

COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET  
FRANKFORT, KY

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 110962

SUBJECT: COMMERCIAL MOTOR VEHICLES RESPONDING TO HURRICANE IRMA  
EXEMPTION FROM CERTAIN WEIGHT RESTRICTIONS

WHEREAS, a State of Emergency exists in several states due to damage caused by Hurricane Irma, making it necessary to expedite the movement of vehicles and loads that are transporting various items needed to assist in this emergency; and

WHEREAS, a Presidential Declaration of Emergency exists pursuant to 42 U.S.C. 5121 *et seq.*; and

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

WHEREAS, Hurricane Irma has caused an emergency of national scope and the Commonwealth of Kentucky has been requested to render mutual aid to assist in the federal and state disaster response; and

WHEREAS, commercial motor vehicles will be transporting food, clothing, equipment, other supplies and relief workers to the designated areas; and

WHEREAS, 23 U.S.C. 127 imposes certain requirements related to length, width, weight and load for commercial motor vehicles; and

WHEREAS, 23 U.S.C. 127 gives States authority to suspend certain requirements relating to length, width, weight and load for commercial vehicles responding to an emergency when the President has issued a State of Emergency pursuant to 42 U.S.C. 5121 *et seq.*,

NOW, THEREFORE, pursuant to the authority vested in me by virtue of 42 U.S.C. 5121, 23 U.S.C. 127, 49 C.F.R. 390.23, Kentucky Revised Statutes 189.231 and 189.222 and Kentucky Revised Statute Chapter 281, and pursuant to the applicable general emergency management powers, I hereby declare:

1. That the Kentucky Transportation Cabinet, Department of Vehicle Regulation shall waive all federal rules and regulations that restrict the weight and/or load for commercial motor vehicles which are both traveling on the Interstate Highways and/or to Interstate Highways providing relief supplies to and power restoration and debris removal for the areas affected by Hurricane Irma, except that:

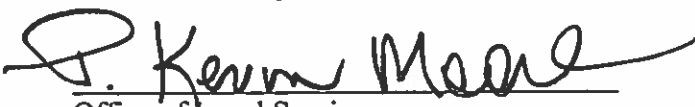
- a. No commercial motor vehicle weight shall exceed ninety-five thousand (95,000) pounds; and,
  - b. In order to ensure the safety of the traveling public and its infrastructure, the carrier shall obtain the necessary permit(s) for route verification, however, all costs shall be waived;
2. That the Kentucky Transportation Cabinet, Department of Vehicle Regulation shall waive the requirements for commercial motor vehicles regarding IRP Registration requirements for those providing direct relief to the affected areas.
3. That all other safety requirements, including but not limited to, width and size of commercial vehicles, shall remain in full force and effect and transporters shall be responsible for ensuring the proper oversize signs, markings, flags and escorts as required by law;
4. That any driver operating under authority of this Declaration of Emergency shall have a copy of this Declaration in the cab of the vehicle;
5. This Declaration of Emergency shall remain in effect until 12:01 AM E.D.T., September 27<sup>th</sup>, 2017.

This Order is effective September 12<sup>th</sup>, 2017.

  
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GREG THOMAS, Secretary  
Kentucky Transportation Cabinet

Done this 12<sup>th</sup> day of September, 2017.

Approved as to form and legality:

  
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Office of Legal Services