

Houston Attorney Christopher K. Fletcher Warns of Heightened Commercial Truck Crash Risk as Hurricane Season Approaches

Simmons and Fletcher Partner Cites Federal Rule That Suspends Hours-of-Service Limits for Storm-Response Truckers Ahead of June 1 Season Start

HOUSTON, TX, UNITED STATES, May 14, 2026 /EINPresswire.com/ -- With the 2026 Atlantic hurricane season set to begin June 1, Houston personal injury attorney Christopher K. Fletcher is urging Gulf Coast motorists to recognize a less-discussed storm-season hazard: a sharp increase in commercial truck traffic on the same evacuation corridors used by fleeing residents, much of it operating under federal rules that temporarily suspend driver hours-of-service limits.

The National Oceanic and Atmospheric Administration will release its official 2026 Atlantic hurricane season outlook May 21. Colorado State University's April 9 forecast projects a slightly below-normal season, with 13 named storms, six hurricanes and two major hurricanes. Forecasters cautioned that even a quieter season can produce a single catastrophic Gulf landfall.

Once an emergency is declared, 49 CFR 390.23 — the Federal Motor Carrier Safety Administration's emergency relief regulation — automatically suspends federal hours-of-service rules for commercial drivers providing direct assistance. Per FMCSA, presidential and state declarations are effective for up to 30 days, and local declarations for up to five days. The suspension applies to drivers hauling fuel, water, food, medical supplies and other essential commodities into affected areas.

"Most Houston drivers have never read 49 CFR 390.23, but it is the regulation that governs the trucks they share the road with for weeks after a storm warning is issued," said Fletcher, a partner at Simmons and Fletcher, P.C. "The federal hours-of-service rules exist because fatigued commercial drivers cause fatal crashes. When those rules are suspended for emergency response, the public has to understand the trade-off and drive accordingly."

The Houston Commercial Truck Picture

According to the Texas Department of Transportation, Harris County consistently leads all Texas counties in commercial motor vehicle crash volume. TxDOT's 2025 annual crash report is scheduled for release in June 2026.

Houston's position at the intersection of Interstate 10, Interstate 45, U.S. 290 and U.S. 59 — the primary evacuation routes designated by TxDOT and the Houston-Galveston Area Council concentrates commercial truck volume on the same corridors that fill with passenger vehicles during a mandatory evacuation. Those corridors also carry post-storm utility convoys, debris-hauling fleets and fuel resupply tankers in the days and weeks after landfall.

What the Emergency Declaration Does Not Suspend

Fletcher noted that FMCSA's emergency framework does not waive every safety requirement. Under 49 CFR 390.23 and related FMCSA guidance, commercial drivers operating under an emergency declaration remain subject to controlled substance and alcohol testing requirements (49 CFR Part 382), commercial driver's license requirements (49 CFR Part 383), minimum financial responsibility requirements (49 CFR Part 387) and hazardous materials regulations (49 CFR Parts 100–180).

Motor carriers operating under an out-of-service order are not eligible for emergency relief. FMCSA also requires that fatigued drivers be given at least 10 consecutive hours off duty upon request, even during a declared emergency.

"The emergency declaration is not a license for a trucking company to run an unfit driver into the ground," Fletcher said. "If a carrier puts a fatigued driver behind the wheel of an 80,000-pound vehicle and someone is killed, the emergency declaration does not insulate that carrier from liability. The duty of care still applies."

Guidance for Houston-Area Drivers

Fletcher offered the following guidance for residents of Houston, Katy, Cypress, Sugar Land, Memorial, League City, Galveston and surrounding Gulf Coast communities:

Evacuate early when an order is issued. Traffic density and commercial truck volume both increase as a storm approaches.

Maintain extra following distance behind commercial trucks on I-10, I-45, U.S. 290 and U.S. 59, particularly in the days before and after a storm.

After any crash involving a commercial vehicle, seek medical attention immediately, photograph the scene and the truck's U.S. DOT number, and consult a personal injury attorney before providing a recorded statement to any insurance carrier.

Confirm that homeowners, auto and umbrella insurance coverage is current before June 1.
About Simmons and Fletcher, P.C.

Simmons and Fletcher, P.C., is a Christian personal injury law firm founded in 1979 and headquartered at 9821 Katy Freeway, Suite 590, Houston, Texas. The firm represents injury victims in Houston, Katy, Cypress, Memorial, Sugar Land, League City, Galveston and across

Texas in cases involving 18-wheeler and commercial truck collisions, car accidents, motorcycle accidents, premises liability, slip and fall, dog bite, wrongful death and maritime injury claims.

The firm is led by President Sharon Simmons-Cantrell and partners Christopher K. Fletcher and Paul H. Cannon. Fletcher has held the AV Preeminent rating from Martindale-Hubbell since 2017 and was named to the National Trial Lawyers Top 40 Under 40. Cannon is board certified in personal injury trial law by the Texas Board of Legal Specialization, a designation held by fewer than 3% of Texas attorneys.

Learn more at simmonsandfletcher.com or call 713-932-0777

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Christine Haas

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