

**Executive Order No. 2016-05**

**WHEREAS**, a declaration of emergency exists in the State of North Carolina due to the need for an uninterrupted supply of fuels, food, water or other goods to residential and commercial establishments as an essential need of the public during the winter weather and any interruption threatens the public welfare; and

**WHEREAS**, the Governor of the State of North Carolina has suspended federal regulations limiting the hours of service 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 South Carolina for the limited purpose of complying with the declaration of emergency in the State of North Carolina and accordingly 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 of service operators of commercial vehicles may drive, in order to ensure the uninterrupted supply of fuels, food, water, or other goods to the State of North 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 7 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 order takes effect immediately.

**GIVEN UNDER MY HAND AND THE  
GREAT SEAL OF THE STATE OF SOUTH  
CAROLINA, THIS 21st DAY OF JANUARY,  
2016.**

**NIKKI R. HALEY  
Governor**