



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.transportation.ky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

**COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
FRANKFORT, KY**

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 106798

SUBJECT: DECLARATION OF EMERGENCY FOR DAMAGE RELIEF CAUSED BY FLOODING AND SEVERE STORMS

WHEREAS, strong storms producing tornados, severe thunderstorms, heavy rainfall, flash flooding and generalized flooding have moved across the Commonwealth of Kentucky and throughout the southeastern parts of the United States resulting in the loss of life and personal injury, widespread damages, flooding, power outages, road closures and damage to both public and private property; and

WHEREAS, in direct response to these continuing conditions, Governor Steven L. Beshear declared a statewide state of emergency, effective on April 25, 2011; and

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

WHEREAS, in addition to its own statewide emergency, the Commonwealth of Kentucky has been requested to render mutual aid to assist in the federal and state disaster response; and

WHEREAS, the Governor has directed all state agencies to take all necessary steps as needed in response to this emergency; and

WHEREAS, 49 CFR Part 395, KRS 251.730, and 601 KAR 1:005 impose maximum driving time upon drivers of motor carriers delivering certain relief supplies;

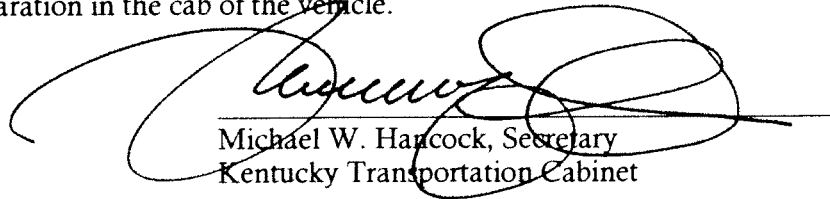
NOW THEREFORE, pursuant to the authority vested in me by virtue of KRS 281.730, 49 CFR 390.23, and by the emergency declaration of the Governor, I hereby declare:

1. That a state of emergency exists requiring relief from the hours of service imposed upon the transporters of relief supplies, to include food, water, medicine and other



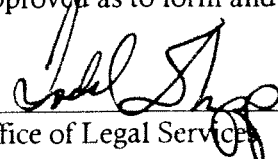
commodities within the affected area, to include Kentucky and other affected sister states. This shall also include any utility vehicle responding to affected areas in response to power restoration and debris removal. This shall only apply to those truck drivers transporting goods or the restoration of utilities as part of the relief effort.

2. That an operator of a commercial motor vehicle providing services for the repair and restoration of public utilities, including waste disposal, shall be exempt from stopping at all weigh stations during the period of this emergency.
3. That the Department of Vehicle Regulation (Department) is authorized to waive certain size and weight restrictions as they determine to be appropriate to meet the needs of the affected areas. In order to insure the safety of the traveling public and its infrastructure, the carrier must obtain all necessary permits for route verification.
4. That the Department is hereby directed to waive all economic requirements normally associated with intrastate and interstate motor transportation for all vehicles providing relief supplies to the affected areas.
5. That all other safety requirements shall remain in full force and effect.
6. That this declaration of emergency shall remain in effect until 12:01 a.m. EDT, May 15, 2011.
7. That any driver operating under authority of this Declaration of Emergency shall have a copy of this Declaration in the cab of the vehicle.


Michael W. Hancock, Secretary
Kentucky Transportation Cabinet

Done this 29th day of April, 2011 at Frankfort, Kentucky

Approved as to form and legality:


Office of Legal Services