



COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
transportation.ky.gov

Andy Beshear
GOVERNOR

Jim Gray
SECRETARY

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 112505

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

WHEREAS, a state of emergency exists in Alabama, Arkansas, the District of Columbia, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Texas, Tennessee, Virginia and West Virginia because of the unanticipated shut down of the Colonial pipeline system due to network issues that affect the supply of gasoline, diesel fuel, jet fuel, ethanol and other refined petroleum products throughout the affected states, and accordingly, pursuant to KRS 189.230, 189.233, 281.730 and 49 CFR 390.23, I hereby declare that an emergency exists requiring relief from the hours of service restrictions to commercial vehicles providing petroleum products to the affected states; and

WHEREAS, states are working in concert to assist with relief efforts in the affected areas; and

WHEREAS, 49 CFR Part 395, 49 CFR 390.23, KRS 281.730, 601 KAR 1:005 impose maximum driving time upon the drivers of commercial vehicles; and

WHEREAS, the Federal Motor Carrier Safety Administration (FMCSA) issued an amended regional emergency declaration providing regulatory relief for commercial motor vehicles transporting gasoline, diesel fuel, jet fuel, ethanol and other refined petroleum products throughout the affected states (FMCSA Order No. 2021-002).

NOW, THEREFORE, pursuant to the authority vested in me by KRS 189.230, 189.233, 281.730 and 49 CFR 390.23, I hereby declare:

1. That an emergency exists requiring relief from the hours of service requirements imposed on commercial vehicles providing petroleum products and ethanol to 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. That commercial vehicles delivering petroleum products and ethanol and their operators 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; and
4. That all other safety requirements shall remain in full force and effect;
5. That any driver operating under the authority of this Official Order shall have a copy of the Order in the cab of the vehicle; and

6. This declaration of emergency shall remain in effect until 12:01 AM EDT, June 11, 2021.



Jim Gray, Secretary
Kentucky Transportation Cabinet

Done this 12th day of May, 2021 at Frankfort, Kentucky.

Approved as to form and legality:



Will Fogle, Attorney
KYTC, Office of Legal Services