

FMCSA Extends COVID-19 Relief Measures through May 2021

SmithAmundsen Transportation Alert
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Federal Motor Carrier Administration (FMCSA) acting Administrator Meera Joshi has extended the Emergency Declaration offering regulatory relief to commercial motor carriers transporting essential supplies to May 31, 2021. This extension replaces and modifies the prior Emergency Declaration, which was set to expire on February 28, 2021.

The Emergency Declaration provides regulatory relief to operators from certain sections of Parts 390-399 of the Federal Motor Carrier Safety Regulations, which cover hours of service, parts and accessories needed for safe operation, and longer combination vehicles. Qualifying operators must be *directly* involved in transporting five categories of essential supplies:

- Livestock and livestock feed;
- Medical supplies and equipment related to the testing, diagnosis, and treatment of COVID-19;
- Medical supplies and equipment related to the administration of COVID-19 vaccines;
- Supplies and equipment necessary for community safety, sanitation, and prevention of transmission of COVID-19, such as masks, gloves, hand sanitizers, soap and disinfectants; and
- Food, paper products and other groceries for emergency restocking of distribution centers or stores.

In her February 16 release, Joshi emphasized that the newest Emergency Declaration does not apply to the transport of mixed loads with a nominal quantity of essential supplies. Additionally, regulations in Parts 380-399 pertaining to speed limits, controlled substances and alcohol use and testing requirements, commercial driver's license and insurance requirements, hazardous material regulations, or applicable size and weight requirements, remain in full force and effect and are not exempted under the Emergency Declaration.

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Finally, while the FMCSA is again permitting states to extend waivers for renewals of Commercial Driver's Licenses, Commercial Learner's Permits and medical cards through May 31, 2021, many states, including Illinois, did not exercise this waiver. Illinois operators who previously received COVID-19 extensions were required to renew their licenses, permits and/or medical cards by December 31, 2020.

The full text of the FMCSA's February 16, 2021 Emergency Declaration is available on the FMCSA website. Joshi states in the release that the FMCSA plans to "wind down" regulatory exemptions provided by the Emergency Declaration moving forward.

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