

Temporary Relief from Hours of Service Regulations

The Vermont Fuel Dealers Association is seeking information on the need for a Declaration of Emergency that would, if granted, provide temporary relief from the federal Hours of Service regulations.

If you are experiencing difficulties maintaining compliance with the Hours of Service regulations due to weather and market conditions, ***please fill out the form on the following page and fax back to VFDA.***

Complete affidavits are necessary to complete a formal request packet. Submission of completed affidavits will speed up processing of a Request for Relief. In the first section of the affidavit listing conditions, **any and all boxes describing your circumstances MUST be checked** before our Request Packet can be submitted to Vermont Emergency Management Agency (VEMA). Likewise, **any and all boxes in the second section outlining the actions taken by the affected carrier MUST be checked** before our Request Packet can be submitted to VEMA.

IMPORTANT - The Vermont Emergency Management Agency requests affidavits from affected carriers. This document, upon completion by the carrier and transmission to the Vermont Fuel Dealers Association, will become part of the Relief Request Packet submitted to VEMA by the VFDA. The one-page affidavit provides necessary written documentation for VEMA concerning the actions being taken, or that have been taken, to mitigate the adverse circumstances facing Vermont carriers.

If you are having difficulty maintaining compliance with the Hours of Service regulations due to weather and/or market conditions, please complete the following page and fax to VFDA at 802-419-3313 or email info@vermontfuel.com

Be sure to check all appropriate boxes!

To: Vermont Emergency Management and Vermont Department of Motor Vehicles

Please be advised that our company, a distributor of _____ in Vermont, is experiencing severe difficulties meeting consumer demand for fuel while simultaneously complying with the Hours of Service Regulations contained in 49 CFR 392. The reasons are as follows:

- Recent storm patterns and road conditions have and continue to impede travel to and from fuel supply terminals and/or customer delivery points. This is contributing to excessive and unavoidable trip times.
- Recent severe, abnormal or prolonged cold weather is contributing to peak demand for heating fuels in the residential, commercial and industrial sectors.
- Unanticipated demand for our heating fuels, including distillates, by utility generation facilities, are placing substantial pressure on our fuel supplies and the driver hours necessary to meet this demand.
- Demand for our fuels by interruptible utility customers has suddenly required our fuel products and driver hours.
- Supply disruptions at wholesale terminals are forcing us to travel to alternative points of supply for fuels. Increased distances are increasing driver hours to maximum allowed levels.
- We have experienced shortages of rolling stock due to units being out of service for unanticipated repairs and/or accidents.
- We have experienced shortages of drivers due to these persons being out of service for unanticipated sickness, personal issues, injuries.
- Other (please explain) _____

The following outlines actions taken by our company/industry to mitigate the adverse scenario:

- We have engaged additional contract carriers, but are not able to secure a level sufficient to meet our supply logistics.
- We have been unsuccessful in securing additional contract carriers to address our supply and delivery needs.
- We have been unsuccessful obtaining temporary rolling stock to meet our peak demand.
- We have been unsuccessful obtaining temporary qualified drivers to meet our peak demand or shortage.
- Other (please explain) _____

The current situation leaves us in a position where we have to decide between non-compliance with the Hours of Service limits to ensure our customers do not go without necessary fuel, OR cease deliveries upon reaching the hour's threshold, thereby exposing Vermont consumers to disruptions in the supply of necessary fuel(s). An "Hours of Service" waiver Declaration, as recommended by Vermont Emergency Management Agency, and signed by the Vermont Commissioner of Motor Vehicles, is necessary to prevent interruptions in the flow of necessary fuels during this period of peak demand and supply dislocations.

Please feel free to contact me should additional information be necessary to the processing of a Declaration of Relief.

Signed _____ Today's Date _____
(Authorized Company Representative)

Print Name _____ Title _____

Company _____ Address _____

City _____ State _____ ZIP _____

Phone _____ Fax _____ E-mail _____

SEND THIS FORM TO VFDA

Fax: 802-419-3313

Email: info@vermontfuel.com