

## **Special Permit to Operate on Missouri Interstates**

WHEREAS, on March 13, 2020, in response to the Coronavirus Disease 2019 (COVID-19) pandemic, President of the United States Donald Trump declared a nationwide emergency pursuant to Title 42, United States Code (U.S.C.) § 5191(b); and

WHEREAS, on March 13, 2020, Governor Parson issued Executive Order 20-02, which declared a state of emergency for the entire State of Missouri and directed the Missouri State Emergency Operations Plan be activated. Executive Order 20-09 issued on April 24, 2020 extended Executive Order 20-02's declared state of emergency for the entire State of Missouri and expires on June 15, 2020; and

WHEREAS, on March 13, 2020, the Federal Motor Carrier Safety Administration (FMCSA) issued an updated Emergency Declaration No. 2020-02 under its authority pursuant to Title 49, Code of Federal Regulations, Part 390.23, which recognized the President's emergency declaration and FMCSA recognized and declared that an emergency exists that warrants an exemption from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations (FMCSRs), except as otherwise restricted by Emergency Declaration 2020-02. On April 8, 2020, FMCSA issued an extension of its Emergency Declaration 2020-02, so that its exemptions of Parts 390 through 399 of the FMCSRs is effective until May 15, 2020; and

WHEREAS, section 304.200, RSMo requires the Missouri Department of Transportation for good cause and when the public safety or public interest justifies, to issue special permits for vehicles or equipment exceeding the limitations on width, length, height and weight specified in Chapter 304, RSMo.

WHEREAS, the public safety and welfare of the citizens of the entire State of Missouri require that operators of commercial motor carriers upon the public highways within Missouri rendering assistance to the emergency efforts within the State of Missouri should be allowed more rapid and efficient travel to meet this emergency need for transportation of passengers and property; and

WHEREAS, this requirement for more rapid and efficient transportation would be facilitated by the temporary suspension of certain usual and necessary federal and state laws, regulations and administrative rule requirements for commercial motor vehicles, including the suspension of Title 23, U.S.C. § 127 while they are transporting property and passengers to assist in the COVID-19 emergency relief efforts in the State of Missouri.

NOW THEREFORE, I, Patrick McKenna, Director of the Missouri Department of Transportation (MoDOT), hereby acknowledge the emergencies as declared by President Donald Trump and Missouri Governor Mike Parson, Emergency Declaration 2020-02 as issued and expanded by FMCSA, and, as a result of the continued confirmed and presumptive positive cases of COVID-19 in this state, determine under section 304.200, RSMo, that further assistance is necessary to provide the emergency response relief as set forth in these aforementioned declarations, by authorizing overweight loads to be transported on all public roads under the jurisdiction of the State of Missouri, including all interstate highways, provided the following criteria are met:

- (1) A copy of this SPECIAL PERMIT and a bill of lading must be in the possession of

the operator of the overweight vehicle during its operation and shall be available for inspection upon request to any Missouri law enforcement official and/or any authorized MoDOT employee; and

(2) Undertaking the movement is evidence that both the owner and operator of the equipment agree to abide by the conditions included in this SPECIAL PERMIT and all other non-exempted requirements for overweight loads; and

(3) Carriers may haul up to 100,000 lbs. on semi-trailer combination configurations of five or more axles with a minimum length of at least 55'-0" from centerline to centerline of extreme axles. Other semi-trailer configurations are allowed to haul an additional 10% above normal legal loads; and

(4) There is no fee associated with this SPECIAL PERMIT; and

(5) Motor Carriers are limited to transporting supplies, equipment, livestock, poultry, feed and fuels that are in direct effort to prevent, contain, mitigate and treat the effects of the COVID-19 virus. Any fuels being transported can be hauled at 100,000 lbs. or up to the manufacturer's specifications of the tank type being operated, whichever results in the lower weight; and

(6) Motor Carriers must obey all structure postings and size/weight restrictions.

This SPECIAL PERMIT is effective on April 30, 2020 and shall expire on June 15, 2020 at 11:59 p.m. Violation of any of the conditions of this SPECIAL PERMIT will void the SPECIAL PERMIT and subject the owner and operator to penalty under section 304.240, RSMo, and any other applicable penalties authorized under the Revised Statutes of Missouri.

For the Department,

  
Patrick McKenna  
Director