



COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET  
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Andy Beshear  
GOVERNOR

Jim Gray  
SECRETARY

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 112322

SUBJECT: DECLARATION OF EMERGENCY, SUSPENSION OF REGISTRATION REQUIREMENTS, AND EXEMPTION OF HOURS OF SERVICE AND STOPPAGE AT WEIGH STATIONS

WHEREAS, a state of emergency exists in Louisiana and potentially other states in the surrounding areas due to Hurricane Delta and severe weather having been forecasted, and several states may suffer considerable damage and economic loss from storm winds and flooding due to changes in the weather pattern, and accordingly, pursuant to KRS 189.230, 189.233, 281.730 and 49 CFR 390.23, I hereby declare that a state of emergency exists requiring relief from the hours of service imposed on commercial vehicles providing power restoration within the affected areas. This shall include any commercial vehicle responding to affected areas in response to power restoration and debris removal; and

WHEREAS, states are working in concert to assist with relief efforts in the affected areas; and

WHEREAS, weather conditions have caused or may cause an emergency of national scope and the Commonwealth of Kentucky seeks to render mutual aid to assist in the federal and state disaster response; and

WHEREAS, weather conditions may cause and/or contribute to widespread electrical outages to a significant portion of the United States and the Commonwealth of Kentucky, distributing the delivery of vital services and products and thus affecting the public health, safety and welfare of its citizens; and

WHEREAS, Kentucky has been requested to render mutual aid to assist such repair vehicles in their response when entering and existing the Commonwealth; and

WHEREAS, 49 CFR Part 395, 49 CFR 390.23, KRS 281.730, 601 KAR 1:005 impose maximum driving time upon the drivers of commercial vehicles; and

WHEREAS, KRS 189.270, KRS 189.222, and 601 KAR 1:018 impose standards and establish procedures for the issuance of permits for overweight and/or over-dimensional vehicles; and

NOW, THEREFORE, pursuant to the authority vested in me by KRS 189.230, 189.233, 281.730, KRS 39A and 49 CFR 390.23, I hereby declare:

1. That a state of emergency exists requiring relief from the hours of service imposed on commercial vehicles providing power restoration within the affected areas. This shall include any commercial vehicle responding to affected areas in response to power restoration and debris removal; and
2. That conditions exist further requiring a waiver of stopping at all weigh stations for these commercial vehicles responding to the affected areas; and
3. That commercial vehicles providing relief and their operators shall be exempt from the hours of service imposed under 49 CFR Part 395, 601 KAR 1:005 and KRS 281.730 during the period of this emergency; and
4. That commercial vehicles providing relief as set forth herein shall be exempt from permit fees for overweight/over-dimensional vehicles; and
5. That IRP Registration Requirements for commercial vehicles providing relief services and relief supplies to the affected areas shall be waived; and
6. That all other safety requirements shall remain in full force and effect;
7. That any driver operating under the authority of this Official Order shall have a copy of the Order in the cab of the vehicle; and
8. This declaration of emergency shall remain in effect until 12:01 AM EDT, October 25, 2020.

  
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Jim Gray, Secretary  
Kentucky Transportation Cabinet

Done this 9<sup>th</sup> day of October, 2020 at Frankfort, Kentucky.

Approved as to form and legality:

  
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Will Fogle, Attorney  
KYTC, Office of Legal Services