



State of Rhode Island and Providence Plantations

GUBERNATORIAL PROCLAMATION

WHEREAS, on December 28, 2017 and January 10, 2018, a Gubernatorial Proclamation temporarily suspending federal motor carrier safety regulations for drivers delivering residential home heating oil and propane gas was issued; and

WHEREAS, Rhode Island and the New England region experienced record-breaking frigid temperatures and below zero wind chill values for an extended period; and

WHEREAS, these frigid temperatures and below zero wind chill values have caused an increase in demand for the delivery of home heating oil and propane gas; and

WHEREAS, travel by truck has been impeded due to snow and ice on roadways and driveways, and travel on foot by personnel carrying fuel hoses to oil and propane tanks has been impeded due to snow and ice on walkways and lawns, with delivery further delayed by the need to search for and shovel out fill pipes that are buried under the snow; and

WHEREAS, continued exemption from hours of service regulations would assist in maximizing the amount of heating oil and propane gas that can be delivered within the State.

NOW, THEREFORE, I, Gina M. Raimondo, by the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby proclaim as follows:

1. An emergency continues to exist pertaining to the delivery of home heating oil and propane gas.
2. A continued declaration of emergency is required ensure the delivery of home heating oil and propane.
3. Temporary emergency relief from the Hours of Service Regulations contained in 49 CFR 395.3 of the Federal Motor Carrier Safety Regulations and incorporated by reference in

Gubernatorial Proclamation

January 19, 2018

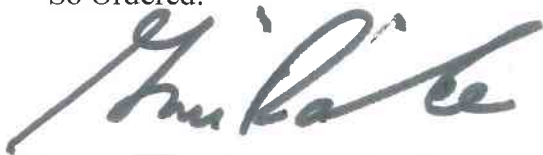
Page Two

R.I. Gen. Laws §31-27-5, subject to the limitations described below, is granted to any motor carrier or driver operating a commercial motor vehicle for delivery of home heating fuel (fuel oil, natural gas and propane) to customers in Rhode Island until the termination of this Proclamation.

4. Nothing contained in this Proclamation shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing requirements, the Commercial Driver's License requirements, Size and Weight requirements, motor carrier financial responsibility/insurance requirements, or any other portion of the regulations not specifically identified.
5. Motor carriers that have an Out of Service Order in effect or a suspension or revocation of a Rhode Island State Certificate or Permit as a motor carrier of passengers or property cannot take advantage of the relief from regulations that this Proclamation provides under 49 CFR 390.23.
6. Drivers and carriers are expected to use good judgment and not operate vehicles with fatigued or ill drivers, or under any condition presenting a clear hazard to other motorists. A driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive hours off-duty before the driver is required to return to service. Drivers for motor carriers operating under this Proclamation should maintain a copy of it in their possession. Drivers should have a manifest in their possession demonstrating that they are delivering essential goods or services to affected locations.
7. Upon termination of this Proclamation, federal regulations shall again become effective. No motor carrier shall permit or require any driver used by it to drive nor shall any such driver drive in commerce until the driver has met the requirement of 49 CFR 395.3(a), (b) and (c).

This Proclamation shall take effect immediately and shall remain in effect up to midnight on January 28, 2018.

So Ordered:



Gina M. Raimondo

Date: 1/19/18