



# Trucking Risk Advisor

## January 2021

### The FMCSA Expands and Extends Its Emergency Exemption

The Federal Motor Carrier Safety Administration (FMCSA) has once again extended an emergency exemption for truck drivers assisting with the COVID-19 pandemic relief efforts. The exemption, which was set to expire Dec. 31, 2020, now lasts until Feb. 28, 2021, or until the national state of emergency ends, whichever comes sooner.

Under the emergency declaration, eligible motor carriers and drivers providing direct assistance in support of relief efforts related to the pandemic are not required to comply with rules regarding hours of service, vehicle inspections and driver qualifications, among others. The exemption is limited to the transportation of:

- Livestock and livestock feed
- Medical supplies and equipment related to the testing, diagnosis and treatment of COVID-19
- Vaccines, constituent products, and medical supplies and equipment, including ancillary supplies and kits for administration of vaccines related to the prevention of COVID-19
- Supplies and equipment necessary for community safety, sanitation and prevention of community transmission of COVID-19 (e.g., masks, gloves, hand sanitizer, soap and disinfectants)
- Food, paper products and other groceries for emergency restocking of distribution centers or stores (added back into to the exemption with this most recent extension)
- The exemption does not apply to state transportation laws and regulations (including texting restrictions and speed limits), rules on impaired or fatigued driving, crash reporting obligations, and alcohol use and testing requirements. Additionally, routine commercial deliveries and the transportation of mixed loads (e.g., the movement of essential cargo as well as supplies, equipment and persons that are not being transported in support of emergency relief efforts) are not considered direct assistance.

Drivers and carriers should review the [exemption](#) carefully to determine their obligations, restrictions and limitations during relief efforts. For more regulatory and safety updates, contact SCS Agency Inc today.