

**DECLARATION OF TRANSPORTATION RELATED EMERGENCY AND MOTOR CARRIER
RELIEF FROM REGULATIONS WAIVER REQUEST**

TO: Maryland Department of Transportation (MDOT)
State Highway Administration (SHA)
Office of Traffic & Safety Motor Carrier Division
E-mail: Address regwaiverrequest@mdot.maryland.gov
Phone: 410-582-5719

FROM: Requesting Entity:

Point of Contact:

Title:

Signature: _____ Date: _____ Time: _____

Phone: _____ Email: _____

SUBJECT: Request for Declaration of Transportation, Regional or Local Emergency.

This is: ☐ an initial request. ☐ a request for renewal. (select one)

NATURE AND CAUSE OF TRANSPORTATION
EMERGENCY: _____

AREA OR AREAS
AFFECTED: _____

ADDITIONAL
INFORMATION: _____
(Attach an additional sheet, as needed, to explain unique circumstances justifying request)

TYPE OF EMERGENCY DECLARATION REQUESTED:

☐ Md. Code Ann. Transp. § 25-111(j) Transportation Emergency, under which all or part of the Federal Motor Carrier Safety Regulations contained in 49 C.F.R. Parts 390-399 that have been adopted in Maryland for intrastate motor carrier transportation may be waived when it is reasonably expected that the waiver will facilitate emergency relief efforts. A Transportation Emergency under Md. Code Ann. Transp. § 25-111(j) may only last for the lesser of 5 days from the date of the initial declaration or for the duration of the emergency conditions, may be renewed beyond the initial 5-day period for up to three renewal periods of 5 days each if conditions warrant, and may not extend for more than 20 days.

☐ 49 CFR § 390.23(b) Regional Declaration of Emergency, under which 49.CFR § 395.3 (Maximum Driving Time for Property Carrying Vehicles) and 49 CFR § 395.5 (Maximum Driving Time for Passenger-Carrying Vehicles) do not apply to a motor carrier or driver operating a commercial motor vehicle so long as the motor carrier or driver is providing direct assistance during an emergency. A Regional Declaration

Nothing in this Declaration relieves the motor carrier or operator of responsibility for safe operation of the vehicle or complying with all interstate regulations and other applicable law not waived in this Declaration, including but not limited to 49 CFR § 392.3, relating to operating a commercial vehicle while fatigued.

Drivers for motor carriers operating under this declaration should have a copy of the approved Declaration in their possession.

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of Emergency under 49 CFR § 390.23(b) may only be declared during the emergency period or 14 days from the date of the initial declaration of emergency, whichever is less.

☐ 49 CFR § 390.23(c) Local Emergency, under which 49.CFR § 395.3 (Maximum Driving Time for Property Carrying Vehicles) and 49 CFR § 395.5 (Maximum Driving Time for Passenger-Carrying Vehicles) do not apply to a motor carrier or driver operating a commercial motor vehicle so long as the motor carrier or driver is providing direct assistance during an emergency. *A Local Declaration of Emergency under 49 CFR § 390.23(c) may only be declared for the period of such assistance or 5 days from the date of the initial declaration of emergency, whichever is less.*

Please see [Exemptions | FMCSA](#) for additional information regarding other emergency and non-emergency relief that may be obtained from FMCSA or other authorities.

BELOW SECTION FOR MDOT USE ONLY:

Denied. Insufficient evidence has been provided to demonstrate the existence of the requested emergency declaration.

☐ **Approved.** A Transportation Emergency under Md. Code Ann. Transp. § 25-111(j) has been declared for _____
(Economic Sector and/or Geographic area)
during the period of _____ and ending _____.
(date & time) (date & time)

The following regulations are thus waived during the Transportation Emergency for those motor carriers and drivers operating under Md. Code Ann. Transp. § 25-111 to provide direct assistance to the emergency relief effort:

- ☐ All intrastate maximum hours of service time limits.
- ☐ Only a portion of intrastate maximum hours of service time limits, identified here:
_____.
- ☐ Other intrastate motor carrier safety regulations, identified here:
_____.

Nothing in this Declaration relieves the motor carrier or operator of responsibility for safe operation of the vehicle or complying with all interstate regulations and other applicable law not waived in this Declaration, including but not limited to 49 CFR § 392.3, relating to operating a commercial vehicle while fatigued.

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☐

Approved. A Regional Declaration of Emergency under 49 CFR § 390.23(b) has been declared for: _____.

(Regional Geographic area)

during the period of _____ and ending _____.
(date & time) (date & time)

ONLY 49.CFR § 395.3 (Maximum Driving Time for Property Carrying Vehicles) and 49 CFR § 395.5 (Maximum Driving Time for Passenger-Carrying Vehicle) shall not apply to a motor carrier or driver operating a commercial motor vehicle so long as the motor carrier or driver is providing direct assistance during this emergency.

☐

Approved. A Local Declaration of Emergency under 49 CFR § 390.23(c) has been declared for:

_____ during the period of _____.
(Local Geographic Area) (date & time)

and ending _____.
(date & time)

ONLY 49.CFR § 395.3 (Maximum Driving Time for Property Carrying Vehicles) and 49 CFR § 395.5 (Maximum Driving Time for Passenger-Carrying Vehicle) shall not apply to a motor carrier or driver operating a commercial motor vehicle so long as the motor carrier or driver is providing direct assistance during this emergency.

APPROVED BY:

(Print Name)

(Signature)

(Title)

_____ *(Date)* _____ *(Time)*

Nothing in this Declaration relieves the motor carrier or operator of responsibility for safe operation of the vehicle or complying with all interstate regulations and other applicable law not waived in this Declaration, including but not limited to 49 CFR § 392.3, relating to operating a commercial vehicle while fatigued.

Drivers for motor carriers operating under this declaration should have a copy of the approved Declaration in their possession.