



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

STATE OF DELAWARE
DELAWARE DEPARTMENT OF TRANSPORTATION
EMERGENCY ORDER- HAULING PERMIT WAIVER FOR DISASTER RELIEF
May 12, 2021

WHEREAS, the Federal Motor Carrier Safety Administration (FMCSA) has issued a Regional Emergency Declaration under 49 CFR § 390.23, No. 2021-002 in response to the unanticipated shutdown of the Colonial Pipeline system (the “pipeline”) due to network issues; and

WHEREAS, the shutdown of this pipeline affects the supply of gasoline, diesel, jet fuel, and other refined petroleum products along the East Coast of the United States, including the State of Delaware; and

WHEREAS, maintaining an adequate and consistent fuel supply for the East Coast of the United States, including the State of Delaware, is critical to maintaining the economic vitality, safety, and security of the region and nation;

WHEREAS, there is an anticipated increase in travel of oversize/overweight commercial vehicles for the purpose of transporting gasoline, diesel, jet fuel, and other refined petroleum products in direct support of the FMCSA Regional Emergency Declaration; and

WHEREAS, such travel is anticipated to occur within and through the State of Delaware; and

WHEREAS, under 49 CFR § 390.23 and 21 *Del. C.* Chapter 45, the Secretary of the Delaware Department of Transportation may issue waivers of state enforcement of laws and regulations in direct support of a declared emergency;

NOW THEREFORE, I, Nicole Majeski, Secretary, Delaware Department of Transportation, do hereby order the following:

1. The State of Delaware, Delaware Department of Transportation hereby grants regulatory relief from the weight requirements in 21 *Del. C.* §4501(f) for Commercial Vehicles being operated within the State of Delaware for the purpose of transporting gasoline, diesel, jet fuel, and other refined petroleum products in direct support of the FMCSA Regional Emergency Declaration.

This waiver increases the total gross weight including load, of a combination of a truck tractor and semitrailer having a total of 5 or more axles, from 80,000 pounds to 100,000 pounds.

2. This Waiver is effective May 12, 2021 and will be in effect for seven (7) calendar days. The Waiver is subject to renewal if necessary.
3. The Waiver is granted only to oversized/overweight vehicles transporting gasoline, diesel, jet fuel, and other refined petroleum products in direct support of the FMCSA Regional Emergency Declaration.
4. A copy of this notice along with a valid Oversize and Overweight Permit (Load Code 22) must be maintained in each oversize/overweight vehicle being used in direct support of the declared emergency and the recovery effort. The Delaware State Police have received notification of this Emergency Order. Please visit www.deldot.gov/osow/application/login to obtain the State of Delaware, Emergency Permit for operation on Delaware maintained highways.
5. All applicable Delaware laws, rules, and regulations, not waived by this document, governing the movement of oversize/overweight vehicles are still in force and must be followed.
6. Nothing in this document shall be construed or interpreted as superseding restrictions for travel across load posted bridges within the State of Delaware.
7. Nothing in this document shall be construed or interpreted as superseding the Federal Bridge Formula as established by the Federal Government on any interstate highway within Delaware.
8. Nothing in this document shall be construed or interpreted as being applicable to the movement of oversize/overweight vehicles which are not related to the direct support of the declared emergency and the recovery effort.

APPROVED BY:



Nicole Majeski
Secretary
Delaware Department of Transportation