



**COMMONWEALTH OF KENTUCKY**

**Matthew G. Bevin**  
Governor

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. \_\_\_\_\_

**SUBJECT: DECLARATION OF EMERGENCY AND EXEMPTION OF HOURS OF SERVICE REGULATIONS FOR DELIVERY AND THE TRANSPORT OF AGRICULTURAL AND FEED PRODUCTS**

WHEREAS, Kentucky has experienced an exceptional and extraordinary winter storm event causing below freezing temperatures and extreme snow/freeze precipitation, and with forecasting predicting this trend to continue into the foreseeable future; and

WHEREAS, cold temperatures and snow/ice conditions across the Commonwealth and the nation have caused a tightening in the market supply, and the market demand has led to a significant decline in feed inventories and delays in transporting live poultry from farm and other locations; and

WHEREAS, this situation has resulted in distribution and delivery problems within the market for livestock feeds, particularly poultry feed, and the transport of live poultry from farm to other processing locations, resulting in transporting delays to the point that operations are severely impacted within the Commonwealth; and

WHEREAS, 49 CFR Part 395, KRS 281.730, and 601 KAR 1:005 impose maximum driving time upon drivers of motor carriers delivering and transporting agricultural products; and

NOW THEREFORE, pursuant to the authority set forth in KRS Chapter 281, 49 CFR 390.23, and by virtue of the DECLARATION OF EMERGENCY issued by Governor Bevin on January 22, 2016, I hereby declare:

1. That emergency conditions exist that require relief from the hours of service imposed upon the transporters of feed and live poultry;



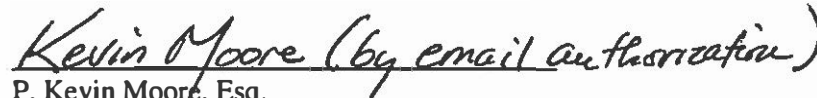
2. That commercial motor vehicles and their operators transporting feed and live poultry shall be exempt from the hours of service imposed under 49 CFR Part 395, 601 KAR 1:005 and KRS 281.730 during the period of this emergency;
3. That all other safety requirements shall remain in full force and effect;
4. This declaration of emergency shall remain in effect until 12:01 AM EST, January 31<sup>st</sup>, 2016.



Michael W. Hancock, P.E.  
Secretary, Kentucky Transportation Cabinet

Done this 23<sup>rd</sup> day of January, 2016 at Frankfort, Kentucky.

Approved as to form and legality:



P. Kevin Moore, Esq.  
General Counsel  
KYTC, Office of Legal Services