



Transportation Employees and COVID-19

In an attempt to stop the spread of COVID-19, the following information has been put together by the Federal Motor Carrier Safety Administration (FMCSA), American Trucking Associations (ATA), Occupational Safety and Health Administration (OSHA), and the Centers for Disease Control and Prevention (CDC).

Transportation Employers:

- Create at least 6 feet between workers by staging/staggering crews to prevent droplet spread.
- Plan for office staff to have the ability to work from home.
- Provide soap and running water on all job sites for frequent handwashing. If that is impossible, provide hand sanitizer.
- Develop an Infectious Disease Control Program to address the control and spread of diseases.
- Clean and disinfect high-touch surfaces on job sites and in offices frequently (for example: hand rails, door knobs, and portable toilets) per CDC guidelines: <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html>
- Create a plan and response protocol: <https://www.lhsfna.org/index.cfm/coronavirus-fact-sheet/>

Transportation Workers:

- Do not go to work if you are feeling sick.
- Do not shake hands when greeting others.
- Stay 6 feet away from others on the job site, including any gatherings, meetings, or training sessions.
- Avoid contact with sick people.
- Do not share phones, tablets, and hand tools you normally would with other employees.
- Avoid touching your eyes, nose, or mouth with unwashed hands.
- Wear gloves throughout the day that may be changed frequently and washed after use.
- Change clothing and remove gloves & other PPE prior to entering your home. Shower daily.
- Cover your mouth and nose with tissues if you cough or sneeze, or do so into your elbow.
- Clean your hands often by washing them with soap and water for at least 20 seconds or using an alcohol-based hand sanitizer that contains 60%-95% alcohol. Soap and water should be used if hands are visibly dirty.
- Clean hands after going to the bathroom, before eating, and after coughing, sneezing, or blowing your nose.

DHS Includes Transportation and Related Logistic Personnel as Essential Workforce

On March 19, 2020, following ATA input, the Department of Homeland Security (DHS) issued guidance identifying transportation and related logistics personnel as essential workforce. As such, there are certain safety issues that you as a carrier should be aware of, and these should be made available to your drivers during this crisis.

Drivers and the Spread of the Virus

The transportation industry simply cannot stop and shut down because of COVID-19. As drivers continue to deliver people and product from location to location, they may also carry the virus, come into contact with others that have the virus, or interact with infected items within the shipment being transported.

Like anyone, drivers want to stay healthy and have the same concerns regarding COVID-19. Some drivers may refuse to travel into areas with a high infection rate. However, demand for goods will be higher in these areas, requiring more drivers to deliver more shipments of food and supplies. Drivers who are unwilling to deliver to these areas will reduce the amount of goods available to the public. As a reminder, drivers that are ill are prohibited by federal regulation from operating commercial motor vehicles and should not be allowed to resume driving duties until they have completely recovered.

Consider the Following Best Practices:

- Prepare your vehicles. Ensure pre-trips are thoroughly conducted by your drivers and that scheduled maintenance continues. Plan for the high frequency replacement of components by having extras on hand. A driver should not be out-of-service or unable to drive while waiting on a basic part to arrive.
- Be flexible with sick, absent, and concerned drivers. You should send drivers that are sick home sooner and keep them out longer than normal. Drivers that are concerned about delivering to certain areas should be given other routes if possible. This may require adjustments to current policies or even a temporary policy specifically related to COVID-19. Ensure all drivers are given copies of any new or adjusted policies.
- Provide daily health updates to your drivers. These notifications should include information on how the virus spreads, prevention, symptoms, treatment, what to do when infected, and the point of contact at the company (ensure someone is available after normal business hours as well).

