

All Inspection personnel,

On January 4, 2025, the Kansas Governor's Office gave a verbal declaration of emergency with the intent of granting certain exemptions for the transportation industry. To provide clarity on those exemptions all inspectors will abide by the following for those providing direct assistance during this emergency, and for the home heating fuel industry:

Guidance on Temporary Relief from Certain Motor Carrier Rules and Regulations

WHEREAS, K.S.A. 48-925(b) provides that the Governor may issue orders and proclamations which shall have the force and effect of law under subsection (b) of K.S.A. 48-924;

WHEREAS, severe winter weather and cold temperatures, in the mid-west and upper mid-west, has caused an interruption to the delivery of essential home heating fuels, and other services so long as the motor carrier or driver is providing direct assistance during this emergency;

WHEREAS, these conditions require the operation of motor carriers and drivers of commercial motor vehicles for the purposes of providing direct assistance to supplement State and local efforts in the restoration of services and relief in the affected area(s) of the State of Kansas;

WHEREAS, this disaster has caused or threatens to cause an emergency as defined in 49 C.F.R. 390.5, as adopted by K.A.R. 82-4-3f, and which has or threatens to interrupt the delivery of essential services or essential supplies or otherwise immediately threatens physical harm or injury to persons, the public welfare and/or substantial damage to property;

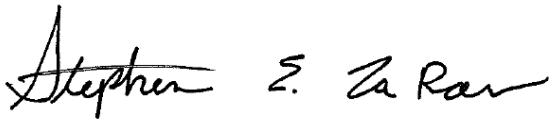
NOW, THEREFORE, I hereby acknowledge that it is necessary to assist and expedite all disaster recovery efforts. In order to accommodate this need and to provide assistance to the citizens of Kansas in this emergency situation, I hereby order the following for inspection personnel:

1. This declaration applies to motor carriers directly participating in relief efforts; and
2. In accordance with Title 49 C.F.R. § 390.23(b) Regional declarations of emergency. Except as provided in paragraph (b)(1) of this section, §§ 395.3 and 395.5 of this chapter shall not apply to a motor carrier or driver operating a commercial motor vehicle so long as the motor carrier or driver is providing direct assistance during an emergency declared by the Governor of a State, their authorized representative, or FMCSA during the emergency period or 14 days from the date of the initial declaration of emergency, whichever is less.
3. In accordance with Title 49 CFR 390.23(b) (1) Residential heating fuel shortages. Parts 390 through 399 of this chapter, or any section thereof, shall not apply to a motor carrier or driver operating a commercial motor vehicle to provide residential heating fuel in the geographic area designated in an emergency declaration issued by the Governor of a State. If the Governor of a State declares an emergency caused by a shortage of residential heating fuel and, at the conclusion of the 30-day period immediately following the declaration, determines that the emergency shortage has not ended, and extends the declaration of an emergency for up to two additional 30-day periods, this regulatory relief shall remain in effect up to the end of such additional periods. The total length of the emergency shall not exceed 90 days.

4. All other applicable state and federal regulations shall apply to include but not limited to: Title 49 C.F.R. Part 382, Controlled Substances and Alcohol Use and Testing; the Kansas Motor Vehicle Driver's License Act, K.S.A. 8-234 *et. seq.* and Title 49 C.F.R. Part 383 Commercial Driver's License Standards as adopted by the Kansas Uniform Commercial Drivers' License Act, K.S.A. 8-2,125 *et. seq.*, the federal Minimum Levels of Financial Responsibility (insurance requirements) Title 49 C.F.R. Part 387 as adopted by K.A.R. 82-4-3n and state insurance requirements as provided in K.A.R. 82-4-23, and the regulations governing transportation of hazardous materials in Kansas in 49 C.F.R. Part 107, 171, 172, 173, 177, 178 and 180 as adopted by K.A.R. 82-4-20.

This document shall become effective immediately. This order will continue in effect until 11:59 PM on January 18, 2025, or until rescinded, for those providing direct assistance during this emergency in the State of Kansas.

Further, this order will continue in effect until 11:59 PM on February 3, 2025, or until rescinded for those providing the delivery of essential home heating fuels in the State of Kansas.

A handwritten signature in black ink that reads "Stephen E. La Row". The signature is written in a cursive style with a large initial 'S'.

Stephen E. La Row, Captain
Troop I Commander