

Hurricane Irma Jones Act Waiver Expanded

SEPTEMBER 13, 2017

On September 8, the U.S. Department of Homeland Security issued a waiver of the “Jones Act” with respect to the movement of refined petroleum products from certain states (New York, Pennsylvania, Texas, and Louisiana) effective immediately and lasting seven days to be shipped to South Carolina, Georgia, Florida, and Puerto Rico. On September 11, DHS expanded the waiver to cover more states and to end a week later.

Specifically, New Jersey, Delaware, Maryland, Pennsylvania, New Mexico, Mississippi, Alabama, and Arkansas were added as cargo source states. North Carolina, Virginia, and West Virginia were added as cargo destination states. The “Jones Act,” which restricts the transportation of merchandise between points in the United States to qualified U.S.-flag vessels, applies to shipments “by water, or by land and water.”

With regard to duration, the original September 8 waiver indicated that it “covered merchandise laded on board a vessel within the seven day period of the waiver.” The September 11 expansion covers “merchandise laded on board a vessel through and including September 22, 2017.” The expansion does not indicate a commencement date for cargo to be laded to qualify under the waiver.

Both the original and expanded waiver cover the shipment of “refined petroleum products, including gasoline, diesel, and jet fuel.”

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