



STATE of NEBRASKA  
OFFICE OF THE GOVERNOR  
LINCOLN

**EXECUTIVE ORDER NO. 24-07**

**Emergency Relief from Hours of Service Requirements for  
Transportation of Goods Due to Flooding**

**WHEREAS**, a State of Emergency was declared on June 22, 2024, to address ongoing flooding and storm damage concerns to private and public property and infrastructure in the State of Nebraska; and

**WHEREAS**, commercial motor vehicles and motor carriers are engaged in the business of transporting goods and materials to meet the unexpected demands; and

**WHEREAS**, drivers must drive further distances or make additional trips during their workday in order to meet immediate needs.

**NOW, THEREFORE**, I, Joe Kelly, Acting Governor of the State of Nebraska, under and pursuant to the authority vested in the 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 subject to the following provisions:

Pursuant to this declaration, I hereby order the following:

1. A temporary waiver of requirements under 49 CFR part 395.3 maximum drive time for property-carrying vehicles, for limited purposes of hauling corn, soybeans, hay, straw, silage, stover, fertilizer (dry, liquid, and gas), manure (dry and liquid), and aggregates (for only emergency repair).
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 a least ten (10) consecutive hours off-duty before the driver is required to return to service.

3. Drivers operating under this executive order shall carry a copy of the executive with them as evidence of their direct support to the State of Nebraska during this emergency period.

This order does not trigger the transportation network company dynamic pricing prohibition under Neb. Rev. Stat. § 75-327(2)(d)(iv).

This order is effective immediately and shall remain in effect for 14 days.

**IN WITNESS THEREOF**, I hereunto set my hand and cause the Seal of the State of Nebraska to be affixed on this 1<sup>st</sup> day of July, 2024.



A handwritten signature in blue ink that reads "Joe Kelly".

\_\_\_\_\_  
Joe Kelly, Acting Governor  
State of Nebraska

Attest:

A handwritten signature in blue ink that reads "Robert Evnen".

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Robert Evnen, Secretary of State  
State of Nebraska