
STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 21-30

FOR: WAIVER OF HOURS OF SERVICE REGULATIONS RELATING TO MOTOR CARRIERS AND DRIVERS TRANSPORTING PROPANE GAS

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, approximately 500,000 Hoosiers depend upon propane gas to heat their homes, businesses, schools, public buildings, and it's also used for public transportation as well as agricultural related operations such as the drying of harvested crops;

WHEREAS, the State of Indiana has experienced a significant increase in demand for propane gas in recent weeks, while the winter inventories thereof are at their lowest level in more than a decade;

WHEREAS, the current demand for propane gas exceeds the locally available supply thereof, and distributors of propane in our State are already beginning to experience shortages in supply, long lines at terminals, and related transportation challenges such as a shortage of drivers and the necessity for existing drivers to travel longer distances in search of propane gas;

WHEREAS, the suspension of certain hours of service regulations for the drivers of commercial motor vehicles transporting propane gas in our State will help ensure that adequate supplies are distributed throughout Indiana, thereby reducing the damaging effects of any shortages;

WHEREAS, drivers of commercial motor vehicles, including those who transport and deliver propane gas, are statutorily limited in the number of hours they may operate in any given day pursuant to 49 CFR § 395 of the Federal Motor Carrier Safety Regulations, incorporated by reference into Indiana statute under Ind. Code § 8-2.1-24-18;

WHEREAS, applicable federal regulations include 49 CFR § 390 through 49 CFR § 399, which allow for an exemption to be issued in connection herewith;

WHEREAS, under Ind. Code § 10-14-3-12, the Governor may suspend the provisions of any regulatory statute prescribing procedures for conduct of state business, or the orders, rules, or regulations of any state agency if strict compliance with any of the provisions would in any way prevent, hinder, or delay necessary action in coping with an emergency; and

WHEREAS, in light of the above, and for the benefit of our State and its people, it is necessary and appropriate to assist with and expedite any and all efforts of transportation of propane gas throughout the State of Indiana at this time;

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

1. Motor carriers and drivers transporting propane in the State of Indiana during this emergency 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 time of issuance of this order until December 10, 2021, 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.

IT IS SO ORDERED.

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 12th day of November, 2021.

Eric J. Holcomb
Governor of Indiana

SEAL

ATTEST: Holli Sullivan
 Secretary of State

Posted: 11/17/2021 by Legislative Services Agency

An [html](#) version of this document.