



STATE of NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

EXECUTIVE ORDER NO. 25-17

Emergency Relief Due to Heating Fuel Supply Shortages

WHEREAS, because of the high demand for heating products throughout the Midwest, the people of the State of Nebraska are faced with extensive challenges to timely access heating fuel products; and

WHEREAS, commercial motor vehicles and motor carriers are engaged in the business of transporting fuel and oils to meet this unexpected demand; and

WHEREAS, a segment of the pipeline distribution system is experiencing a disruption affecting heating fuel distribution terminals within the State and greater regions of the Midwest; and

WHEREAS, drivers must drive further distances or make additional trips during their workday in order to meet immediate 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 of Transportation, Federal Motor Carrier Safety Regulations, specifically 49 CFR part 395.3, maximum drive time for property-carrying vehicles, to the fullest extent permitted by law hereby order:

1. A temporary waiver of Hours of Service requirements under CFR part 395.3, property-carrying vehicles, for the limited purpose of hauling residential heating fuels and oils or fuel used to generate power for residential heat 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. Motor carriers or drivers currently subject to an out-of-service order are not eligible for the relief granted by this Executive Order until they have met the applicable conditions for its rescission and the order has been rescinded in writing by FMCSA.
4. This Executive Order provides for regulatory relief from 49 CFR § 395.3 for commercial motor vehicle operations while providing direct assistance supporting emergency relief efforts.
5. 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.
6. This emergency relief is effective immediately and shall remain in effect until 11:59PM, January 3, 2026.
7. If any provision of this Order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this Order and the application of its other provisions to any other persons or circumstances shall not be affected thereby.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 22nd day of December 2025.



Attest:



Joe Kelly, Acting Governor
State of Nebraska



Robert Evnen, Secretary of State
State of Nebraska