



# Oregon

Tina Kotek, Governor

Department of Transportation

Office of the Director

355 Capitol St NE

Salem, OR 97301

**February 23, 2023**

**ATTN: Motor Carriers**

**RE: Waiver for motor carrier hours of service regulations in response to inclement winter weather**

Due to severe weather conditions, it is necessary to expedite the movement of groceries in and out of northwest Oregon. Under the authority granted the Department in ORS 823.012, motor carriers are granted emergency relief from 49 CFR § 395.3, maximum driving time for property-carrying vehicles, subject to the restrictions and conditions set forth herein.

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.

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 (insurance) requirements (49 CFR Part 387), operating authority (49 CFR Part 365), applicable size and weight requirements or any other portion of the regulations not specifically identified.

**Note the following:**

This exemption shall not exceed the duration of direct assistance in providing emergency relief.

You must comply with all size and weight regulations. Vehicles responding to emergencies are still required to enter open scale facilities when a sign posted before the scale reads "All Trucks Over 20,000# GVWR Next Right", or with a GVWR of 10,000# or greater without this posted sign, unless they are operating with red warning lights and/or siren.

You must abide by all weight postings on bridges. If you exceed those weight postings, you cannot cross those bridges. The responsibility will be placed solely on the driver. In addition to the obvious safety concerns, the driver will be subject to enforcement action, and civil penalties against the motor carrier will be explored.

If stopped, be sure to let enforcement personnel know that you are responding to an emergency. The vehicle may be allowed to proceed and obtain required permits and/or credentials as soon as possible afterwards.

This waiver is effective immediately and shall remain in effect for 72 hours, until 6:00 P.M. (PST), February 26, 2023. As necessary, the Department may take action to modify the waiver, including modification of the transportations and commodities covered by the waiver, and extend or terminate the waiver if conditions warrant.

Thank you,

Kris Strickler

Director

Oregon Department of Transportation