Remarks from the International Road Transport Union

RU’s US freight member, ATA, has reported the following:

With effect from midnight, Friday 20 March, the US-Canada and US-Mexico border ports of entry have implemented a partial travel ban. This ban does not apply to trade or truck freight of any kind, nor to truck drivers from these three countries (providing the driver is in good health). Please see the highlights below, as well as the attached Federal Register notices.

There have been reports of some Customs and Border Protection officers on the northern border informing drivers that, with effect from 23 March, their loads will not be considered “essential”. There are also reports that some loads have already been turned away for the same reason. ATA has been informed that ALL truck freight is essential, and if drivers are told otherwise then he or she must request the assistance of a supervisor. Furthermore, drivers commuting to work across the border, or persons crossing the border on foot to collect a load, are also permitted to cross.

If you receive reports from your drivers of any issues, please inform ATA immediately to inform the CBP. Field officers should be fully aware that all freight and all truck drivers are considered essential at this point.

Updated situation on Domestic Freight Operations in the United States of America.

On 18 March, the FMCSA released an updated Emergency Declaration for commercial motor vehicle operations providing direct assistance to COVID-19 relief efforts. The declaration can be located on the FMCSA’s website here.

In the update, the FMCSA provided new guidance on which operations are covered by the declaration, clarifying that fuel haulers are in fact included. The updated declaration also provides new guidance on “mixed load” operations.

“We thank Administrator Mullen and the Trump Administration for continued support to our industry as we deliver food, water, medicine, medical supplies, fuel and other essentials throughout this public health crisis,” said Dan Horvath, Vice President of Safety Policy at the American Trucking Associations. “The men and women of the trucking industry are heroes who remain on the front lines in this national effort.”

ATA encourages individuals to review the official declaration to determine whether their operations are included:

This Emergency Declaration provides regulatory relief for commercial motor vehicle operations providing direct assistance in support of emergency relief efforts related to the COVID-19 outbreaks, including transportation to meet immediate needs for: (1) medical supplies and equipment related to the testing, diagnosis and treatment of COVID-19; (2) supplies and equipment necessary for community safety, sanitation, and prevention of community transmission of COVID-19 such as masks, gloves, hand sanitizer, soap and disinfectants; (3) food, paper products and other groceries for emergency restocking of distribution centers or stores; (4) immediate precursor raw materials - such as paper, plastic or alcohol - that are required and to be used for the manufacture of items in categories (1), (2) or (3); (5) fuel; (6) equipment, supplies and persons necessary to establish and manage temporary housing, quarantine, and isolation facilities related to COVID-19; (7) persons designated by Federal, State or local authorities for medical, isolation, or quarantine purposes; and (8) persons necessary to provide other medical or emergency services, the supply of which may be affected by the COVID-19 response. Direct assistance does not include routine commercial deliveries, including mixed loads with a nominal quantity of qualifying emergency relief added to obtain the benefits of this emergency declaration.
Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services that are not in support of emergency relief efforts related to the COVID-19 outbreaks or when the motor carrier dispatches a driver or commercial motor vehicle to another location to begin operations in commerce. 49 CFR § 390.23(b). Upon termination of direct assistance to emergency relief efforts related to the COVID-19 outbreaks, the motor carrier and driver are subject to the requirements of 49 CFR Parts 390 through 399, except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location without complying with Parts 390 through 399.

Source: ATA