

EMA Regulatory Alert: Hurricane Isaias HOS Federal and State Waivers

Hurricane Isaias is moving toward the northern Gulf Coast as a category 3, with emergency declarations and transportation-related regulatory relief measures already activated in several states. In addition, a nationwide FMCSA HOS waiver remains in effect through December 16, 2026, covering interstate transportation of gasoline and diesel fuel.

Federal Relief

While the nationwide HOS waiver from FMCSA is not specific to Hurricane Isaias, it provides some HOS flexibility to drivers seeking to offer direct assistance to affected areas. There is no need for FMCSA to separately declare a regional emergency for operators to make use of the existing relief. See FMCSA's waiver to review its terms and conditions: [\[fmcsa.dot.gov\]](https://www.fmcsa.dot.gov)

At this time, the waiver is limited to the interstate transportation of gasoline and diesel fuel. EMA continues to work with FMCSA to expand the covered fuels in the waiver, asking the agency to include heating fuel, aviation fuel, ethanol, denatured ethanol, and propane given related logistics concerns. In addition, EMA has requested a modest increase to the weekly on-duty limits (60/70 hours).

FMCSA could declare a regional emergency to provide more coverage in terms of products (e.g., propane) and relief (e.g., waiving weekly limits) targeted to this emergency. There is no indication that the agency is currently considering an extra layer of relief, as states have also responded.

Pursuant to 49 CFR § 390.23, states also have the authority to trigger interstate HOS relief through an emergency declaration. If they do so, it will be important to check for inconsistencies between the coverage, terms, and conditions of FMCSA's non-emergency waiver and the state-triggered emergency waiver. Drivers must clearly understand and document the authority and relief under which they are operating.

Florida

Governor Ron DeSantis issued Executive Order 26-202 on October 6, 2026, and Executive Order 26-211 on October 7, 2026, declaring a state of emergency for 27 Florida counties threatened by Hurricane Isaias. [\[flgov.com\]](https://www.flgov.com) The Florida Department of Highway Safety and Motor Vehicles (FLHSMV) through Emergency Order 26-05, effective October 7, 2026, waives hours-of-service requirements for commercial motor vehicles engaged in emergency response activities, the order also suspends certain registration, IRP, and IFTA enforcement requirements for qualifying emergency-response carriers. The waiver remains effective through December 5, 2026. [\[flhsmv.gov\]](https://www.flhsmv.gov) In addition, the Florida Department of Transportation (FDOT) issued

Emergency Order 26-07, providing oversize/overweight relief, emergency road-use permits, and temporary weigh-station bypass authority for eligible emergency-response vehicles through October 20, 2026. [[oom_20261008_emergency-order-26-06---isaias.pdf](#) and [oom_20261008_emergencyroadusepermitletter_emergencyorder_26-07.pdf](#)] Florida's state of emergency also triggers enforcement of the state's emergency price-gouging laws. [[flgov.com](#)]

Alabama

Governor Kay Ivey declared a state of emergency effective October 7, 2026, covering 40 counties. The declaration is in effect through October 14, 2026, unless extended or modified. [[governor.alabama.gov](#)]. The emergency declaration activates the emergency relief provisions of 49 CFR 390.23, allowing exemption from federal hours-of-service requirements for drivers providing direct emergency assistance related to storm response and recovery. [[governor.alabama.gov](#)]. The Alabama Department of Revenue has also suspended certain IRP and IFTA requirements for vehicles participating in interstate disaster-relief operations associated with Hurricane Isaias. [[revenue.alabama.gov](#)] Alabama's emergency declaration specifically activates state price-gouging protections. [[mobilecountyma.gov](#)]

Mississippi

The Mississippi Emergency Management Agency (MEMA) has activated emergency preparedness operations and several local jurisdictions, including Gulfport, Jackson County, and George County, have declared local emergencies. . No statewide motor-carrier HOS waiver is available.

Louisiana

The Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) has activated hurricane response operations and is issuing storm updates regarding Hurricane Isaias. No statewide motor-carrier HOS waiver is available. [[gohsep.la.gov](#)]

In addition, here is other government information that may be useful:

- Alabama: Mandatory evacuation remains active for nonresidents and visitors south of Baldwin County's ICW and all Mobile County Zone 1, including Dauphin Island and parts of Bayou La Batre. [<https://www.outdooralabama.com/Isaias>]
- Escambia County: Zones A/B remain under evacuation order; county offices are closed today. 850-471-6600. [<https://www.cityofpensacola.com/m/newsflash/Home/Detail/5236>]

- Santa Rosa County: Zones A/B, low-lying areas and mobile homes remain under evacuation order. Downtown Milton traffic controls begin at 7 AM.

<https://santarosa.fl.gov/m/newsflash/home/detail/2200>

- Port of Mobile and Port of Gulfport remain under documented YANKEE restrictions. Port of Mobile berth/terminal suspension implementation is unconfirmed. Private terminal/rack loading: UNKNOWN — CALL TERMINAL.

<https://alports.com/news/tropical-storm-isaias-latest-updates-on-port-of-mobile-operations/>
<https://shipmspa.com/weather-updates/>

- Pensacola International Airport terminal closure is scheduled for 10 AM today and runway shutdown for 6 PM; reopening is TBD. Okaloosa airport closure implementation remains unconfirmed. <https://www.cityofpensacola.com/m/newsflash/Home/Detail/5236>,
<https://myokaloosa.com/eoc/home>

- Pensacola Beach water/sewer shutdown is scheduled for 3 PM today after emergency personnel evacuate

<https://www.ecua.fl.gov/m/newsflash/home/detail/37>

Private-Sector Access/Re-Entry

- Louisiana: Local Program Verified — New Orleans. <https://ready.nola.gov/plan/business-owners/>
- Mississippi: Program Not Verified; MSBEOC information resource. <https://www.msema.org/get-assistance/MSBEOC>
- Alabama: Local Program Verified — Gulf Shores. <https://www.gulfshoresal.gov/HurricaneDecal>
- Florida: Statewide Program Verified. <https://www.floridadisaster.org/dem/business/>

Watch Next: Port and airport shutdown implementation, new evacuation/curfew actions, bridge closures, storm-attributed outage totals, restoration estimates, and any reopening or rescission notices.

As always, EMA stands ready to assist states through this emergency. Please contact Sherri Stone at sstone@emamerica.org or 703-472-7980 anytime day or night.