



Matthew G. Bevin
Governor

**COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET**

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

Greg Thomas
Secretary

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 111084

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

WHEREAS, Kentucky and a significant portion of the United States have experienced severe weather for a prolonged period including substantial rainfall resulting in flooding throughout parts of the Commonwealth; and

WHEREAS, Governor Bevin declared a State of Emergency due to continued flooding in the Commonwealth; and

WHEREAS, continued rainfall and the threat of rainfall which is forecast within the Commonwealth is causing or may cause an impact to commerce traveling through the Commonwealth making it necessary to expedite the movement of vehicles and loads transporting various items needed to assist in this emergency and remain operational; and

WHEREAS, this situation has resulted in distribution and delivery problems for petroleum and petroleum products resulting in transporting delays to the point that operations are severely impacted 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 petroleum and petroleum 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 petroleum and petroleum products;
2. That a commercial motor vehicle and its operator transporting petroleum and petroleum 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;



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4. That this declaration of emergency shall remain in effect until 12:01 AM EST, March 20, 2018;
5. That any driver operating under authority of this Declaration of Emergency shall have a copy of this Declaration in the cab of the motor vehicle.



Greg Thomas, Secretary
Kentucky Transportation Cabinet

Done this 1st day of MARCH, 2018 at Frankfort, Kentucky.

Approved as to form and legality:



P. Kevin Moore
Executive Director & General Counsel
Office of Legal Services