

(v) Apply the medical examination and certification requirements of Sections 391.41(a), 391.43 and 391.45 of the Federal Motor Carrier Safety Regulations to a driver who operates a vehicle or vehicle combination with a registered gross or combination weight of less than 26,001 pounds.

(2) Nothing contained in this subsection limits regulation of the qualifications or hours of service of a driver of a vehicle:

(i) In interstate commerce;

(ii) Transporting hazardous materials of a type and quantity requiring placarding under federal hazardous materials regulations; or

(iii) Designed to transport 16 or more passengers, including the driver.

(J) (1) NOTWITHSTANDING THE PROVISIONS OF ARTICLE 16A, § 6A OF THE CODE, THE GOVERNOR MAY DELEGATE THE POWER TO DECLARE A UTILITY OR TRANSPORTATION EMERGENCY TO THE SECRETARY OR THE SECRETARY'S DESIGNEE.

(2) THE SECRETARY OR THE SECRETARY'S DESIGNEE MAY DECLARE A UTILITY OR TRANSPORTATION EMERGENCY.

(I) DURING THE TIME IN WHICH A DECLARED UTILITY OR TRANSPORTATION EMERGENCY EXISTS, THE SECRETARY OR THE SECRETARY'S DESIGNEE SHALL WAIVE THE MAXIMUM HOURS-OF-SERVICE TIME LIMITS CONTAINED IN THIS SECTION, OR IN REGULATIONS PROMULGATED PURSUANT THERETO FOR ALL INTERSTATE AND INTRASTATE DRIVERS PROVIDING DIRECT ASSISTANCE IN RESTORING UTILITY SERVICES AFFECTED BY A UTILITY EMERGENCY.

(II) THIS WAIVER SHALL APPLY ONLY TO DRIVERS PROVIDING DIRECT ASSISTANCE IN RESTORING UTILITY SERVICES AFFECTED BY A UTILITY EMERGENCY IN THE STATE, OR TO DRIVERS OF EMERGENCY VEHICLES OPERATED UNDER THE DIRECTION OF STATE AND LOCAL GOVERNMENTS OR THEIR AGENTS WHEN PROVIDING DIRECT ASSISTANCE IN CLEARING AND OPENING STATE HIGHWAYS AND LOCAL STREETS AND ROADS TO ALLOW FREE FLOW OF TRAFFIC.

(3) (I) ALL DECLARATIONS ISSUED UNDER THIS SECTION SHALL INDICATE THE NATURE OF THE UTILITY OR TRANSPORTATION EMERGENCY, THE AREA OR AREAS THREATENED, AND THE CONDITIONS WHICH HAVE BROUGHT IT ABOUT.

(II) A DECLARATION SHALL BE DISSEMINATED BY A MEANS CALCULATED TO BRING ITS CONTENTS TO THE ATTENTION OF THE GENERAL PUBLIC, IN THE AREAS AFFECTED BY THE DECLARATION.

(4) WITHIN 10 DAYS OF THE ISSUANCE OF ANY DECLARATION ISSUED UNDER THIS SECTION, THE SECRETARY OR THE SECRETARY'S DESIGNEE SHALL NOTIFY THE GOVERNOR OF THE NATURE OF THE DECLARATION.