State of South Carolina
Executive Department

FILED

JAN 28 2014

Mark Hammond
SECRETARY OF STATE

Office of the Governor

EXECUTIVE ORDER NO.

2014-07

WHEREAS, the uninterrupted supply of fuel oil, diesel oil, gasoline, kerosene, and liquid petroleum gas (LPG) to residential and commercial establishments is an essential need of the public during the wintertime 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 the uninterrupted delivery of those fuels to residential and commercial customers; and

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

WHEREAS, § 390.23 of Title 49 of the Code of Federal Regulations and § 56-5-70(A) of the South Carolina Code of Laws allow 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; and

WHEREAS, on January 28, 2014, I declared a state of emergency in South Carolina due to severe winter weather.

NOW, THEREFORE, pursuant to the powers conferred upon me by the Constitution and Statutes of the State of South Carolina and the United States, I hereby suspend 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 LPG throughout South Carolina. This emergency justifies a suspension of Part 395 (drivers' hour 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.

BE IT FURTHER ORDERED that this Order does not suspend the operation of any state or federal laws or regulations within the State of South Carolina except as specifically described in the Order. All other laws and regulations remain in full force and will be enforced.

This order takes effect immediately.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 28th DAY OF JANUARY, 2014.

NIKKI R. HALEY
Governor

ATTEST:

MARK HAMMOND
Secretary of State