



STATE OF CONNECTICUT

DEPARTMENT OF MOTOR VEHICLES

60 State Street, Wethersfield, CT 06161

<http://ct.gov/dmv>



DECLARATION OF EMERGENCY NOTICE

Pursuant to Title 49 Code of Federal Regulations (CFR), section 390.23 and Connecticut General Statute (CGS) §14-163c, Melody A. Currey, Commissioner of the Department of Motor Vehicles, has granted a limited exemption from the provisions of 49 CFR §395.3, based on an emergency pertaining to the **intrastate** transportation of diesel fuel, gasoline and propane.

The emergency exemption is issued as a result of emergency preparedness at government facilities, hospitals and business as Hurricane Irene continues its track towards New England. **The emergency exemption is effective beginning August 25, 2011 3:00 p.m., EST.**

Declaration of this emergency provides relief from 49 CFR §395.3 of the Federal Motor Carrier Safety Regulations and CGS §14-163c, for the motor carriers while providing diesel fuel, gasoline and propane to government facilities, hospitals and business within Connecticut in preparation for the approaching hurricane. This declaration of emergency applies to certain Hours of Service Regulations under 49 CFR Part 395.

This exemption applies only to those motor carriers providing diesel fuel, gasoline and propane to government facilities, hospitals and business within Connecticut in preparation for the approaching hurricane. Direct assistance terminates when a driver or commercial motor vehicle is used in intrastate or interstate commerce to transport cargo not destined for the emergency relief effort or when the carrier dispatches such driver to another location to begin operations in commerce.

Nothing contained in this declaration shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing requirements (49 CFR 382), the Commercial Drivers License requirements (49 CFR 383), the Minimum Levels of Financial Responsibility for Motor Carriers (49 CFR 387) and applicable size and weight requirements or any other portion of the statutes or regulations not specifically identified.

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 49 CFR §390.23. Additionally, motor carriers who have any revocation of registration privileges under CGS §14-35a or §14-215 by the Commissioner of Motor Vehicles cannot take advantage of relief of regulations.

No motor carrier operating under the terms of this notice shall require or permit a fatigued or ill driver to operate a commercial motor vehicle. A driver who informs a motor carrier that he or she needs immediate rest shall be given at least ten consecutive hours off-duty before the driver is allowed to return to service.

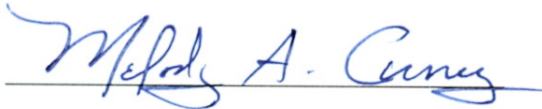
Drivers of motor carriers that operate under the Declaration of Emergency Notice must have a copy of it in their possession.

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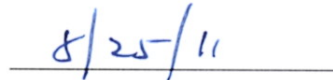
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Drivers who utilize this exemption may come back into compliance and restart the hours of service clock after taking 24 hours off-duty at the end of their extended hours period.

Consistent with 49 CFR §390.23 and CGS §14-163c, the emergency notice will remain in effect for the duration of the emergency (as defined in 49 CFR §390.5) or until **August 29, 2011 11:59 p.m., EST** whichever is less.



Melody A. Currey
Commissioner
State of Connecticut
Department of Motor Vehicles



Date

C: James Rio; Division Chief, Commercial Vehicle Safety Division
File