



Maryland Diesel [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*

October 21, 2026

What does this Executive Order do?

- Declares a state of emergency for Maryland's agriculture and forestry industries due to record-high fuel prices. This emergency declaration is effective for 30 days and may be extended, although no further than December 31, 2026.
- Allows vehicles hauling agricultural and forestry products on public roads to use dyed diesel fuel, which is currently approved for use only by off-road equipment or vehicles.
- Waives the 30-day overweight hauling permit fee for vehicles transporting agricultural and forestry products and inputs.

What is dyed diesel fuel?

- Dyed diesel fuel is the same as on-road diesel fuel, dyed red in color to indicate that it is exempt from highway fuel taxes. It is typically intended for off-road vehicles and equipment, such as those used for farming or construction operations. It is chemically identical to diesel fuel used by vehicles on public roads.

What types of on-road hauling qualify to use dyed diesel fuel?

- A qualifying vehicle is a motor vehicle, including a truck-tractor and trailer combination while it is hauling agricultural or forestry products.
- The following commodities and agricultural sectors covered under this Executive Order are referenced in [Maryland Code, Agriculture § 10-601](#):
 - The following "farm products" as defined in § 10-601 of the Agriculture Article: Any 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.
- In reference to § 10-601 of the Agriculture Article, the Maryland Department of Agriculture interprets the following commodities and agricultural sectors to be covered under this Executive Order:
 - Those hauling agricultural and forestry products raised and harvested from a farm, forest, orchard or aquaculture operation (including raw seafood such as oysters, blue catfish, shellfish, etc.).

- Agricultural products, in addition to those identified as “farm products” above, including nursery stock, bulk livestock feed (including poultry feed), land-applied inputs (including but not limited to seed, fertilizer and lime), poultry litter and livestock (including but not limited to cattles, horses and poultry).
- Forestry products such as timber, logs, pulpwood, wood chips, wood shavings, pilings, bulk packaged shavings and/or litter.

Are there any commodities or agricultural sectors that are not qualified to use dyed diesel fuel?

- Under § 10-601 of the Agriculture Article, the following are not permitted to use dyed diesel fuel:
 - Processed and packaged goods, non-farm and non-forestry activities, and processed lumber.

What if I need to haul agricultural and forestry products across state lines?

Make sure to check our neighboring state’s regulations before traveling. On your International Fuel Tax Agreement (IFTA) return, report miles driven using dyed diesel as non-taxable miles and the amount of fuel used as non-taxable gallons.

- [Delaware](#): As of October 19, 2026, Delaware will honor Maryland’s temporary waiver, allowing qualifying agricultural and forestry haulers to use dyed diesel fuel without fuel inspection penalties or associated fees.
- [Pennsylvania](#): The use of dyed diesel fuel in vehicles traveling on public roads, except when allowed by federal law, is prohibited.
- [Virginia](#): As of October 16, 2026, vehicles hauling agricultural and forestry products on public roads are granted the authority to use dyed diesel fuel, provided they pay the required fuel tax in advance. This Executive Order is in place through December 31, 2026.
- [West Virginia](#): The use of dyed diesel fuel in vehicles traveling on public roads is prohibited, with limited exceptions. Fines of up to \$1,000 may be imposed for violations.

What documentation should I have on hand?

Operators must be able to show that their vehicles are qualified under the Executive Order by providing records such as a bill of lading, delivery or scale ticket, load description, fuel receipts, or other reasonable records or accounts of the loads that were hauled while the Executive Order was in place. Vehicle operators should keep receipts of clean diesel purchases after the Executive Order expires as proof of compliance.

What will enforcement look like after the Executive Order expires?

While enforcement efforts related to unlawful use of dyed diesel on the highway will resume upon the expiration of the Executive Order, state agencies will consider extending the practical grace period of between three and six months. Vehicle owners who used dyed diesel fuel will be responsible for efforts to drain their fuel tank, change filters or utilize other methods to effectively remove the red dye from their fuel systems. The Maryland Department of Transportation, Maryland State Police and the Comptroller's Office will exercise enforcement discretion on a case-by-case basis after evaluating the information obtained during any inspection or enforcement initiatives. Generally, fuel filters are not specifically inspected. If the fuel in the tank is free of dye, no enforcement action would be taken solely on the presence of “pink” filters. The Comptroller’s Field Enforcement Bureau strongly suggests vehicle operators replace their fuel filters and water separators to prevent further contamination of the entire fuel system once the Executive Order expires.

How can I obtain an Exceptional Hauling Permit?

To obtain an exceptional hauling permit for oversized loads carrying agricultural products, haulers may register and apply online at [Maryland One](#). Please email haulingpermits@mdot.maryland.gov with any related questions.

Do I still need to follow Exceptional Hauling Permit requirements if the fee is waived?

In accordance with the Executive Order, the Maryland State Highway Administration is waiving the fee associated with the 30-day exceptional hauling permit through December 31, 2026. [General conditions](#) for hauling permits still apply.

How does Maryland’s Executive Order work with the Federal Executive Order?

On October 14, 2026, the Internal Revenue Service [announced](#) that it will not impose a federal penalty on vehicles using dyed diesel fuel when traveling on highways nationwide, regardless of the purpose of travel, until December 31, 2026. This relief includes vehicles covered under Maryland’s Executive Order, through December 31, 2026.

The federal Executive Order is retroactive until October 1, 2026, meaning that any dyed diesel fuel purchased between October 1 – December 31, 2026 will not be penalized. The announcement does not include any limitations on the purpose for which a vehicle may be traveling when using dyed diesel fuel. As such, qualified vehicles engaged in agricultural and forestry hauling, as defined in Maryland’s Executive Order, fall within the scope of the announced federal relief.