Safety Training and Driver Orientation:

If driver training and orientation continues to be conducted, it is recommended that the following guidelines be followed to ensure common areas and equipment are properly sanitized and disinfected:

- **Wear disposable gloves and gowns for all tasks in the cleaning process, including handling trash.**
 - Additional personal protective equipment (PPE) might be required based on the cleaning/disinfectant products being used and whether there is a risk of splash.
 - Gloves and gowns should be removed carefully to avoid contamination of the wearer and the surrounding area.
- **Wash your hands often with soap and water for 20 seconds.**
 - Always wash immediately after removing gloves and after contact with an ill person.
 - Hand sanitizer: If soap and water are not available and hands are not visibly dirty, an alcohol-based hand sanitizer that contains at least 60% alcohol may be used. However, if hands are visibly dirty, always wash hands with soap and water.
- **Additional key times to wash hands include:**
 - After blowing one's nose, coughing, or sneezing.
 - After using the restroom.
 - Before eating or preparing food.
 - After contact with animals or pets.
 - Before and after providing routine care for another person who needs assistance (e.g., a child).



For Managers and Trainers:

- **Educate workers** performing cleaning, laundry, and trash pick-up to recognize the symptoms of COVID-19.
- Provide instructions on **what to do if they develop symptoms within 14 days** after their last possible exposure to the virus.
- Develop **policies for worker protection and provide training** to all cleaning staff on site prior to providing cleaning tasks.
 - Training should include when to use PPE, what PPE is necessary, how to properly don (put on), use, and doff (take off) PPE, and how to properly dispose of PPE.
- Ensure workers are **trained on the hazards of the cleaning chemicals** used in the workplace in accordance with OSHA's Hazard Communication standard (29 CFR 1910.1200).
- **Comply** with OSHA's standards on Blood borne Pathogens (29 CFR 1910.1030), including proper disposal of regulated waste, and PPE (29 CFR 1910.132).

Cleaning and Disinfecting Your Facility:

- **ALWAYS wear disposable gloves** to clean and disinfect.
- Clean...
 - **Clean surfaces using soap and water.** Practice routine cleaning of frequently touched surfaces.
 - High touch surfaces include tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, sinks, etc.
- Disinfect...
 - Use **diluted household bleach solutions** if appropriate for the surface. Check to ensure the product is not past its expiration date. Unexpired household bleach will be effective against coronaviruses when properly diluted.
 - **Follow manufacturer's instructions** for application and proper ventilation. Never mix household bleach with ammonia or any other cleanser.
 - **To make a bleach solution**, mix:
 - 5 tablespoons (1/3rd cup) bleach per gallon of water, OR
 - 4 teaspoons bleach per quart of water
 - **Alcohol solutions should have at least 70% alcohol.**
 - **Household cleaners and disinfectants:** Clean the area or item with soap and water or another detergent if it is dirty. Then, use a household disinfectant.
 - **Follow the instructions on the label** to ensure safe and effective use of the product.
 - Many products recommend:
 - Keeping the surface wet for several minutes to ensure germs are killed.
 - Precautions such as wearing gloves and making sure you have good ventilation during use of the product.
- Soft Surfaces—For soft surfaces such as **carpeted floor, rugs, and drapes...**
 - **Clean the surface using soap and water** or with cleaners appropriate for use on these surfaces.
 - **Launder items** (if possible) according to the manufacturer's instructions. Use the warmest appropriate water setting and dry items completely, or
 - Disinfect with an EPA-registered household disinfectant.
- Electronics—for electronics, such as **tablets, touch screens, keyboards, remote controls, and ATM machines...**
 - Consider putting a **wipeable cover** on electronics.



- **Follow manufacturer's instruction** for cleaning and disinfecting.
 - If no guidance, use **alcohol-based wipes or sprays containing at least 70% alcohol**. Dry surface thoroughly.
- Laundry—For **clothing, towels, linens and other items...**
 - **Wear disposable gloves.**
 - **Wash hands with soap and water** as soon as you remove the gloves.
 - **Do not shake** dirty laundry.
 - Launder items according to the manufacturer's instructions. Use the **warmest appropriate water setting** and dry items completely.
 - Dirty laundry from an ill person **can be washed with other people's items.**
 - Clean and **disinfect clothes hampers** according to guidance above for surfaces.

Additional Safety-Related Information

Hours of Service

FMCSA issued an Emergency Declaration, initially on 3/13 and then updated on 3/18, which provides "hours-of-service regulatory relief to commercial vehicle drivers transporting emergency relief in response to the nationwide coronavirus (COVID-19) outbreak." The 3/18 update offered new guidance on which operations are covered under the declaration, clarifying fuel haulers are included. It also provided new guidance on "mixed load" operations. You are encouraged to review the official declaration to determine if your operations are included.

