



STATE OF OKLAHOMA  
DEPARTMENT OF PUBLIC SAFETY

**TO:** Liquefied Petroleum Gas Administration

**FROM:** Tim Tipton, Commissioner of Public Safety

**DATE:** January 21, 2026

**SUBJECT:** Suspension of Application of 49 C.F.R. § 395.3 for Delivery Drivers of Residential Heating Fuel

As DPS Commissioner, I am in receipt of your request regarding the severe weather event anticipated to begin in Oklahoma January 23, 2026. Specifically, you provide the following:

I am submitting this request for an Hours of Service (HOS) extension under the emergency provisions of the Federal Motor Carrier Safety Administration (FMCSA) due to the forecasted severe winter weather affecting Oklahoma, Kansas, Texas, and Missouri. <https://www.weather.gov/oun/>

Current wait times in Conway, Kansas is between 4 to 6 hours, and the West line of the MidAmerica Pipeline is between 6 to 10 hours. On a typical day, the wait times are up to an hour.

Updated forecasts indicate an additional winter storm system moving into the region, bringing dangerously low temperatures, snow, and icy road conditions. These conditions are already impacting refinery operations and increasing wait times at terminals, while simultaneously elevating demand for propane as a critical heating fuel.

It is essential that an emergency HOS extension be implemented prior to the onset of the severe weather, rather than after conditions deteriorate. Proactive implementation allows propane dealers and transporters the flexibility necessary to pre-stage product, replenish local storage, and refuel customer supply in advance of the storm. Waiting until after the weather event occurs creates an avoidable strain on both dealers and transporters and often results in drivers being forced onto roadways during the most hazardous conditions, increasing safety risks to the public and the industry alike.

This approach is consistent with recent federal action. On January 15, 2026, FMCSA issued an Extension and Amendment of its Regional Emergency Declaration pursuant to 49 CFR § 390.25 (No. 2025-013), citing winter storms, extreme cold, refinery and pipeline disruptions, and the immediate risk to public health, safety, and welfare. That declaration specifically recognizes the need for immediate transportation of heating fuels, including propane, and currently applies to several surrounding states, including Kansas and Missouri.

Given the interconnected nature of regional supply chains, shared refinery infrastructure, and the forecasted impacts across state lines, we respectfully request

that Oklahoma issue a corresponding Emergency HOS starting the morning of January 21, 2026, for a minimum of 7 to 10 days, to ensure continuity of service and safe, efficient propane deliveries.

Pursuant to the delegation of authority by Governor J. Kevin Stitt in accordance with 49 C.F.R. § 390.23, due to the severe weather anticipated to begin in Oklahoma January 23, 2026, as well as the regional impacts described in FMCSA's extension and amendment of emergency declaration No. 2025-013, I hereby suspend application of 49 C.F.R. § 395.3, for delivery drivers of residential heating fuel for the aforementioned inclement weather. The suspension of 49 C.F.R. § 395.3 shall commence 12:01 a.m. CST on Wednesday, January 21, 2026, and cease 11:59 p.m. CST on Tuesday, January 27, 2026. All counties in Oklahoma are encompassed in the suspension of application of 49 C.F.R. § 395.3.

This limited suspension of 49 C.F.R. § 395.3 shall not be construed as the declaration of a natural or man-made emergency under the provisions of the Oklahoma Emergency Management Act of 2003 or any other Oklahoma law. Nor shall the limited suspension of 49 C.F.R. § 395.3 be construed as an exemption from the enforcement of any other laws, regulations, or rules pertaining to the operation of commercial motor vehicles.

Respectfully,



Tim Tipton  
Commissioner of Public Safety