



Andy Beshear
GOVERNOR

TRANSPORTATION CABINET

200 Mero Street
Frankfort, Kentucky 40601

Jim Gray
SECRETARY

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 113555

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

WHEREAS, a state of emergency exists in Kentucky due to an incoming arctic front that will cause the Commonwealth and a significant portion of the United States to experience a prolonged period of below-freezing temperatures; 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 delivery of gasoline, propane, diesel fuel, fuel oil, kerosene and other needed supplies within the affected areas; and

WHEREAS, an arctic front will cause the Commonwealth and a significant portion of the United States to experience a prolonged period of below-freezing temperatures; and

WHEREAS, the current weather forecasts call for this trend to continue well into the middle of January, with temperatures in the single digits and wind chills well below zero degrees; and

WHEREAS, cold temperatures across the nation could lead to tightening supply situation, and increased market demand to a decline in inventories of propane, fuel oil, and kerosene; and

WHEREAS, these conditions may cause shortages, 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 delivering gasoline, propane, diesel fuel, fuel oil and kerosene within 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 providing relief and vital products and their operators shall be exempt from the hours of service imposed under 49 CFR Part 39 and 601 KAR 1:005 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 EST, January 31, 2024.



Jim Gray, Secretary
Kentucky Transportation Cabinet

Done this 11th day of January, 2024 at Frankfort, Kentucky.

Approved as to form and legality:



Will Fogle, Attorney
KYTC, Office of Legal Services