

US Department  
Of Transportation

**Federal Motor Carrier  
Safety Administration**

**Eastern Service Center**  
802 Cromwell Park Drive  
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September 14, 2005

Hurricane Katrina has temporarily halted off-shore oil and gas production in the Gulf of Mexico; shut down most of the refineries and pipelines along the Gulf Coast; and damaged storage facilities and transportation infrastructure throughout the region. The disaster has nationwide effects.

In order to prevent significant disruptions to the nation's transportation system, existing stocks of gasoline, diesel fuel, jet fuel, propane, natural gas/CNG, and ethanol will need to be re-distributed by commercial motor vehicles in order to meet demand normally supplied by Gulf Coast operations. The Environmental Protection Agency (EPA) has determined that the States within FMCSA's Eastern and Southern Regions continue to have an "extreme and unusual fuel supply circumstance."

**REVISED DECLARATION OF REGIONAL EMERGENCY**  
**49 CFR 390.23**


I am therefore declaring that a regional emergency exists in the Eastern Region in the highway transportation of certain petroleum products. Motor carriers and drivers transporting gasoline, diesel fuel, jet fuel, propane, natural gas/CNG, and ethanol to address emergency needs arising from the hurricane disaster (such as fuel supply shortages) are exempt from 49 CFR Parts 390-399 from 1:00 p.m. EDT, September 14, 2005 until 11:59 p.m. EDT, October 5, 2005. No other petroleum products are covered by the exemption. Motor carriers and drivers transporting these products to and from the Eastern Region in order to meet emergency needs are also exempt for any portion of the trip that occurs outside the Eastern Region.

Nothing contained in this declaration shall be construed as an exemption from the controlled substances and alcohol use and testing requirements (49 CFR Part 382), the commercial driver's license requirements (49 CFR Part 383), the financial responsibility requirements (49 CFR Part 387), applicable size and weight requirements, or any other portion of the regulations not specifically identified.

Motor carriers or drivers currently subject to an out-of-service order are not eligible for the exemption until the order expires or they have met the conditions for its rescission.

Drivers for motor carriers that operate under this declaration must have a copy of it in their possession.

The Eastern Region consists of the following States: Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virginia, and West Virginia.

  
Joseph L. Muscaro  
Field Administrator  
Eastern Service Center