



# THE STATE OF GEORGIA

## EXECUTIVE ORDER

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BY THE GOVERNOR:

- WHEREAS:** In preparation for the impact of Hurricane Michael on the Gulf Coast of the United States, the State of Georgia must make every effort to be prepared and protect the essential needs of the public; and
- WHEREAS:** This storm system has the potential to have catastrophic impacts to citizens throughout the Gulf Coast region of the United States and significant inland impacts in Georgia; and
- WHEREAS:** Many states and companies directly supporting emergency relief and/or storm preparation efforts will traverse Georgia's roads while transporting supplies, equipment and persons into or from the impacted area; and
- WHEREAS:** On October 9, 2018, The Federal Motor Carrier Safety Administration issued a regional emergency declaration, pursuant to 49 C.F.R. 390.23, to provide regulatory relief for commercial motor vehicle operations while providing direct assistance supporting emergency relief efforts transporting supplies, equipment and persons into or from states anticipated to be impacted by Hurricane Michael or providing other assistance in the form of emergency services during the emergency resulting from this storm system; and
- WHEREAS:** In addition to the aforementioned impact from this storm system, the threat exists that the state of Georgia could suffer a shortage of petroleum products, emergency or disaster related materials, supplies, and other goods and services (to include any agricultural harvests or other food products); and
- WHEREAS:** The uninterrupted supply of petroleum products, emergency or disaster related materials, supplies, and goods and services (to include any agricultural harvests or other food products) is an essential need of the public and any perceived or actual shortage threatens public welfare; and
- WHEREAS:** The Federal Motor Carrier safety regulations, 49 C.F.R. 390, et seq., limit the hours operators of commercial motor vehicles may drive; and

**WHEREAS:** 49 C.F.R. 390.23 allows the Governor of a state to suspend these rules and regulations for up to thirty (30) days, if the Governor determines an emergency condition exists.

**NOW, THEREFORE, PURSUANT TO THE AUTHORITY VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY**

**ORDERED:** That pursuant to the authority vested in the governor by O.C.G.A. § 38-3-51, a state of emergency exists in the following Georgia counties: Appling, Atkinson, Bacon, Baker, Baldwin, Ben Hill, Berrien, Bibb, Bleckley, Brantley, Brooks, Bryan, Bulloch, Burke, Calhoun, Camden, Candler, Charlton, Chatham, Chattahoochee, Clay, Clinch, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Echols, Effingham, Emanuel, Evans, Glascock, Glynn, Grady, Hancock, Houston, Irwin, Jeff Davis, Jefferson, Jenkins, Johnson, Jones, Lanier, Laurens, Lee, Liberty, Long, Lowndes, Macon, Marion, McIntosh, Miller, Mitchell, Montgomery, Muscogee, Peach, Pierce, Pulaski, Quitman, Randolph, Richmond, Schley, Screven, Seminole, Stewart, Sumter, Talbot, Tattnall, Taylor, Telfair, Terrell, Thomas, Tift, Toombs, Treutlen, Turner, Twiggs, Upson, Ware, Warren, Washington, Wayne, Webster, Wheeler, Wilcox, Wilkinson, and Worth.

**IT IS FURTHER**

**ORDERED:** That all resources of the State of Georgia be made available to assist in preparation, response, and recovery activities throughout the state of Georgia, and the Georgia Emergency Management and Homeland Security Agency activate the Georgia Emergency Operations Plan.

**IT IS FURTHER**

**ORDERED:** That a State of Emergency exists for the purpose of suspending the federal rules and regulations limiting hours operators of commercial vehicles may drive in order to ensure the uninterrupted supply of petroleum products, emergency or disaster related materials, supplies, goods and services (to include any agricultural or other food products) throughout Georgia. This emergency justifies a suspension of Part 395 (driver's hours of service) of Title 49 of the Code of Federal Regulations. The suspension will remain in effect for one (1) week or until the emergency condition ceases to exist, whichever is less. Nothing herein will be construed as an exemption from the Commercial Driver's License requirements in 49 C.F.R. 383 and the financial requirements in 49 C.F.R. 387.

**IT IS FURTHER**

**ORDERED:** That no motor carrier operating under the terms of this emergency declaration will require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor vehicle carrier that he or she needs immediate rest will be given at least ten (10) consecutive hours off-duty before being required to return to service.

**IT IS FURTHER**

**ORDERED:** That weight, height and length for any such vehicle traveling through the state of Georgia for the purposes of providing disaster relief and/or preparation, which traverses roadways maintained by the State of Georgia, shall not exceed the following:

- A. A maximum gross vehicle weight for vehicles equipped with five (5) weight bearing axles, with an outer bridge span of not less than fifty one (51) feet, shall not exceed a gross vehicle weight of ninety five (95) thousand pounds, a maximum width of ten (10) feet and an overall length of one hundred (100) feet. Continuous travel is authorized, with the proper escorts.
- B. If the width of said vehicle exceeds eight (8) feet six (6) inches and is traveling after daylight, defined as thirty (30) minutes before sunset to thirty (30) minutes after sunrise, the transporter is required to have a vehicle front and a rear escort/amber light when traveling on a two lane roadway and a vehicle rear escort when traveling on a four lane highway. Transporters are responsible for ensuring they have proper oversize signs, markings, flags and escorts as defined in the Georgia Department of Transportation Rules and Regulations.

**IT IS FURTHER**

**ORDERED:** That commercial vehicles operating outside the normal weight, height and length restrictions under the authority of this Executive Order shall be issued permits by the Georgia Department of Public Safety. Said vehicles shall be subject to any special conditions the Georgia Department of Public Safety may list on applicable permits. Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, nor shall anything in this Executive Order be construed to relieve compliance with restrictions other than those specified in this Executive order or from any statute, rule, order or other legal requirement not specifically waived herein.

Oversize permits may be issued by the Georgia Department of Public Safety, Motor Carrier Compliance Division, during normal business hours, Monday through Friday by calling 404-624-7700 or through the Georgia Permitting and Routing Optimization System online portal at <https://gapros.dot.ga.gov/>.

**IT IS FURTHER**

**ORDERED:** That this Executive Order does not suspend operation of any state or federal law or regulation, except as specifically described herein.

**IT IS FURTHER**

**ORDERED:** That in preparation for Hurricane Michael, price gouging related to goods and services necessary to support recovery and preparation efforts would jeopardize the life, health, and safety of those in the affected areas and would be detrimental to the social and economic welfare of the citizens of this State; as such, O.C.G.A. § 10-1-393.4, prohibiting price gouging, is in effect.

This Executive Order shall be valid for a period of one (1) week, beginning on October 9, 2018 and ending at 11:59 pm on October 16, 2018.

This 9<sup>th</sup> day of October, 2018 at 8:45 AM/~~PM~~.

*Nathan Deal*

GOVERNOR