



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

WHEREAS: The uninterrupted supply of fuel oil, diesel oil, gasoline, kerosene, propane, and liquid petroleum gas to residential and commercial establishments is an essential need of the public during the winter time and any interruption threatens the public welfare; and

WHEREAS: The continued period of cold weather has increased the demand for the above referenced fuels and threatened uninterrupted delivery to residential and commercial customers; and

WHEREAS: The Federal Motor Carrier Safety regulations, 49 CFR 390, et seq., limit the hours of operators of commercial motor vehicles may drive; and

WHEREAS: 49 CFR 390.23 allows the Governor of a State to suspend these rules and regulations for up to 30 days if the Governor determines that 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 a State of Emergency is hereby declared for the limited purpose of suspending the federal rules and regulations that limit the hours operators of commercial vehicles may drive, in order to ensure the uninterrupted supply of fuel oil, diesel oil, gasoline, kerosene, and liquid petroleum gas throughout Georgia. This emergency justifies a suspension of Part 395 (drivers' hours of service) of Title 49 of the Code of Federal Regulations. The suspension shall remain in effect for 30 days or until the emergency condition ceases to exist, whichever is less. Nothing herein shall be construed as an exemption from the Commercial Driver's License requirements in 49 CFR 383, the financial requirements in 49 CFR 387, or applicable federal size and weight limitations.

IT IS FURTHER

ORDERED: That 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 10 consecutive hours off-duty before the driver is required to return to service.

IT IS FURTHER

ORDERED: This Order does not suspend the operation of any state or federal laws or regulations within the State of Georgia except as specifically described in the Order. All other laws and regulations remain in full force and will be enforced.

This 5th day of January, 2010.


GOVERNOR