



Deval L. Patrick  
Governor

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Secretary

THE COMMONWEALTH OF MASSACHUSETTS  
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Kurt N. Schwartz  
Director

**DECLARATION OF EMERGENCY NOTICE**  
**(Title 49 CFR Part 390.23)**

Pursuant to 49 CFR Section 390.23, and by the authority of Chapter 639 Acts of 1950, I, Acting Governor William Galvin, declare that an emergency exists pertaining to the delivery of gasoline to consumers in the Commonwealth of Massachusetts.

This emergency exemption is issued as a result of a series of recent gasoline supply outages as well as mechanical problems at several Massachusetts gasoline terminals. These problems and the severe winter storms have caused significant gasoline delivery delays in substantial areas throughout the Commonwealth. This notice is effective beginning December 17, 2013, and will remain in effect through December 23, 2013.

The following is ordered:

1. An emergency exists that requires relief from regulations adopted in Massachusetts and Federal Statutes and Regulations pertaining to hours of service of motor carriers and drivers of commercial motor vehicles transporting and delivering motor gasoline to service stations necessary for the continued service to the motoring public.
2. Nothing contained in this declaration shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing requirement (49 CFR 382), the Commercial Drivers License requirements (49 CFR 383), the Financial Responsibility requirements (49 CFR 387), applicable Size and Weight requirements, or any other portion of the regulation not specifically identified.
3. No motor carrier operating under the terms of this agreement shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least eight consecutive hours off-duty before the driver is required to return to service.
4. Motor carriers that have an Out of Service Order in effect cannot take advantage of the relief from regulations that this declaration provides under Title 49 CFR 390.23.
5. Consistent with Title 49 CFR Part 390.23, the emergency notice will remain in effect through December 23, 2013.
6. Drivers of motor carriers that operate under this Declaration of Emergency Notice must have a copy of it in their possession.

William Galvin  
Acting Governor

Date: December 17, 2013