

Executive Order 2000-05

(January 28, 2000)

WHEREAS, Executive Order 2000-03 suspended certain rules and regulations for 30 days relating to the transportation of liquefied petroleum gas (LPG); and

WHEREAS, it is necessary to expand the scope of that Executive Order in certain respects; and

WHEREAS, the uninterrupted supply of fuel oil, diesel oil, gasoline, kerosene, and 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 and snowfall 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, 49 CFR 390.23 allows the Governor of a State to suspend these rules and regulations for 30 days if the Governor determines that an emergency condition exists.

NOW, THEREFORE, pursuant to the powers conferred upon me by the Constitution and Laws of the State of South Carolina and of the United States of America, I hereby declare a State of Emergency 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 LPG throughout South Carolina. 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.

This Executive Order shall be retroactive to January 24, 2000. Executive Order 2000-03 is hereby superseded.