



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. 106581

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

WHEREAS, severe weather has resulted in widespread electrical outages to a significant portion of the United States, disrupting the delivery of vital services and product(s) and thus affecting the public health, safety and welfare of its citizens; and

WHEREAS, severe weather has resulted in widespread power outages in the states bordering the Commonwealth of Kentucky; and

WHEREAS, due to the massive and significant volumes of power outages, it has necessitated utility companies to respond to this emergency with utility vehicles from other states; and

WHEREAS, Kentucky has been requested to render mutual aid to assist such repair vehicles in their response when entering and exiting the Commonwealth, and

WHEREAS, failure to immediately respond to such power outages poses a significant risk to the public health and safety within the affected areas; and

WHEREAS, KRS 186.05 requires special registration for out-of-state vehicles; and

WHEREAS, 49 CFR Part 395, KRS 281.730, 601 KAR 1:005 impose maximum driving time upon the drivers of utility repair vehicles, and

WHEREAS, KRS 189.270 and 601 KAR 1:018 impose standards and establish procedures for the issuance of permits for overweight and/or overdimensional vehicles; and


WHEREAS, on January 28, 2009, Official Order No. 105131 was issued exempting petroleum haulers and utility service providers from the above requirements; Official Order 105131 was extended until February 28, 2009 by virtue of Official Order No. 105161; and

NOW THEREFORE, pursuant to the authority vested in me by KRS 189.23, 189.233, 281.7301 and 49 CFR 390.23:

1. I hereby declare that conditions exist that require relief from the hours of service imposed upon utility repair response vehicles;
2. That conditions exist further requiring a waiver of stopping at all weigh stations for these utility repair vehicles responding to the affected areas from out of state;



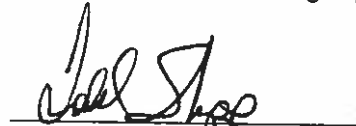
3. That utility repair vehicles and their operators, shall be exempt from the hours of service imposed under 49 CFR Part 395, 601 KAR 1:005 and KRS 281.730 during the period of this emergency;
4. That utility vehicles providing relief as set forth herein shall be exempt from permit fees for overweight/overdimensional vehicles;
5. That the IRP Registration Requirements for vehicles providing relief services and relief supplies to the affected areas shall be waived;
6. That all other safety requirements shall remain in full force and effect;
7. This declaration of emergency shall remain in effect until 12:01 AM EDT, February 10, 2011.



Michael W. Hancock, Secretary
Kentucky Transportation Cabinet

Done this 1 of February, 2011 at Frankfort, Kentucky.

Approved as to form and legality:



Office of Legal Services