor Bill Lee Executive Order 14</a></p> <ul style="list-style-type: none"> <li>• Suspend Tennessee Code provisions that set forth maximum height, length, and width limitations in the case of vehicles participating in the response to COVID-19, subject to the following conditions:</li> <li>• A vehicle must be transporting emergency supplies, equipment, or mobile structures to affected areas.</li> <li>• A vehicle shall be permitted only to travel on (1) Interstate Highways; (2) highways on the National Highway System; and (3) other state-maintained roads...</li> <li>• A vehicle may transport a divisible or non-divisible load up to a maximum gross vehicle weight of 95,000 pounds and a maximum axle weight of 20,000 pounds, except on any bridge or overpass with a lower posted weight limit. And other specific length limits.</li> </ul> <p>Hours of Service:</p> <p><a href="#">Governor Bill Lee Executive Order 14</a></p> <ul style="list-style-type: none"> <li>• Provides an exemption pursuant to 49 C.F.R. Part 395 limiting the hours of service for the operator of a commercial vehicle until May 11, 2020. <ul style="list-style-type: none"> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul> </li> </ul>
Texas	3/13	<p>Weight and Size:</p> <p><a href="#">Governor Greg Abbott Proclamation</a> <a href="#">Texas DMV Waiver</a></p> <ul style="list-style-type: none"> <li>• Effective March 12, 2020 until rescinded, the oversize and overweight permitting requirements under the Transportation Code, for all divisible and non-divisible vehicles and loads are suspended.</li> <li>• The suspensions do not apply to any requirement not specifically listed in this notice, including safety and insurance requirements.</li> <li>• The operator of a commercial vehicle must keep in the cab of the vehicle: 1) a copy of the notice; and 2) a copy of the Governor's disaster declaration, including any amendments.</li> </ul>

		<ul style="list-style-type: none"> <li>• There are ten specific conditions and exceptions regarding size and weight permitting requirements which are listed in the DMV waiver.</li> </ul>
Utah		
Vermont		
Virginia	3/13	<p>Weight and Size:  <a href="#">Virginia DOT Commissioner Stephen Brich Letter</a></p> <ul style="list-style-type: none"> <li>• Effective 5:00 PM March 12, 2020 until 5:00 PM April 12, 2020, temporary waiver of normal weight and width restrictions on roads controlled by the Virginia DOT, for the express purpose of ensuring that emergency essential supplies and services reach impacted areas in a timely manner.</li> <li>• Weight exemptions are not valid on posted structures for restricted weight.</li> <li>• Various weight limits are outlined depending on truck type and number of axles.</li> <li>• All over width loads, up to a maximum of 12 feet, and over height loads up to a maximum of 14 feet must follow Virginia DMV hauling permit and safety guidelines.</li> </ul> <p>Hours of Service:  <a href="#">Virginia DOT Commissioner Stephen Brich Letter</a></p> <ul style="list-style-type: none"> <li>• An exemption in coordination with the Virginia Department of Emergency Management which activates the FMSCA Section 390.23 Relief of Regulations including hours of service.</li> <li>• Only the U.S. DOT has such authority on Hours of Service relief. The U.S. DOT did provide nationwide Hours of Service relief on March 13.</li> </ul>
Washington		
West Virginia		
Wisconsin	3/14	<p>Weight and Size:  <a href="#">Wisconsin DOT COVID-19 Relief Supply Permit</a></p> <ul style="list-style-type: none"> <li>• Overweight permits may be issued by the Wisconsin Department of Transportation and fees shall be waived for the transportation of inventory to supply grocery retailers impacted by the COVID-19 pandemic on Wisconsin highways (which does not include the National Defense Highway System...).</li> <li>• Permit information is included in the above link.</li> </ul>
Wyoming		