OFFICE OF THE SECRETARY OFFICIAL ORDER NO. 112153

SUBJECT: DECLARATION OF EMERGENCY, TEMPORARY SUSPENSION OF WEIGHT RESTRICTIONS, AND EXEMPTION OF HOURS OF SERVICE AND STOPPAGE AT WEIGH STATIONS

WHEREAS, on March 6, 2020, the Governor issued Executive Order 2020-215 declaring a state of emergency regarding COVID-19; and

WHEREAS, supplies of bottled water, food, medicine, fuel, and other supplies across the state are critical to meeting the needs of the people of the Commonwealth and are severely depleted in many areas; and

WHEREAS, the transport of bottled water, food, medicine, fuel, and other supplies is a necessary and essential function during this emergency; 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, KRS 189.270, KRS 189.222, and 601 KAR 1:018 impose standards and establish procedures for the issuance of permits for overweight and/or over-dimensional vehicles; and

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 a state of emergency exists requiring relief from the hours of service imposed on commercial vehicles;
2. That conditions exist further requiring a waiver of stopping at all weigh stations for these commercial vehicles responding to the affected areas;
3. That commercial vehicles providing relief 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;
4. That commercial vehicles providing relief as set forth herein shall be exempt from permit fees for overweight/over-dimensional vehicles;
5. That the IRP Registration Requirements for commercial vehicles providing bottled water, food, medicine, fuel, and other supplies to the affected areas shall be waived;
6. That all other safety requirements shall remain in full force and effect;

7. That any driver operating under the authority of this Official Order shall have a copy of the Order in the cab of the vehicle;
8. This declaration of emergency shall remain in effect until 12:01 AM EDT, April 12, 2020.

Jim Gray, Secretary
Kentucky Transportation Cabinet

Done this 13th day of March, 2020 at Frankfort, Kentucky.

Approved as to form and legality:

Will Fogle, Attorney
KYTC, Office of Legal Services