

# STATE OF INDIANA

## EXECUTIVE DEPARTMENT INDIANAPOLIS

**EXECUTIVE ORDER** 26-07

**FOR: WAIVER OF HOURS OF SERVICE REGULATIONS RELATING TO MOTOR CARRIERS AND DRIVERS TRANSPORTING COMPOSTING MATERIALS**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

**WHEREAS,** on January 6, 2026, a confirmed case of highly pathogenic avian influenza (“HPAI”) was identified in a commercial table egg pulley in LaGrange County, the first report of HPAI in Indiana’s commercial poultry industry in 2026;

**WHEREAS,** this virus does not present a food safety risk, and currently presents a low public health risk;

**WHEREAS,** since this initial confirmed case in LaGrange County, subsequent cases have been confirmed in Sullivan, Elkhart, Boone, Crawford, and Daviess Counties;

**WHEREAS,** prudent flock management requires the depopulation of affected farms;

**WHEREAS,** the euthanized poultry are being disposed of on-site through composting with a carbon material, under the supervision of state and federal agencies, including the Indiana State Board of Animal Health (“BOAH”);

**WHEREAS,** upon confirmation of HPAI at the affected farms, over 85,000 birds have been depopulated in order to prevent the spread of the disease in these areas and ensure no poultry from these flocks enter the food system;

**WHEREAS,** an urgent need exists for the requisite composting materials to be obtained and delivered to the affected areas; distributors are experiencing transportation challenges, including hours-of-service limits and driver shortages, and suspending such limitations will facilitate and expedite the response;

**WHEREAS,** applicable federal regulations (49 CFR § 390–399) allow exemptions during emergencies;

**WHEREAS,** under Ind. Code § 10-14-3-12, the Governor may suspend regulatory statutes or agency rules if strict compliance would hinder emergency response; and

**WHEREAS,** it is necessary and appropriate to assist and expedite the transportation of composting materials to the affected farms and areas throughout the State.

**NOW, THEREFORE, I, MIKE BRAUN,** by virtue of the authority vested in me as the Governor of the State of Indiana, do hereby order the following:

1. Motor carriers and drivers transporting the requisite composting materials to LaGrange, Sullivan, Elkhart, Boone, Crawford, and Daviess Counties shall be exempt from regulations restricting their hours of service under 49 CFR § 395, incorporated by reference into Indiana statute under Ind. Code § 8-2.1-24-18. This exemption shall be effective from the date of this order through April 1, 2026, unless it is terminated or further extended by order of the Governor.
2. Nothing contained in this declaration shall be construed as an exemption for any portion of the Motor Carrier Safety Regulations other than those regulating hours of service.



IN TESTIMONY WHEREOF,  
I, Mike Braun, have hereunto set my hand  
and caused to be affixed the Great Seal of  
the State of Indiana on this 2nd day of  
March, 2026.

*Mike Braun*

Mike Braun  
Governor of Indiana

*DIEGO MORALES*

ATTEST: Diego Morales  
Secretary of State