

Executive Order No. 2018-04

WHEREAS, the Governor of Georgia has declared that an emergency exists in the State of Georgia due to a period of severe winter weather, which has increased the demand for emergency or disaster-related materials, supplies, goods, and services (including agricultural and food products), all of which are essential needs of the public during the winter; and

WHEREAS, the Governor of Georgia has suspended federal regulations limiting the hours operators of commercial motor vehicles may drive vehicles transporting materials as stated above pursuant to the Federal Motor Carrier Safety regulations, 49 C.F.R. § 390 *et seq.*; and

WHEREAS, whenever a state of emergency is declared in Georgia that triggers relief under 49 C.F.R. § 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, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby declare that an emergency exists in the State of South Carolina pursuant to section 56-5-70(B) of the South Carolina Code of Laws for the limited purpose of complying with the declaration of emergency in the State of Georgia. Accordingly, I 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, the South Carolina Department of Public Safety, and the State Transport Police, as needed, to suspend application and enforcement of the federal rules and regulations that limit the hours operators of commercial vehicles may drive in order to ensure the uninterrupted supply of emergency or disaster-related materials, supplies, goods, and services (including agricultural and food products), and any other items needing to be moved on the highways of the States of Georgia and South Carolina to comply with this Order. 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 is effective immediately and shall expire at 11:59 p.m. on Friday, February 2, 2018, in accordance with section 56-5-70(D) of the South Carolina Code of Laws. Nothing herein shall affect the waiver authorized by Executive Order 2017-45 on December 29, 2017, which suspended 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, propane, and liquid petroleum gas needing to be moved on the highways of North Carolina and South Carolina to ensure that demand for the same is met in both States. Executive Order 2017-45 shall remain in effect through midnight on January 28, 2018, unless otherwise amended.

**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF SOUTH
CAROLINA, THIS 20th DAY OF JANUARY,
2018.**

**HENRY MCMASTER
Governor**