

STATE OF INDIANA

EXECUTIVE DEPARTMENT INDIANAPOLIS

22-07

EXECUTIVE ORDER _____

FOR: FIRST AMENDMENT TO EXECUTIVE ORDER 22-06

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, on February 12, 2022, I issued Executive Order 22-06, which was entitled “Waiver of Hours of Service Regulations Relating to Motor Carriers and Drivers Transporting Composting Materials”;

WHEREAS, Executive Order 22-06 was issued in response to an occurrence of H5N1 highly pathogenic avian influenza (“HPAI”) on a farm in Dubois County, Indiana, and the urgent need to obtain and deliver composting materials to that farm/area in connection therewith, and, per its terms, said executive order applies only to “the affected farm/area in Dubois County”;

WHEREAS, since issuing the above-referenced executive order, an occurrence of HPAI has now been confirmed in a second county of our State (Greene County), which has the same urgent need for the requisite composting materials; and

WHEREAS, in light of the above, the scope of Executive Order 22-06 is being expanded to include any county in our State where an occurrence of HPAI has been confirmed and where the requisite composting materials are needed;

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor by the Indiana Constitution and the laws of the State of Indiana, do hereby order that:

1. Motor carriers and drivers transporting the requisite composting materials to the counties in Indiana where an occurrence of HPAI has been confirmed, 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 March 12, 2022, 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, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, on this 18th day of February, 2022.

Eric J. Holcomb
Eric J. Holcomb
Governor of Indiana

ATTEST:

Rachel Hoffmeyer
Holli Sullivan
Secretary of State