



COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
transportation.ky.gov

Andy Beshear
GOVERNOR

Jim Gray
SECRETARY

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 112731

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

WHEREAS, a potential state of emergency exists in North Carolina, South Carolina and potentially other states in the surrounding areas due to severe winter weather resulting in a damaging snow and ice event in North Carolina, South Carolina and potentially other states in the surrounding areas, severe weather having occurred, and several states having suffered considerable damage and economic loss from these severe weather events, 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 needed supplies, power restoration, removing debris and delivering gasoline, propane and diesel fuel 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 have caused or may cause widespread electrical outages and fuel shortages to a significant portion of the United States and the Commonwealth of Kentucky, disrupting the delivery of vital services and products and thus affecting the public health, safety and welfare of its citizens; 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, 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 and delivering gasoline, propane and diesel fuel within the affected areas. This shall include any commercial vehicle responding to affected areas in response to power restoration and delivering gasoline, propane and diesel fuel and debris removal and shall include vehicles transporting all other supplies needed to facilitate the recovery effort in the affected areas, including but not limited to vehicles transporting agricultural products, feed and supplies; 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 vital products 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 and vital products 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 vital 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 EST, February 1, 2022.



Jim Gray, Secretary
Kentucky Transportation Cabinet

Done this 14th day of January, 2022 at Frankfort, Kentucky.

Approved as to form and legality:



Will Fogle, Attorney
KYTC, Office of Legal Services