



Safety Alert

28 February 2022

FMCSA Extends COVID Emergency Declaration and Driver Hours of Service Relief

The Federal Motor Carrier Safety Administration has extended its [Emergency Declaration](#) providing regulatory relief for motor carriers and drivers providing relief in response to the COVID emergency. The relief is now effective through **May 31, 2022**.

Under the declaration, motor carriers and drivers providing direct assistance in support of relief efforts related to the COVID-19 public health emergency are granted emergency relief from 49 CFR § 395.3, maximum driving time for property-carrying vehicles. Direct assistance means transportation and other relief services provided by a motor carrier or its driver(s) incident to the immediate restoration of essential services (such as medical care) or essential supplies related to COVID-19 during the emergency.

The relief is limited to transportation of:

- (1) livestock and livestock feed;
- (2) medical supplies and equipment related to the testing, diagnosis and treatment of COVID-19;
- (3) vaccines, constituent products, and medical supplies and equipment including ancillary supplies/kits for the administration of vaccines, related to the prevention of COVID-19;
- (4) 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;
- (5) food, paper products and other groceries for emergency restocking of distribution centers or stores;
- (6) gasoline, diesel, jet fuel, and ethyl alcohol; and
- (7) supplies to assist individuals impacted by the consequences of the COVID-19 pandemic (e.g., building materials for individuals displaced or otherwise impacted as a result of the emergency).

Direct assistance does not include non-emergency transportation of qualifying commodities or routine commercial deliveries, including mixed loads with a nominal quantity of qualifying emergency relief added to obtain the benefits of this emergency declaration. To be eligible for the exemption, the transportation must be both (i) of qualifying commodities and (ii) incident to the immediate restoration of those essential supplies.

Companies may also take advantage of hours of service relief in the FMCSA's [Regional Emergency Declaration](#) for Heating Fuels and Propane through March 8, 2022. The declaration provides relief from [49 CFR 395.3](#) (daily and weekly driving time limits) for drivers providing direct assistance supporting emergency relief efforts transporting heating fuel, including propane, natural gas, and heating oil, in the 41 Affected States and the District of Columbia. According to the FMCSA, heating oil also includes kerosene and biodiesel.

In addition, FMCSA has issued an extension of its [Notice of Enforcement Policy](#) through **April 15, 2022** to provide CLP holders, CDL holders, and non-CDL drivers 45 days to renew their driver's license or provide a medical certificate to their State Driver Licensing Agency. Barring extenuating circumstances, FMCSA does not anticipate further extending this Notice beyond April 15, 2022.

This Notice of Enforcement Policy applies to all CLP holders, CDL holders, and non-CDL drivers whose licenses were issued for less than the maximum period established by 49 CFR 383.25 and 383.73 and was valid on February 29, 2020 and expired on or after March 1, 2020 and whose medical certification or medical variance expired on or after December 1, 2021.

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