



Andy Beshear  
GOVERNOR

## TRANSPORTATION CABINET

200 Mero Street  
Frankfort, Kentucky 40601

Jim Gray  
SECRETARY

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 113789

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

WHEREAS, a state of emergency exists in Florida and in the surrounding areas due to a forecasted tropical depression resulting in severe wind and heavy rains and the Governor of Florida having declared an emergency and accordingly, pursuant to KRS 189.233 and 49 CFR 390.23, I hereby declare that a state of emergency exists requiring relief from the hours of service imposed on commercial vehicles providing power restoration within the affected areas. This shall include any commercial vehicle responding to affected areas in response to power restoration and debris removal; and

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

WHEREAS, weather conditions have caused an emergency in Florida and the Commonwealth of Kentucky seeks to render mutual aid to assist in the federal and state disaster response; and

WHEREAS, weather conditions will result in widespread electrical outages to a significant portion Florida, disrupting the delivery of vital services and products and thus affecting the public health, safety and welfare of its citizens; and

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

NOW, THEREFORE, pursuant to the authority vested in me by KRS 189.233, 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 providing power restoration, debris removal, and transporting agricultural products within the affected area; 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. The provisions of paragraphs one and two above shall expire in fourteen (14) days or when a state of emergency no longer exists; and
4. Pursuant to 49 C.F.R. Section 390.23, I hereby waive 49 C.F.R. Section 395.3 for vehicles transporting loads that are for use in (1) providing direct assistance supporting emergency relief efforts including transporting essential fuels, food, water, non-alcoholic beverages, medical supplies, feed for livestock and poultry, (2) transporting livestock, poultry, and crops ready to be harvested, or (3) the restoration of utility and transportation services in response to the Severe Weather Event in Florida for fourteen (14) days.
5. That all other safety requirements shall remain in full force and effect;
6. That any driver operating under the authority of this Official Order shall have a copy of the Order in the cab of the vehicle.

  
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Jim Gray, Secretary  
Kentucky Transportation Cabinet

Done this 24<sup>th</sup> day of September, 2024 at Frankfort, Kentucky.

Approved as to form and legality:

/s/ Will Fogle  
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Will Fogle, Attorney  
KYTC, Office of Legal Services