

COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET  
FRANKFORT, KY

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 112168

SUBJECT: DECLARATION OF EMERGENCY FOR DAMAGE CAUSED BY STORMS

WHEREAS, beginning on April 12, and April 13, 2020, Kentucky and the Southeastern United States experienced an extraordinary outbreak of severe weather consisting of hurricane force winds, super cells, tornadoes, and flash flooding, all resulting in injuries, significant damage and destruction across the Commonwealth and the Southeastern United States; and

WHEREAS, these conditions continue to endanger public health and safety and threats to public and private property. As a result of the above conditions, utility companies and other relief providers will be traveling to the impacted areas to provide relief and restore electrical service; and

WHEREAS state and local governments share in the protection and restoration of the public health, safety, and security of its citizens and to take appropriate actions to ensure essential public service.

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, 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 areas. 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 commercial motor vehicles and their operators transporting relief supplies to the affected areas shall be exempt from permit fees for overweight/overdimensional vehicles during the period of emergency;
3. That commercial motor vehicles and their operators transporting needed hay, water, forage and other supplies to the affected areas for livestock needs shall be exempt from permit fees for overweight/overdimensional vehicles during the period of this emergency;
4. That the Kentucky Transportation Cabinet, Department of Vehicle Regulation 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.

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6. That the IRP Registration Requirements for vehicles providing relief services and relief supplies to the affected areas shall be waived;
7. That all other safety requirements shall remain in full force and effect;
8. That any driver operating under authority of this Declaration of Emergency shall have a copy of this Declaration in the cab of the vehicle;
9. This Declaration of Emergency shall remain in effect until 12:01 AM E.S.T., April 30, 2020.

This Order is effective April 14, 2020.



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Jim Gray, Secretary  
Kentucky Transportation Cabinet

Done this 14 day of April, 2020 at Frankfort, Kentucky.

Approved as to form and legality:

*Todd Shipp*

Apr 14, 2020

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Office of Legal Services