



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

108694

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. _____

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

WHEREAS, Kentucky and a significant portion of the United States has experienced a prolonged period of below-freezing temperatures; and

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

WHEREAS, cold temperatures and icy conditions across the nation and the Commonwealth have led to a tightening supply situation, and market demand has led to a sharp decline in feed inventories; and

WHEREAS, this situation has resulted in distribution and delivery problems for livestock feeds, particularly poultry feed, resulting in transporting delays to the point that operations are severely impacted within the Commonwealth, and have been reported to be as long as 6 to 7 hours in duration, and shut down entirely at distribution points within the Commonwealth; and

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

NOW THEREFORE, pursuant to the authority vested in me by KRS 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 upon the transporters of feed products;
2. That a commercial motor vehicle and its operator transporting feed products 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. That this declaration of emergency shall remain in effect until 12:01 AM EST, February 28, 2014;
5. That any driver operating under authority of this Declaration of Emergency shall have a copy of this Declaration in the cab of the vehicle.

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

Done this 27th day of February, 2014 at Frankfort, Kentucky

Approved as to form and legality:

Office of Legal Services

