

Fact Sheet - [Executive Order 01.01.2026.19](#)

Emergency Diesel Fuel Relief for Maryland's Agricultural and Forestry Industries: Easing Harvest-Season Costs for Farmers and Loggers

Key Provisions:

- Declares a state of emergency based on the highest fuel prices on record that affect the State's agricultural and forestry industries, effective for 30 days and renewable no further than December 31, 2026.
- Allows the use of dyed diesel fuel, currently purchased untaxed for off-road use (i.e. on farm, in construction equipment, etc.), in on-road vehicles engaged in agricultural and forestry hauling.
- Removes the 30 day overweight hauling permit fees of agricultural and forestry products and inputs.

Covered Agricultural and Forestry Products:

- Includes "agricultural products" as defined in § 10-601 of the Agriculture Article [agricultural, horticultural, vegetable, or fruit product of the soil, including livestock, meats, marine food products, poultry, eggs, dairy products, wool, hides, feathers, nuts, honey, and every product of farm, forest, orchard, garden or water] as well as nursery stock, livestock feed, forestry products, litter, or other products of farming.
- Forestry product means any timber, log, pulpwood, wood chip, or other product of forestry or logging.
- Does NOT include: canned, frozen, dried, or pickled products, or processed timber.

Dyed Diesel:

- The Comptroller of Maryland will suspend enforcement of on-road dyed diesel use specifically for vehicles engaged in agricultural and forestry hauling for the duration of this Executive Order's effect.
- This enforcement suspension applies only to lawfully acquired fuel in qualifying vehicles conducting hauling operations for agricultural and forestry products.
- There is no requirement to register, apply, or pay a fee to qualify for this relief; however, businesses and vehicle operators should be prepared to demonstrate qualification for this relief upon request by a State enforcement agency, including delivery or scale ticket, bill of loading, load description & fuel receipts.
- Upon the conclusion of the effect of this Executive Order, vehicle owners who utilized red dye diesel will be responsible for efforts to drain their fuel tank, change filters, or utilize other methods to effectively remove the red dye.

Overweight Hauling:

- The Maryland Department of Transportation (MDOT) will waive the fee for 30-day [Exceptional Hauling Permits](#) for the duration of the effect of this Executive Order.
- Qualifying vehicles must operate within expanded weight limitations and comply with all posted weight limits and restrictions.
- Fee waivers apply only to vehicles transporting loaded agricultural products, forest products, or inputs.
 - This does not apply to vehicles transporting unloaded products, empty hauling vehicles, hazardous materials hauling, or any load that is not an agricultural product, forest product, or input.
- This authorization applies exclusively to State highways.
 - The Interstate System is excluded from this exemption until MDOT receives guidance from USDOT per the Federal Executive Order.
 - It also does not alter requirements on roads under the jurisdiction of counties, municipalities, or the Maryland Transportation Authority, though those entities are encouraged to consider comparable temporary relief.

Timeline of Effect:

- Within 5 days of enactment, the Comptroller, Department of Transportation, and State enforcement agencies must publish plain-language guidance for farmers, loggers, haulers, fuel suppliers, enforcement personnel - and shared with agricultural and forestry industry associations - detailing:
 - What qualifies under this Order
 - Documentation that may be requested
 - Weight conditions related to overweight hauling
 - Continuing application of Federal law
- State enforcement agencies must promptly inform personnel of the terms of this Order and guidance in order to ensure consistent application.
- Within 21 days of enactment and before any renewal, the Department of Agriculture - in consultation with the Comptroller and MDOT - must report to the Governor on:
 - The extent to which relief has been used
 - Any safety, infrastructure, or misuse concerns
 - Estimated effect on Transportation Trust Fund revenue
 - Status of any Federal relief
 - Recommendation to renew, modify, or terminate relief
- Within 60 days after the end of the effective period, the Department of Agriculture will submit a final report.

Interaction with the Federal Executive Order:

- The Federal EO temporarily allows dyed diesel on Federal highways, ensuring that the allowable use on State highways under this State EO are extended to Federal roads and supporting interstate commerce.
- The Federal EO additionally defers payment of the Federal excise tax imposed for on-road use of dyed diesel through December 31, 2026 without interest or penalties.

Background & Talking Points:

- Diesel prices have reached an all-time high
 - Increased 76.2% in the last twelve months
 - \$3.670 per gallon in September 2026
 - \$6.467 per gallon as of October 5, 2026
 - Previous record high was 2022 at \$5.82 per gallon
- The agriculture and forestry industries rely heavily on diesel for on-farm and on-road hauling operations
 - On-farm: combines, grain carts, and cover-crop planters
 - On-road: trucks to bring in and haul grain, timber, and other products
- The timing of this historic increase has inflicted economic hardship during peak harvest
 - Base suppliers operating under national commodity pricing & have no opportunity to pass along increased fuel costs to customers
 - Budgets and crop projections did not anticipate these costs
 - Cannot forgo harvest without losing operation-sustaining income
- Off-road diesel is dyed red to distinguish between tax-exempt status for on-farm use versus typical diesel
 - Both products are nearly chemically identical and otherwise interchangeable
 - Allowing red-dyed diesel for on-road use specifically for agricultural and forestry hauling will allow for temporary tax relief amidst record high diesel prices
- Waiving the fee for increased weight limits on hauling will allow for fewer trips and consequently less diesel required for operations.

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