STATE OF INDIANA

EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 20-03

FOR: **WAIVER OF HOURS OF SERVICE REGULATIONS RELATING TO MOTOR CARRIERS AND DRIVERS OF COMMERCIAL VEHICLES TRANSPORTING GOODS TO INDIANA BUSINESSES**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, on March 6, 2020, I declared a Public Health Emergency finding it was necessary and proper to take action to protect the health and well-being of all Hoosiers by taking all necessary and appropriate preparatory and other measures in response to the threats posed to the public health by the novel Coronavirus Disease 2019 ("COVID-19");

WHEREAS, retail businesses and other entities throughout Indiana are experiencing shortages of food and other items necessary for daily life;

WHEREAS, drivers of commercial motor vehicles, including those who deliver food, goods and items to Indiana businesses for purchase or use by Hoosiers as well as delivery of items for emergency preparedness and relief supplies/services, are statutorily limited in the number of hours they may operate in any given day pursuant to 49 Code of Federal Regulations § 395 of the Federal Motor Carrier Safety Regulations, incorporated by reference into Indiana statute under Ind. Code § 8-2.1-24-18;

WHEREAS, under Ind. Code § 10-14-3-12, the Governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules or regulations of any state agency if strict compliance with any of the provisions would in any way prevent, hinder, or delay necessary action in coping with an emergency; and

WHEREAS, relief from the requirements of 49 Code of Federal Regulations § 395 for commercial motor vehicles while traveling in Indiana to deliver goods to Indiana businesses and entities is needed;

NOW, THEREFORE, I, **Eric J. Holcomb,** Governor of the State of Indiana, pursuant to Ind. Code § 10-14-3-12, do hereby order that:

1. During this public health emergency, motor carriers and drivers of commercial vehicles traveling in or through the State of Indiana and who are delivering food, goods and items to Indiana businesses and entities for purchase or use by Hoosiers as well as delivery of items for emergency preparedness and relief supplies/services are exempt from regulations restricting their hours of service under 49 C.F.R. § 395, incorporated by reference into Ind. Code § 8-2.1-24-18. This exemption is effective from the time of the issuance of this Order until April 5, 2020, unless terminated or further extended by order of the Governor.

2. Nothing contained in this declaration shall be construed as an exemption for any portion of the Federal Motor Carriers Safety Regulations other than those regulating hours of service.

IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 13th day of March, 2020.

Eric J. Holcomb
Governor of Indiana

ATTEST: Connie Lawson
Secretary of State