

EMERGENCY DECLARATION COVER LETTER

Emergency Declaration Summary 11-02 (**Extended**)

Effective April 26, 2011 to May 11, 2011

In response to severe spring storms and flooding affecting Missouri, the Missouri Department of Public Safety has issued an emergency declaration to waive certain federal regulations under the authority of 49 CFR 390.23, for carriers who participate in emergency relief efforts.

While this declaration is in effect, participating carriers are relieved from compliance with 49 CFR parts 395 (hours of service regulations).

Requests for expedited Over Size/Over Weight (OSOW) permits contact MoDOT at (573)291-4517 or (573)291-4853.

Requests for International Fuel Tax Agreement (IFTA) and International Registration Plan (IRP) permits contact MoDOT at (866)831-6277.

Carriers may benefit from the waiver while under load and when returning either empty or with loads directly related to the emergency relief efforts.

Carriers should carry a copy of the declaration in the vehicle while operating in response to the relief efforts.

NONE of the emergency provisions apply to carriers who are not directly involved in the emergency relief efforts or delivery of essential services or supplies.

Carriers must read and understand the attached emergency declaration. In the event this note contradicts any information in the declaration, the declaration language shall rule.

EMERGENCY DECLARATION
11-02 Extended

WHEREAS, in response to the current spring storms and flooding and the need for emergency relief efforts and essential services and supplies in the State of Missouri; and

WHEREAS, a massive public and private response is required to provide immediate, emergency assistance and continuing emergency relief to individual persons and businesses in need of such services; and

WHEREAS, Executive Order 09-29 issued December 31, 2009, authorizes the Director of the Department of Public Safety or the Director's designee, to issue Emergency Declarations for the limited purpose of temporarily suspending certain usual and necessary federal and state laws, regulations and administrative rules for commercial motor vehicles and drivers while they are transporting property to assist in the emergency relief efforts during the emergency; and

NOW THEREFORE, I, John M. Britt, Director of the Department of Public Safety, by virtue of the authority delegated to me by Executive Order 09-29, hereby declare that I acknowledge the existence of a state of emergency in the State of Missouri, and the need for emergency relief efforts and essential services and supplies; and

WHEREAS, the safety and welfare of the citizens of Missouri require that operators of commercial motor vehicles upon the public highways within Missouri who are rendering assistance to the emergency efforts within the state should be allowed more rapid and efficient travel to meet this emergency need; and

WHEREAS, this requirement for more rapid and efficient transportation would be facilitated by the temporary suspension of the driver's hours of service regulations, while drivers are transporting property to assist in the relief efforts in the State of Missouri; and

WHEREAS, authorized personnel of the Missouri State Highway Patrol and employees within the Missouri Department of Public Safety, who are authorized to enforce the provisions of Part 395 of Title 49, Code of Federal Regulations, as provided by the Revised Statutes of Missouri, shall recognize this temporary suspension of the driver's hours of service regulations during the duration of these emergency conditions, both while providing assistance to the emergency relief efforts during the emergency, and while returning empty to the motor carrier's terminal or driver's normal work reporting location and

FURTHER, I direct that this emergency declaration shall become effective at 3:00 p.m. on April 26, 2011 and shall continue in effect until 3:00 p.m. May 11, 2011 unless extended in whole or in part by a subsequent emergency declaration.

Executed this 26th day of April 2011.


John M. Britt, Director
Missouri Department of Public Safety
Jefferson City, Missouri