



# LEGAL UPDATE

## FMCSA Extends and Expands Coronavirus Trucking Exemptions Through Feb. 28

On Dec. 1, 2020, the Federal Motor Carrier Safety Administration (FMCSA) expanded and extended yet again the [emergency declaration](#) that provides truck drivers an exemption from [Parts 390 to 399](#) of the federal motor carrier regulations (including hours of service, vehicle inspection and driver qualification rules).

COVID-19 trucking exemptions were originally issued on March 13, 2020, but have been repeatedly expanded to remain in force throughout the current pandemic. This latest extension is set to expire on Feb. 28, 2021 or until the [national state of emergency](#) ends, **whichever comes sooner**.

### Affected Drivers

The exemption applies to drivers who provide “**direct assistance**” in support of emergency relief efforts related to the COVID-19 pandemic. This includes efforts to meet immediate needs for:

- Livestock and livestock feed;
- Medical supplies and equipment related to the testing, diagnosis and treatment of COVID-19;
- Vaccines, medical supplies and equipment for the 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 such as masks, gloves, hand sanitizer, soap and disinfectants;
- Food, paper products and other commodities for emergency restocking of distribution centers or stores.

The exemptions **do not apply** to state transportation laws and regulations (including texting restrictions and speed limits), rules on impaired or fatigued driving, crash reporting obligations, or alcohol use and testing requirements.

Drivers and carriers should review the [exemptions](#) carefully to determine their obligations, restrictions and limitations during relief efforts.

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### Direct Assistance

- ☒ Direct assistance **includes** loads containing essential supplies, equipment and persons.
- ☒ Direct assistance **excludes** routine commercial deliveries and the transportation of mixed loads.
- ☒ Mixed loads include essential cargo, along with supplies, equipment and persons that are not being transported in support of emergency relief efforts related to the COVID-19 outbreaks.

***The exemption applies to drivers who are providing “direct assistance” in support of emergency relief efforts related to the COVID-19 pandemic.***



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