



STATE of NEBRASKA
OFFICE OF THE GOVERNOR

LINCOLN

EXECUTIVE ORDER No. 25-02 **Residential Heating Fuel Shortage**

WHEREAS, Nebraska is experiencing a combination of severe winter weather and extreme cold temperatures, creating a high fuel demand which has resulted in difficulty distributing necessary heating fuel and oils to support the health and welfare of its residents; and

WHEREAS, Commercial motor vehicles and motor carriers are engaged in the business of transporting fuel and oils to meet this increased demand; 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, 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 the limited purpose of hauling 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granted by this Executive Order until they have met the applicable conditions for its rescission and the order has been rescinded in writing by FMCSA.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 vehicle operations while providing direct assistance supporting emergency relief efforts.
- 5) Drivers operating under this order shall carry a copy of the order with them as evidence of their direct support to the State of Nebraska during this emergency period.

This emergency relief is effective immediately and shall remain in effect for 30 days.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 14th day of February 2025.




Jim Pillen, Governor
State of Nebraska

Attest: 
Robert B. Evnen, Secretary of State
State of Nebraska