The State of Maryland

Executive Department

ORDER
OF THE
GOVERNOR OF THE STATE OF MARYLAND

WAIVING REGULATIONS ADOPTED FOR MOTOR CARRIER TRANSPORTATION

WHEREAS, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020, to control and prevent the spread of COVID-19 within the state, and the state of emergency and catastrophic health emergency still exists;

WHEREAS, The President of the United States has declared a national emergency due to the COVID-19 pandemic;

WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and has been confirmed in several Maryland counties;

WHEREAS, The delivery of supplies and equipment is vital to the preservation of life;

WHEREAS, Waiver of all or part of the Federal Motor Carrier Safety Regulations will facilitate emergency relief efforts; and

WHEREAS, The facilitated movement of these supplies and equipment is in the best interest of the citizens of Maryland;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, AND IN AN EFFORT TO CONTROL AND PREVENT THE SPREAD OF COVID-19 WITHIN THE STATE, DO HEREBY ORDER:

I. There is a transportation emergency throughout the state.

II. Motor vehicles transporting equipment or supplies directly related to the COVID-19 state of emergency and catastrophic health emergency and needed to protect the public health, welfare, or safety are allowed a 15% tolerance above any weight limit imposed by statute. Said tolerance shall be the only tolerance applicable to the vehicle and includes gross weight and axle weight. Vehicles exceeding this tolerance and carrying a non-divisible load shall obtain an emergency hauling permit as required and operate under the terms and conditions of that permit. No vehicle shall exceed any tire manufacturer's maximum load capacity rating.

III. To facilitate the delivery of equipment and supplies related to the COVID-19 state of emergency and catastrophic health emergency, and as deemed safe and appropriate, the State Highway Administrator, or the State Highway Administrator's designee, may temporarily waive or modify hauling permit restrictions and conditions deemed safe and appropriate.

IV. Motor carriers and drivers operating with increased weight tolerances or waived or modified hauling permit restrictions must adhere to all State Highway Administration, Maryland Transportation Authority, and local jurisdiction restrictions regarding size and weight on roadways and bridges.

V. Pursuant to § 390.23 of Title 49 of the Code of Federal Regulations ("CFR") and § 25-111 of the Transportation Article of the Maryland Code, motor carriers and drivers operating commercial motor vehicles to transport cargo relating to the COVID-19 state of emergency and catastrophic health emergency (such as medicine, medical equipment, food supplies including feed for livestock, water, and materials for construction of temporary housing), and provided relief by Federal Motor Carrier Safety Administration Emergency Declaration No. 2020-002, are extended identical relief while in intrastate operation on state and local roadways. Motor carriers and drivers must adhere to the requirements of 49 CFR § 392.3 relating to ill or fatigued operators.

VI. Any additional relief provided by Federal Motor Carrier Safety Administration Emergency Declaration No. 2020-002 and applicable to Maryland is further incorporated into this Order.

VII. Nothing in this declaration relieves the motor carrier or driver of the responsibility for safe operation of the vehicle.

VIII. The provisions of this Order are applicable to the Interstate

Highway System provided there is compliance with all required approvals from the appropriate federal agencies.

IX. This Order remains effective until the state of emergency has been terminated and the proclamation of the catastrophic health emergency has been rescinded, or until rescinded, superseded, amended, or revised by additional orders.

ISSUED UNDER MY HAND THIS 18TH DAY OF MARCH, 2020, AND EFFECTIVELY IMMEDIATELY.

Lawrence J. Hogan, Jr.
Governor