



U.S. Department
of Transportation

**Federal Motor
Carrier Safety
Administration**

Chief Counsel

1200 New Jersey Avenue, SE
Washington, DC 20590

March 27, 2019

Sherri Stone, Vice President
Petroleum Marketers Association of America
1901 North Fort Myer Drive, Suite 500
Arlington, VA 22209-1604

Dear Ms. Stone:

This letter responds to your March 25, 2019 request for clarification regarding the Federal Motor Carrier Safety Administration's (FMCSA) Regional Emergency Declaration No. 2019-002 issued on March 19, 2019. You asked whether the Declaration would apply to fuel deliveries within Louisiana based on extremely limited fuel supply in Northern Louisiana requiring drivers to load fuel in Baton Rouge after long wait times, and an approximate 3.5 hour drive each way.

In issuing the Declaration, FMCSA found that the flooding emergency in sixteen states, including the State of Louisiana, justifies an exemption from parts 390 through 399 of the Federal Motor Carrier Safety Regulations, and in accordance with 49 C.F.R. § 390.23 provides for such regulatory relief for commercial motor vehicle operations providing direct assistance supporting emergency relief efforts transporting supplies, equipment, fuel and persons during the emergency. Accordingly, the Declaration would apply to the transportations and circumstances you describe.

Sincerely,

Jim Mullen