



Andy Beshear  
GOVERNOR

## TRANSPORTATION CABINET

200 Mero Street  
Frankfort, Kentucky 40601

Jim Gray  
SECRETARY

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 113143

SUBJECT: DECLARATION OF EMERGENCY, AND EXEMPTION OF HOURS OF SERVICE REGULATIONS FOR DELIVERY AND TRANSPORT OF AGRICULTURAL AND FEED PRODUCTS

WHEREAS, Kentucky and a significant portion of the United States has experienced a prolonged period of below-freezing temperatures; and

WHEREAS, cold temperatures and icy conditions across the nation and the Commonwealth have led to a tightening supply situation, and market demand has led to a sharp decline in feed inventories and delays in transporting live poultry from farm to other processing locations; and

WHEREAS, this situation has resulted in distribution and delivery problems for livestock feeds, particularly poultry feed, and the transport of live poultry from farm to other processing locations, resulting in transporting delays to the point that operations are severely impacted within the Commonwealth; and

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

NOW, THEREFORE, pursuant to the authority vested in me by KRS 281.730, and 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 feed products and live poultry;
2. That a commercial motor vehicle and its operator transporting feed products and live poultry 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 emergency;
3. That all other safety requirements shall remain in full force and effect;
4. This declaration of emergency shall remain in effect until 12:01 AM EST, March 2, 2023.

5. That any driver operating under authority of this Declaration of Emergency shall have a copy of this Declaration in the cab of the vehicle.

  
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Jim Gray, Secretary  
Kentucky Transportation Cabinet

Done this 2<sup>nd</sup> day of February, 2023 at Frankfort, Kentucky.

Approved as to form and legality:

  
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Will Fogle, Attorney  
KYTC, Office of Legal Services