

update

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DMV Provides Further Guidance on Weight and Hour Waivers

In the past two weeks we have seen more action on weight and hours of service waivers that at any time in recent memory. Yesterday, President Obama issued a federal state of emergency for carriers of emergency supplies providing relief to persons impacted by Hurricane Matthew. Presidential declarations automatically allow for states to issue overweight orders for interstate highways, and Virginia did this yesterday. Unfortunately the overlap between the Colonial Pipeline waiver and the Matthew waiver has created confusion and I felt it was important to seek clarification before sending waiver documents that would have raised more questions than they answered. This clarity was particularly needed because this week we have had members receiving citations for operating overweight on the interstate.

Following are questions we submitted to DMV last night and their response

1) *What is the enforcement policy for haulers providing emergency relief in light of shortages created by the Colonial Pipeline breach under Executive Order 58?*

Answer: Haulers transporting emergency relief supplies including heating oil, motor fuels and propane are covered by the emergency waiver issued 0/6/2016.

2) *What about shippers hauling gasoline, diesel and propane for shipments thru November 6th, which are not providing relief to areas impacted by Hurricane Matthew. May they operate under the overweight waiver? Are hours of service waivers valid thru November 6th for non-Matthew shipments?*

Answer: The waiver applies to haulers traveling in and through areas of the Commonwealth in support of disaster relief. Basically a hauler may be delivering fuel intrastate, but that fuel delivery may be supplying an identity that will be deploying to a southern disaster state. Enforcement will not get into details of cargo or commodity travel as long as the commodity is one that is listed in the waiver. Finally HOS is waived until November 6, 2016 for the delivery of relief supplies

3) *What documentation is required to demonstrate the shipment is for Hurricane Matthew relief?*

Answer: As stated earlier if your commodity is one that is listed in the waiver, enforcement will not question your travel or destination.

4) *Can those providing emergency relief under the "Colonial Pipeline" waiver now operate overweight under the Presidential declaration?*

Answer: Yes

Finally please remember that this order also extends the duration of the state price gouging law until November 6th. For a copy of the latest waiver document email mike@vpcga.com