



Commonwealth of Virginia
Office of the Governor

Executive Order

NUMBER 6 (2014)

Declaration of a State of Emergency for the Commonwealth of Virginia in Support of Emergency Relief Supplies Due to Severe Winter Weather

Importance of the Issue

On January 30, 2014, I verbally declared a State of Emergency to exist for the Commonwealth of Virginia due to severe winter weather and continuing cold temperatures requiring relief efforts, and the transport of emergency supplies and home heating fuel.

The health and general welfare of the citizens of Virginia requires that state action be taken to help alleviate the impacts caused by this situation. Therefore, by virtue of the authority vested in me by § 44-146.17 of the *Code of Virginia*, as Governor and as Director of Emergency Management, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I hereby confirm, ratify, and memorialize in writing that verbal order issued on January 30, 2014, whereby a State of Emergency was found to exist and appropriate assistance was directed to be rendered by agencies of state government to alleviate any impediments to the transport of relief supplies.

In order to marshal public resources to meet this threat, and in accordance with my authority contained in § 44-146.17 of the *Code of Virginia*, I hereby order the following measures:

- A. The authorization of the Departments of State Police, Transportation, and Motor Vehicles to grant temporary overweight, over width, registration, or license exemptions to all carriers transporting essential emergency relief supplies (including but not limited to deicing chemicals and roadway abrasives) and home heating fuels in and through any area of the Commonwealth in order to support the disaster response and recovery, regardless of their point of origin or destination.

Such exemptions shall not be valid on posted structures for restricted weight. All over width loads, up to a maximum of 12 feet, and over height loads up to a maximum of 14 feet must follow Virginia Department of Motor Vehicles (DMV) hauling permit and safety guidelines.

In addition to described overweight/over width transportation privileges, carriers are also exempt from registration with the DMV. This includes vehicles en route and returning to their home base. The above-cited agencies shall communicate this information to all staff responsible for permit issuance and truck legalization enforcement.

The foregoing overweight/over width transportation privileges, as well as the regulatory exemption, provided by § 52-8.4(A) of the *Code of Virginia*, and implemented in § 19 VAC 30-20-40(B) of the "Motor Carrier Safety Regulations," shall remain in effect until March 1, 2014, or until emergency relief is no longer necessary, as determined by the Secretary of Public Safety in consultation with the Secretary of Transportation, whichever is earlier.

- B. Authorization of the State Coordinator of Emergency Management to grant limited exemption of hours of service worked by any carrier when transporting critical supplies in and through any area of the Commonwealth in order to support the disaster response and recovery, regardless of their point of origin or destination, pursuant to § 52-8.4 of the *Code of Virginia* and Title 49 Code of Federal Regulations, Section 390.23 and Section 395.3.
- C. The discontinuance of provisions authorized in paragraphs A and B above may be implemented and disseminated by publication of administrative notice to all affected and interested parties. I hereby delegate to the Secretary of Public Safety, after consultation with other affected Cabinet Secretaries, the authority to implement this order as set forth in § 2.2-104 of the *Code of Virginia*.

Effective Date of this Executive Order

This Executive Order shall be effective January 30, 2014, and shall remain in full force and effect until March 1, 2014, unless sooner amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 3rd day of February 2014.



Terence R. McAuliffe, Governor

Attest:

Secretary of the Commonwealth