Frequently Asked Questions

Are fuel haulers currently exempted from the HOS due to FMCSA's emergency declaration?

YES. Under the updated 3/18 guidance, fuel haulers are specified as covered by the declaration.

Does a driver operating under the emergency exemption need to carry any documentation, or do the shipping papers or bill of laden need to state that the freight qualifies under the declaration?

FMCSA has stated that no documentation is needed at this time.

Does movement from a manufacturer to distribution center qualify under the emergency declaration?

Yes, if the purpose of the movement is to supply direct assistance as stated under the emergency declaration.

Are loads that include supplies related to direct assistance under the emergency declaration mixed with other, un-related materials covered under the declaration?

Generally, yes, however, mixed loads with only a nominal quantity of qualifying emergency relief added to obtain the benefits of this emergency declaration are not covered.

Is a driver required to take a 30-minute break?

No, none of the hours of service regulations apply while the driver is engaged with providing direct assistance under the emergency relief exemption.

How do the hours a driver worked under the emergency exemption impact the 60/70-hour rule when the driver goes back to normal operations?

The hours worked providing direct assistance under the emergency relief exemption do not count toward the 60/70- hour rule.



Is a 34-hour restart required after providing direct assistance under the emergency declaration?

No, however, upon completion of the direct assistance and prior to returning to normal operations, the driver is required to meet the requirements of §§ 395.3(a) and (c) and 395.5(a), which include, for example, the requirement to take 10 hours off duty (8 hours for passenger carriers) and to comply with the on-duty limit of 60/70 hours in 7/8 days before returning to driving.

Is the driver required to use a paper logbook or ELD?

No, the emergency exemption includes relief from all the hours-of service regulations in 49 CFR part 395, including the recordkeeping requirements (i.e., records of duty status (RODS)).

If there is an ELD in the truck, what should a driver do to account for the miles driven?

There are three options:

1. Use the “authorized personal use” (personal conveyance) function of the ELD to record all of the time providing direct assistance under the exemption. Use of this function will result in the time being recorded as off duty and requires an annotation.
2. Use the ELD in its normal mode and annotate the ELD record to indicate they were driving under the emergency relief exemption; or
3. Turn off the ELD, in which case the carrier would address the unassigned miles in accordance with the current regulation.

What does a driver need to do if taking a backhaul not covered by the exemption after transporting an exempt load?

Upon completion of the direct assistance activities and prior to returning to normal operations, the driver is required to take 10 consecutive hours off duty before driving. All the time the driver spends engaged in work-related activities that are not associated with providing direct assistance must be counted under the HOS rules.

Are livestock a covered commodity under the terms of the emergency declaration?

Yes, Livestock are covered as a precursor to food. The emergency declaration covers “immediate precursor raw materials—such as paper, plastic or alcohol—that are required and to be used for the manufacture of items” including food needed for the emergency restocking of stores.

Are haulers of household waste and medical waste covered under the terms of the declaration?

Yes, transportation for removal of both household and medical waste is covered as “supplies and equipment necessary for community safety, sanitation, and prevention of community transmission of COVID-19.”

What documentation is needed to verify that the driver is operating under the exemption?

There is no specific documentation required for verification. Retention of ordinary business records, such as the bill of lading, may be useful later for the convenience of the motor carrier and driver, to document use of the exemption during a future inspection or enforcement action.

Does FMCSA have preemptive authority over states that decide/attempt to close highway rest stops?

No, however FMCSA is working closely with the States to ensure adequate truck parking and facilities are available.



U.S. Department Of Transportation (DOT) Issues New Guidance on Expired Commercial Drivers' Licenses and Medical Cards

The Federal Motor Carrier Safety Administration issued a temporary waiver for some commercial vehicle drivers to address disruptions in licensing and other requirements as a result of the COVID-19 pandemic.

