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Suspension of Motor Carrier Vehicle Hours and Service Requirements under Disaster Declaration Regarding Severe Winter Weather

Pursuant to Title 49, Code of Federal Regulations (CFR), Part 390.23 and Chapter 644 of the Texas Transportation Code, Governor Gregg Abbott has declared a statewide emergency exists, which justifies an exemption from Parts 390 through 399 of Title 49 (Federal Motor Carrier Safety Regulations). Such emergency declaration is in response to the severe weather conditions in the State of Texas.

Declaration of this emergency provides relief from Title 49, CFR, Part 395.3 of the Federal Motor Carrier Safety Regulations for motor carriers in Texas providing direct assistance to the disaster relief in the State of Texas. This includes, but is not limited to, delivery of groceries, fuel, propane, and other essential products.

Nothing contained herein shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing Requirements of Title 49, CFR, Parts 40 and 382; Commercial Drivers License requirements of Title 49, CFR, Part 383 and Chapter 522 of the Texas Transportation Code; the Financial Responsibility requirements in Title 49, CFR, Part 387 and Chapters 601 and 643 of the Texas Transportation Code; the Hazardous Material Transportation Regulations of Title 49, CFR, Parts 107 (Subpart G), 171, 172, 173, 177, 178, and 180; or the applicable State of Texas size, weight, or traffic safety regulations.

Motor carriers that have an Out-of-Service Order in effect cannot take advantage of the relief from the regulations that this declaration provides under Title 49, CFR, Part 390.23.

Consistent with Title 49, CFR, Part 390.23, the emergency declaration will take effect on February 12, 2021, and will remain in effect for the duration of the emergency (as defined in Title 49, CFR, Part 390.5) or for thirty days, ending at March 14, 2021, whichever is less.

Steven C. McCraw
Colonel/Director