



COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
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Andy Beshear
GOVERNOR

Jim Gray
SECRETARY

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 113879

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

WHEREAS, a state of emergency exists in Kentucky due to an impending arctic front that is forecasted for the Commonwealth and a significant portion of the United States to experience a prolonged period of below-freezing temperatures and severe winter weather; and accordingly, pursuant to KRS 189.233, 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 delivering propane, fuel oil, kerosene and other needed supplies within the affected areas; and

WHEREAS, an arctic front will cause the Commonwealth and a significant portion of the United States to experience a prolonged period of below-freezing temperatures; and

WHEREAS, the current weather forecasts call for this trend to continue well into January, with temperatures in the single digits and wind chills well below zero degrees; and

WHEREAS, cold temperatures across the nation could lead to a tightening supply situation, and increased market demand resulting in a decline in inventories of propane, fuel oil, and kerosene; and

WHEREAS, these conditions may cause shortages, 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 and 601 KAR 1:005 impose maximum driving time upon the drivers of commercial vehicles; and

NOW, THEREFORE, pursuant to the authority vested in me by KRS 189.233, 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 delivering propane, fuel oil and kerosene within the affected areas; 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. The provisions of this order shall expire in fourteen (14) days or when a state of emergency no longer exists; and
4. Pursuant to 49 C.F.R. Section 390.23, I hereby waive 49 C.F.R. Section 395.3 for vehicles transporting loads that are for use in (1) providing direct assistance supporting emergency

relief efforts including transporting essential fuels, food, water, non-alcoholic beverages, medical supplies, feed for livestock and poultry, (2) transporting livestock, poultry, and crops ready to be harvested, or (3) the restoration of utility and transportation services in response to the Severe Weather Event in Commonwealth of Kentucky for fourteen (14) days.

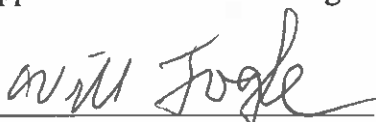
5. That all other safety requirements shall remain in full force and effect;



Jim Gray, Secretary
Kentucky Transportation Cabinet

Done this 4th day of January, 2025 at Frankfort, Kentucky.

Approved as to form and legality:



Will Fogle, Attorney
KYTC, Office of Legal Services