



COVID-19 Updates

As the Oregon trucking industry continues to adapt to the ongoing COVID-19 pandemic and provide critical supplies and services statewide, many trucking companies are faced with more questions than answers. Recognizing the need for timely, accurate information, OTA prepared this list of frequently asked questions along with answers and sources for further information. These are the common challenges we see at the moment, but we will continue to update this information as events unfold and more information becomes available. We will also add additional questions and answers to this document based on your direct feedback to OTA staff as well as your participation in OTA's weekly COVID-19 conference call updates. Remember, this guidance document is intended for informational purposes and should not be considered legal advice.

OTA Members can join our conference call updates each week:

- Mondays @ 2:00 PM with Jana Jarvis
- Fridays @ 11:00 AM with Adam Williamson and Waylon Buchan

You can register for these calls and find more COVID-19 news and critical information at:

<https://www.ortrucking.org/emergency>

New Updated OHA Guidance on testing frontline workers:

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2267.pdf>

Important Deadlines

March 24th Executive Order No. 20-12 requires all businesses to establish, implement, and enforce a social distancing policy and designate an employee to oversee this process.

April 1st Families First Coronavirus Response Act (FFCRA) takes effect, requiring certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. Employers must post this [FFCRA flyer](#) by April 1st. Given the current situation, employers may distribute the flyer electronically so employees away from the workplace can receive FFCRA notice. More information can be found below.

Frequently Asked Questions

Q: Is it necessary to carry papers to prove you are an essential business?

A: No. There is no requirement or license required to continue trucking operations in Oregon. Executive Order 20-12 directs closures for a specific list of non-essential businesses. Because trucking is not on the closure list, trucking companies may still operate in Oregon. However – other states may require additional paperwork or credentials to prove essential business status in the future, and various law enforcement agencies may be unfamiliar with trucking industry practices. As a precaution, consider providing employees with paperwork identifying them as part of the Essential Critical Infrastructure Workforce. You can download a [customizable template](#) from the OTA website.

Q: Can I run over dimension or overweight while the Executive Order is active?

A: Yes, under certain circumstances. ODOT has indicated they are suspending enforcement of size and weight permits for anyone transporting persons or property necessary for, responding to, and mitigating the spread of the novel coronavirus (COVID-19). See the [ODOT March 16 COVID-19 Directive](#) for more information. The directive states that drivers should keep a copy of the directive and a copy of [Governor Brown's Executive Order 20-03](#) on hand in the event they are requested by law enforcement or motor carrier enforcement officers.

Q: How does my company comply with social distancing mandates when we typically send multiple workers to a job site using one vehicle? What about driver training in the same vehicle?

A: Oregon businesses are working to implement the EO social distancing mandates into their unique operations. Do your best to ensure employees are maintaining 6 feet of distance wherever possible. OTA will post revised guidance from OHA as it becomes available. Until then, review the guidance provided from:

- [US Centers for Disease Control and Prevention \(CDC\)](#)
- [OSHA's Guidance on Preparing Workplaces for COVID-19](#)
- [Oregon Health Authority COVID-19 Guidance](#)

In addition to social distancing measures, the Oregon Health authority states that if you have to drive a vehicle with passengers, the best way to protect yourself is to remind passengers of the need to "cover their cough." If you need to transport someone with a cough illness, ask that they wear a mask. Wipe down surfaces afterwards with an approved disinfectant.

Q: Drug testing has become an obstacle as some employees are refusing to go to clinics or collection sites out of fear of contracting coronavirus. What can we do?

A: USDOT provided [guidance](#) on this issue, but unfortunately it does not appear to provide additional flexibility or reduce consequences for employees who refuse a drug or alcohol test. Employers should reassess their current testing and collection policies and consider mobile testing options during the ongoing state of emergency. If it not possible for an employee to take a timely test, employers should do their best to document the circumstances while continuing to make arrangements for testing.

Q: We are seeing delays for DOT physicals - how can we ensure our drivers' medical credentials do not expire?

A: ODOT has indicated they will extend the grace period for commercial driver license holders to file updated medical examiner certificates during the COVID-19 state of emergency. At this time, DMV will not issue an automatic cancellation of commercial driving privileges (CDP) after expiration of a driver's medical certification. This will allow CDP holders with an expired medical examiner certificate to continue to provide essential services under the emergency declaration issued by the Federal Motor Carrier Safety Administration. CDP holders are still required by state and federal law to submit their certification to DMV when they are able to obtain it. They should continue to seek physician appointments and send their updated certificate to DMV as soon as possible

Q: Will DMV closures as a result of Governor Brown's executive order impact CDL testing?

