

EXECUTIVE ORDER 17-03 FOR REGIONAL EMERGENCY

Conditional and Temporary Relief from Certain Motor Carrier Rules and Regulations

WHEREAS, K.S.A. 48-925(b) provides that the Governor may issue orders and proclamations which shall have the force and effect of law under subsection (b) of K.S.A. 48-924; and

WHEREAS, on the 25th day of August, 2017, the President of the United States declared a major disaster for the State of Texas under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq., as a result of damage caused by Hurricane Harvey; and

WHEREAS, this disaster has caused an interruption in the operation and delivery of essential services and supplies, destroyed crucial infrastructure, threatens physical harm, and endangers the public welfare; and

WHEREAS, these conditions require the operation of motor carriers and drivers of commercial motor vehicles for the purposes of providing direct assistance to supplement local, state, and federal efforts in relief and restoration efforts in the affected areas in the State of Texas.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby acknowledge a state of emergency exists in Texas and declare it necessary to assist and expedite disaster recovery efforts. In order to accommodate this need and to provide assistance to the citizens of Texas in this hazardous situation, I hereby order the following:

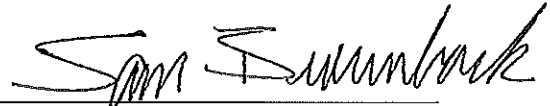
1. This declaration only applies to those motor carriers and persons operating commercial motor vehicles directly participating in the relief and restoration effort; and
2. In accordance with Title 49 C.F.R. § 390.23, Kansas will honor the President's relief of C.F.R.s § 390-399; and
3. The licensing, certification, and permitting rules and regulations as required by the Kansas Corporation Commission are temporarily suspended; and
4. The registration and fuel tax permits as enforced by the Kansas Department of Revenue are temporarily suspended; and
5. Motor carriers participating in restoration and relief efforts must still obtain the requisite over dimension/overweight permits as required by the Kansas Department of Transportation prior to operating; however, the fees associated with these permits are temporarily waived; and

6. Participating motor carriers bringing foliage for livestock are limited to a load that does not exceed 12 feet in width and does not exceed a height of 14 feet, six inches; and
7. All other applicable state and federal regulations shall apply to include but not limited to: Title 49 C.F.R. Part 382, Controlled Substances and Alcohol Use and Testing; the Kansas Motor Vehicle Driver's License Act, K.S.A. 8-234 *et. seq.* and Title 49 C.F.R. Part 383 Commercial Driver's License Standards as adopted by the Kansas Uniform Commercial Drivers' License Act, K.S.A. 8-2,125 *et. seq.*, the federal Minimum Levels of Financial Responsibility (insurance requirements) Title 49 C.F.R. Part 387 as adopted by K.A.R. 82-4-3n and state insurance requirements as provided in K.A.R. 82-4-23; and, adherence to the regulations governing the Transportation of Hazardous Materials as provided Title 49 C.F.R. 397 and adopted by K.A.R.82-4-3k and Parts: 107, 171-173, 177, 178 and 180 as adopted by K.A.R.82-4-20.

FURTHER, This document shall be in force and effect through the duration of the motor carrier's assistance in the disaster relief effort, not to exceed a period of thirty (30) days from the date of the signing of this order, unless rescinded or expanded by executive order or concurrent resolution of the legislature. This document shall be filed with the Secretary of State as Executive Order 17-03 and shall become effective immediately.

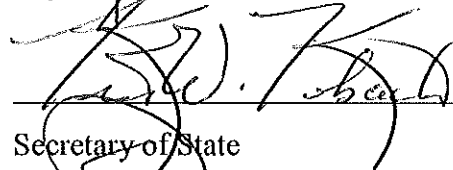
THE GOVERNOR'S OFFICE

BY THE GOVERNOR



DATED

August 30, 2017



Secretary of State



Assistant Secretary of State

FILED
AUG 30 2017
KRIS W. KOBACH
SECRETARY OF STATE