



February 20, 2025

EMA Secures Amended HOS Regulatory Relief for Heating Oil and Motor Fuels

From EMA

FMCSA has amended its latest extension to the Regional Emergency Declaration to include seven additional states: **Colorado, Iowa, Montana, Nebraska, North Dakota, Virginia, and Wyoming**. Notably, all other terms remain unchanged, meaning EMA marketers continue to benefit from HOS relief for transporting motor fuels and heating oil until either the emergency ends or February 28, whichever comes first, in both the newly added and previously covered jurisdictions: **Connecticut, Delaware, Florida, Kansas, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, and Wisconsin**.

Additionally, **Kentucky** currently has broader regulatory relief, including HOS limit exemptions, due to the Presidential emergency in response to severe storms and flooding. Pursuant to 49 CFR 390.23(a), when the President declares an emergency under the Stafford Act, automatic relief is granted from FMCSA Regulations 390 through 399. See Presidential declaration: <https://www.whitehouse.gov/presidential-actions/2025/02/president-donald-j-trump-approves-kentucky-emergency-declaration>.

Important: The FMCSA regional waiver covers the interstate shipment of heating fuels, gasoline, and diesel fuel in and out of the jurisdictions listed in the waiver declaration. The relief does not cover intrastate transportation. However, intrastate movement is covered by the relief if it is part of an interstate shipment. Since interstate transportation is defined based on the intent of the delivery of the commodity—not the movement of the vehicle—there may be instances where transportation is considered interstate even if the vehicle never leaves the state (e.g., from a port to a location within the same state).

[Click here](#) to review and download FMCSA's amended extension.

Waiver Extension - Through February 28

Sincerely,

Mike O'Connor
President, VPCMA