A: ODOT will keep six Oregon DMV offices open, by appointment only, for commercial driver knowledge tests and commercial driver license issuance beginning March 25th. Office open for CDL appointments include Baker City, Bend, Hermiston, Medford, North Salem, and Southeast Portland (8710 SE Powell Blvd.) To schedule a CDL drive test, you must use a private [third-party CDL tester business](#). OTA is continuing to work with ODOT DMV to allow for 3rd party testers to operate at full capacity and take advantage of recent FMCSA waivers for CDL testing.

Q: What if my license or registration is expired or expiring soon?

A: ODOT DMV and Oregon law enforcement agencies have agreed to support a "grace period" for enforcing expired credentials during the state of emergency. These include driver license and identification cards, passenger vehicle registrations, commercial vehicle registrations, trip permits, and disabled parking permits. Until the emergency is over, Oregon law enforcement agencies and associations have agreed to exercise flexibility and discretion when reviewing driver licenses, ID cards, and vehicle registrations during this time of public health emergency.

Q: Will rest stops in Oregon remain open during the state of emergency?

A: All Oregon rest stops managed by ODOT or a third-party will remain open. The Oregon Travel Information Council and OPRD have no current plans to close ODOT rest areas as long as they can continue to be maintained.

Q: Where do I post the new FFCRA notice? Since most of my workforce is teleworking, where do I electronically "post" this notice?

A: Each covered employer must post a [notice of the Families First Coronavirus Response Act \(FFCRA\)](#) requirements in a conspicuous place on its premises. An employer may satisfy this requirement by emailing or direct mailing this notice to employees, or posting this notice on an employee information internal or external website.

Q: Do I have to post this FFCRA notice in other languages that my employees speak? Where can I get the notice in other languages?

A: You are not required to post this notice in multiple languages, but the Department of Labor is working to translate it into other languages.

Q: Do I have to share this FFCRA notice with recently laid-off individuals?

A: No, the FFCRA requirements explained on this notice apply only to current employees.

Q: I am a small business owner. Do I have to post this FFCRA notice?

A: Yes. All employers covered by the paid sick leave and expanded family and medical leave provisions of the FFCRA (i.e., certain public sector employers and private sector employers with fewer than 500 employees) are required to post this notice.

Q: Our employees must report to our main office headquarters each morning and then go off to work at our different worksite locations. Do we have to post this FFCRA notice at all of our different worksite locations?

A: The notice needs to be displayed in a conspicuous place where employees can see it. If they are able to see it at the main office, it is not necessary to display the notice at your different worksite locations.

Additional Resources

- US Department of Labor Coronavirus Resources
<https://www.dol.gov/coronavirus>
- Centers for Disease Control and Prevention (CDC)
<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>
- Oregon Health Authority COVID-19 Updates
<https://govstatus.egov.com/OR-OHA-COVID-19>
- Oregon Health Authority Testing Guidance
<https://sharesystems.dhsoha.state.or.us/DHSForms/Served/le2267.pdf>
- OSHA's Guidance on Preparing Workplaces for COVID-19
<https://osha.oregon.gov/OSHPubs/OSHA3990.pdf>
- Oregon Department of Transportation COVID-19 Information
<https://www.oregon.gov/odot/pages/incident.aspx>

- Federal Motor Carrier Safety Administration Emergency Declaration 03/19/2020
<https://www.fmcsa.dot.gov/emergency/frequently-asked-questions-related-fmcsa-emergency-declaration-03192020>
- FMCSA COVID-19 Drug & Alcohol Testing Guidance
<https://www.fmcsa.dot.gov/emergency/fmcsa-covid-19-drug-alcohol-testing-guidance>
- ODOT Emergency Rule Suspensions Directive March 16
https://chambermaster.blob.core.windows.net/userfiles/UserFiles/chambers/9399/CMS/COVID-10-Emergency-Declaration_ODOT.pdf
- Oregon State Police Emergency Declaration Enforcement FAQ
http://www.kajo.com/documents/OSP_Enforcement_FAQ.pdf
- US Department of Labor Wage and Hour Division COVID-19 FAQ
<https://www.dol.gov/agencies/whd/pandemic>
- IRS Coronavirus Tax Relief Information
<https://www.irs.gov/coronavirus>
- Oregon Department of Revenue COVID-19 Tax Relief Options
<https://www.irs.gov/coronavirus>
- Oregon Small Business Development Center Network COVID-19 Disaster Assistance Funding
<https://bizcentercat.org/covid19>
- Governor Brown Executive Order No. 20-12
https://www.oregon.gov/gov/Documents/executive_orders/eo_20-12.pdf
- Markowitz Herbold, PC Links to Employer Resources for OTA Members
<https://chambermaster.blob.core.windows.net/userfiles/UserFiles/chambers/9399/CMS/Links-to-Employer-Resources-for-OTA-Members.pdf>
- More COVID-19 news and critical information can be found at:
<https://www.ortrucking.org/emergency>