

Executive Order No. 2017-02

WHEREAS, a declaration of emergency exists in the State of North Carolina due to the effects of a winter storm, threatening the public welfare and causing a need for the uninterrupted supply of equipment, goods, services, and any other item needing to be moved on the highways of the State of North Carolina; and

WHEREAS, the Governor of the State of North Carolina has suspended federal regulations limiting the hours operators of commercial motor vehicles may drive pursuant to the Federal Motor Carrier Safety regulations, 49 CFR § 390, et seq.; and

WHEREAS, whenever a declaration of emergency is declared in North Carolina that triggers relief under 49 CFR § 390.23, an emergency must be declared in this State pursuant to Section 56-5-70(B) of the South Carolina Code of Laws.

NOW, THEREFORE, pursuant to the powers conferred upon me by the Constitution and Statutes of the State of South Carolina and of the United States of America, I hereby determine that an emergency exists in the State of South Carolina for the limited purpose of complying with the declaration of emergency in the State of North Carolina and hereby suspend of Part 395 (drivers' hours of service) of Title 49 of the Code of Federal Regulations. I further direct the South Carolina Department of Transportation and the South Carolina Department of Public Safety, and the State Transport Police as needed, to suspend the federal rules and regulations that limit the hours operators of commercial vehicles may drive, in order to ensure the uninterrupted supply of equipment, goods, services, and any other item needing to be moved on the highways of the States of North Carolina and South Carolina.

Nothing herein shall be construed as an exemption from the Commercial Driver's License requirements in 49 C.F.R. § 383 or the financial requirements in 49 C.F.R. § 387.

This Order shall take effect immediately and shall expire at 11:59 p.m. on February 5, 2017, the date set for the termination of the emergency declaration in the State of North Carolina. Nothing herein shall affect the waiver authorized by Executive Order 2016-28 on October 4, 2016, regarding certain registration, permitting, length, width, weight, and load restrictions, which remains in effect through midnight on February 1, 2017, unless otherwise amended.

**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF SOUTH
CAROLINA, THIS 10TH DAY OF JANUARY,
2017.**

**NIKKI R. HALEY
Governor**