



Steven L. Beshear
Governor

TRANSPORTATION CABINET
Frankfort, Kentucky 40622
www.transportation.ky.gov/

Michael W. Hancock, P.E.
Secretary

COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
FRANKFORT, KY

OFFICE OF THE SECRETARY OFFICIAL ORDER NO. 107570

SUBJECT: DECLARATION OF EMERGENCY FOR DAMAGE RELIEF CAUSED BY DROUGHT, SUSPENSION OF REGISTRATION REQUIREMENTS, AND EXEMPTION OF HOURS OF SERVICE FOR THE TRANSPORT OF AGRICULTURAL PRODUCTS

WHEREAS, Kentucky has experienced an exceptional and unseasonable outbreak of drought conditions, caused by higher than normal temperatures and limited rainfall, and with forecasting predicting this trend to continue into the foreseeable future;

WHEREAS, these drought conditions are supported by the Palmer Drought Index and the Crop Moisture Index, that substantial areas of the Commonwealth are now in moderate to extreme conditions;

WHEREAS, due to the drought conditions suffered by the Commonwealth, there has been a significant impact upon the agricultural community. It is anticipated that this impact will continue into the foreseeable future impacting hay and forage production and thus necessitating the need for transport of such products into drought affected areas; and

WHEREAS, 49 CFR Part 395, KRS 281.730, and 601 KAR 1:005 impose maximum driving time upon drivers of motor carriers delivering and transporting agricultural products; and

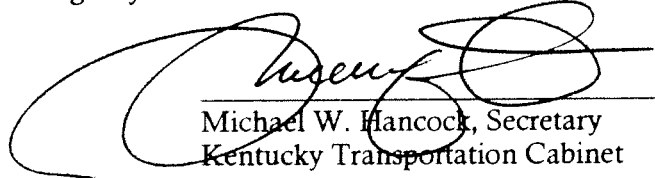
WHEREAS, KRS 189.270 and 601 KAR 1:018 impose standards and establish procedures for the issuance of permits for overweight and/or overdimensional vehicles; and

NOW THEREFORE, pursuant to the authority vested in me by virtue of KRS 281.730, 49 CFR 390.23, and by virtue of the DECLARATION OF EMERGENCY issued by Governor Beshear on June 27, 2012, I hereby declare:



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1. That conditions exist that require relief from the hours of service imposed upon the transporters of agricultural products, both human and livestock;
2. That conditions exist further requiring a waiver of stopping at all weigh stations for the transporters of agricultural products responding to the affected areas from out of state;
3. That commercial motor vehicles and their operators transporting agricultural products, both human and livestock, shall be exempt from the hours of service imposed under 49 CFR Part 395, 601 KAE 1:005 and KRS 281.730 during the period of this emergency;
4. That commercial vehicles providing relief as set forth herein shall be exempt from permit fees for overweight/overdimensional vehicles;
5. That the IRP Registration Requirements for vehicle 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 EST, April 1, 2013.



Michael W. Hancock, Secretary
Kentucky Transportation Cabinet

Done this 27th day of June, 2012 at Frankfort, Kentucky

Approved as to form and legality:



Office of Legal Services