EXECUTIVE ORDER NO. 2001-03

WHEREAS, the uninterrupted supply of Fuel Oil, Kerosene and Liquefied Petroleum Gas (propane) as 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 inclement weather has increased the demand for Fuel Oil, Kerosene and Liquefied Petroleum Gas and threatened the uninterrupted delivery of Fuel Oil, Kerosene and Liquefied Petroleum Gas to residential and commercial customers; and

WHEREAS, Federal Motor Carrier Safety regulations, 49 CFR 395.3(b), limit the hours operators of commercial vehicles may drive; and

WHEREAS, 49 CFR 390.23 allows the Governor to suspend these rules and regulations limiting the hours operators of commercial vehicles may drive 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 due to the inclement weather and the need to continue the uninterrupted supply of Fuel Oil, Kerosene and Liquefied Petroleum Gas. This emergency justifies an exemption from Part 395.3(b) of Title 49 of the Code of Federal Regulations as authorized by federal law. This emergency 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 Controlled Substances and Alcohol Use and Testing in 49 CFR 382, the Commercial Driver's License requirements in 49 CFR 383, the financial responsibility requirements in 49 CFR 387, or applicable federal size and weight limitations.

This Executive Order, which shall take effect immediately, hereby supersedes Executive Order No. 2001-02.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 19th DAY OF JANUARY, 2001.

JIM HODGES
Governor

Last Updated: Tuesday, July 7, 2009 at 10:23 A.M.