State of Maine

Proclamation

Governor's Emergency Proclamation for US-DOT Federal Motor Carrier Safety Administration
Hours of Service Waiver

WHEREAS, Maine is experiencing arctic cold temperatures and dangerous wind chills; and

WHEREAS, this cold weather is expected to continue for the next several days affecting the entire State; and

WHEREAS, heating fuel in Maine is in great demand because of the cold, and

WHEREAS, federal motor carrier safety regulations determine the number of hours the drivers of heating fuel and bulk petroleum delivery and transport vehicles may operate; and

WHEREAS, many drivers in the State will shortly be approaching their federal limit on hours of operation and may have to cease delivery of heating fuel and bulk petroleum fuels; and

WHEREAS, these conditions threaten public health and safety and endanger public property if heating fuels cannot be transported or delivered within the State of Maine; and

WHEREAS, the declaration of a State of Emergency will facilitate the granting of a waiver from the U.S. Department of Transportation - Federal Motor Carrier Safety Administration, pursuant to 49 CFR part 390.23 to allow relief from 49 CFR parts 390 through 399, specifically 49 CFR part 395 Hours of Service of Drivers, and subject to the limitations described below, and therefore allow heating fuel and bulk petroleum delivery and transport drivers to operate additional hours; and

WHEREAS, motor carriers that have an Out-Of-Service Order in effect may not take advantage of the relief from regulation that such a declaration provides under 49 CFR 390.23,

NOW THEREFORE, I, Paul R. LePage, Governor of the State of Maine, by virtue of the authority vested in me by the Constitution and laws of Maine, find that these conditions constitute a civil emergency under 37-B M.R.S.A. section 742, and for the purpose pursuant to 49 CFR part 390.23 of facilitating a waiver to the U.S. Department of Transportation, Federal Motor Carrier Safety Regulations, specifically 49 CFR part 395 Hours of Service of Drivers, do hereby declare that a State of Emergency for fuel drivers operating within the State of Maine exists as of December 13, 2013 through December 27, 2013.

Paul R. LePage
Governor

Matthew Dunlap
Secretary of State
TRUE ATTESTED COPY