



U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
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**September 2, 2005**

**DECLARATION OF REGIONAL EMERGENCY  
49 CFR 390.23**

Hurricane Katrina has temporarily halted off-shore oil and gas production in the Gulf of Mexico; shut down most of the refineries and pipelines along the Gulf Coast; and damaged storage facilities and transportation infrastructure throughout the region. The disaster has nationwide effects.


In order to prevent significant disruptions to the nation's transportation system, existing stocks of gasoline, diesel fuel, and jet fuel will need to be re-distributed by commercial motor vehicle in order to meet demand normally supplied by Gulf Coast operations.

I am therefore declaring that a regional emergency exists in the Midwest Region (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio and Wisconsin) in the highway transportation of certain petroleum products. Motor carriers and drivers transporting gasoline, diesel fuel, jet fuel, propane, natural gas/CNG, and ethanol to address needs arising from the hurricane disaster (such as fuel supply shortages) are exempt from 49 CFR Parts 390-399 from 1:00p.m. EDT September 2, 2005 until 1:00p.m. EDT, September 14, 2005. No other petroleum products are covered by this exemption.

Nothing contained in this declaration shall be construed as an exemption from the controlled substances and alcohol use and testing requirements (49 CFR Part 382), the commercial driver's license requirements (49 CFR Part 383), the financial responsibility requirements (49 CFR Part 387), applicable size and weight requirements, or any other portion of the regulations not specifically identified.

Motor carriers or drivers currently subject to an out-of-service order are not eligible for the exemption until the order expires or they have met the conditions for its rescission.

Drivers for motor carriers that operate under this declaration of emergency must have a copy of it in their possession.

Signed  
  
Doug Sawin  
Field Administrator  
Midwest Service Center