

# LEGAL UPDATE

## FMCSA Extends Waiver of HOS Requirements Until May 15

On Apr. 9, 2020, the Federal Motor Carrier Safety Administration (FMCSA) [extended](#) its [emergency declaration](#) to provide some commercial motor vehicle (CMV) drivers an immediate waiver from the agency's hours-of-service (HOS) regulations. The waiver will now apply through **May 15, 2020**.

### Direct Assistance

The waiver applies to CMV drivers who are providing “**direct assistance**” in support of emergency relief efforts related to the COVID-19 outbreak. This includes efforts to meet immediate needs for:

1. Medical supplies and equipment related to the testing, diagnosis and treatment of COVID-19;
2. Supplies and equipment for community safety, sanitation and prevention of transmission (masks, gloves, hand sanitizer, soap and disinfectants);
3. Food, paper products and other groceries for emergency restocking of distribution centers or stores;
4. Raw materials required for the manufacture of the first three categories;
5. Fuel;
6. Liquefied gases to be used in refrigeration or cooling systems;
7. Equipment, supplies and persons necessary to establish and manage temporary housing, quarantine and isolation facilities;
8. Persons designated by federal, state or local authorities for medical, isolation or quarantine purposes; and
9. Other medical or emergency service personnel.

Direct assistance terminates when transportation is not in support of emergency relief efforts related to the COVID-19 outbreak or when the motor carrier dispatches a driver or CMV to another location to begin operations in commerce.

Provided to you by **Risk Management Advisors LLC**

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### Limitations & Restrictions

- Applicable speed limits and other traffic restrictions still apply.
- Does not include routine commercial deliveries or mixed loads with a nominal quantity of qualifying emergency relief.
- Driver impairment requirements, including fatigue, illness or any other cause still apply.
- Controlled substances and alcohol use and testing requirements still apply.
- Waiver does not apply to out-of-service orders.
- Drivers operating under this waiver must report any recordable crash within 24 hours.

*The FMCSA waiver for providing “direct assistance” related to COVID-19 relief efforts will now apply through May 15.*