The announcement from March 23rd, 2020 includes a “Notice of Enforcement Policy” and “Waiver” regarding expiring driver’s licenses and medical examiner’s certificates – for drivers who had current credentials as of 3/1 – allowing FMCSA to exercise its enforcement discretion to not take enforcement action in certain cases when a commercial learners’ permit, CDL or Medical Certificate is expired. This is not a blanket exemption from the CLP, CDL and/or Medical Certificate requirements, and drivers and carriers should review the details of the waiver to ensure their operations qualify.

Frequently Asked Questions

What does FMCSA's temporary waiver mean for the trucking industry?

The waiver provides flexibility to commercial driver’s license (CDL) and commercial learner’s permit (CLP) holders, and to other interstate drivers operating commercial motor vehicles (CMVs), by extending the expiration dates for federally mandated licenses and medical certifications.

Which drivers are covered by the waiver?

The waiver provides flexibility only to CLP or CDL holders and other interstate drivers operating CMVs who had a valid license and medical certification on February 29, 2020 that expired on or after March 1, 2020.

Does the waiver provide any flexibility for bringing new drivers into the industry?

Yes. The waiver eliminates the 14 day waiting period between the issuance of a CLP and taking the CDL skills test.

When does FMCSA's temporary waiver expire?

June 30, 2020.

Do motor carriers have any special obligations if their drivers are operating under FMCSA's waiver?

Yes. Motor carriers must notify FMCSA within five business days of an accident (as defined in 49 CFR 390.5), involving any CDL holder, CLP holder or non-CDL driver operating under the terms of this waiver. The notification must be sent by email to MCPSD@DOT.gov with the following information:

- i. Date of the accident;
- ii. City or town, and State in which the accident occurred, or closest to the accident scene;
- iii. Driver's name and license number;
- iv. Vehicle number and State license number;
- v. Number of individuals suffering physical injury;
- vi. Number of fatalities;
- vii. The police-reported cause of the accident (if available at time of the report); and
- viii. Whether the driver was cited for violation of any traffic laws, or motor carrier safety regulations.

Does the waiver apply to all medical examiner's certificates that expired on or after March 1, 2020?

No. The waiver does not apply to medical examiner's certificates originally issued for less than 90 days.



Additionally, drivers who have been diagnosed with a new medical condition that would disqualify the driver from operating in interstate commerce, or have developed a new condition that requires an exemption or Skill Performance Evaluation from FMCSA, are not covered under this waiver.

State Declarations

It is recommended that companies and/or drivers check with their respective state's official government or DMV website for the latest information regarding the following critical items:

- Closures of state driver license agencies
- CDL expiration date extensions
- New CLP and CDL issuance / testing restrictions
- Increased size and weight limits
- Parking and rest stop availability

Frequently Asked Questions

May trucks operate at greater weight or dimensional limits if they are providing transportation services in response to the COVID-19 national emergency?

Yes, if the state has issued an order or declaration granting trucking companies the authority to operate at weight or dimensional limits above those normally authorized under law.

Does federal law authorize higher weight limits on the Interstate System?

Yes, under federal law, in the event a national emergency is declared, states may issue permits authorizing the operation of vehicles with a gross weight over 80,000 pounds. States already have jurisdiction over non-Interstate roadways, so no federal authorization is required for non-Interstate roads.

Has the Federal Highway Administration (FHWA) issued guidance for states under the current emergency?

As of March 18, FHWA had not issued guidance.

What types of goods are eligible for transportation under the states' emergency declarations?

This varies by state, but generally speaking, states do not specify the types of goods that qualify. However, the carrier must be able to demonstrate that the load is carrying goods that can be classified as relief or emergency supplies.

How much additional weight can a truck carry? How much more length is allowed?

This varies by state. Check with each state's oversize/overweight permit office for details.

May trucks operating under an emergency declaration operate on all roads?

In some cases states may restrict trucks to certain highways. Generally speaking, trucks may not operate on bridges that have a posted weight limit below the truck's gross weight. Check with each state's oversize/overweight permit office for details.

Must drivers carry any documentation?

This varies by state, but generally speaking, drivers should carry the state's emergency declaration and a state-issued permit if required.

