



STATE *of* NEBRASKA  
OFFICE OF THE GOVERNOR  
LINCOLN

**EXECUTIVE ORDER No. 23-09**  
**EMERGENCY RELIEF DUE TO FUEL SUPPLY SHORTAGES**

**WHEREAS**, the State of Nebraska continues to experience fuel shortages due to high demand for petroleum products; and

**WHEREAS**, commercial motor vehicles and motor carriers are engaged in the business of transporting fuel from further distances and waiting longer at terminals in order to meet needs;

**NOW, THEREFORE I**, Jim Pillen, Governor of the State of Nebraska, pursuant to the authority vested in me as Governor by the Constitution and the emergency management laws of the State of Nebraska, find these conditions constitute an emergency, and meet the purpose pursuant to 49 CFR part 390.23 of facilitating a waiver to the U.S. Department Transportation, Federal Motor Carrier Safety Regulation 49 CFR part 395, Hours of Service of Drivers.

Pursuant to this declaration, I hereby order the following:

1. A temporary waiver of requirements under Neb. Rev. Stat. § 75-363(3)(i) and 49 CFR part 395, Hours of Service of Drivers, for the limited purpose of hauling gasoline or gasoline blends, diesel, fuel oil, ethanol, propane, and biodiesel into or within Nebraska.
2. No motor carrier operating under the terms of this emergency declaration shall require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor carrier that he or she needs immediate rest shall be given at least ten (10) consecutive hours off-duty before the driver is required to return to service.
3. Drivers operating under this proclamation shall carry a copy of the proclamation with them as evidence of their direct support to the State of Nebraska during this emergency period.
4. This emergency relief is effective immediately and shall remain in effect until June 4, 2023, at 11:59 p.m.

**IN WITNESS THEREOF**, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 5th day of May, 2023.



Attest:

  
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Jim Pillen, Governor  
State of Nebraska

  
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Robert Evnen, Secretary of State  
State of Nebraska