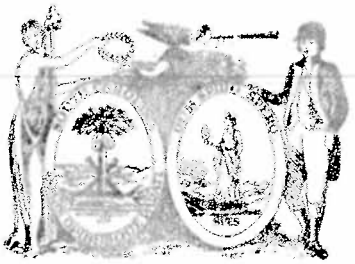
State of South Carolina

Executive Department

FILED

JAN 10 2014

Mark Hammond
SECRETARY OF STATE



Office of the Governor

EXECUTIVE ORDER NO.

2014-01

WHEREAS, a declaration of emergency exists in the State of West Virginia due to the contamination of water; and

WHEREAS, the State of West Virginia has requested the State of South Carolina to waive certain commercial transportation requirements to ensure an uninterrupted supply of emergency water to West Virginia residents through South Carolina; 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 up to 30 days if the Governor determines that an emergency condition exists.

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 condition exists in the State of West Virginia 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 operators of commercial vehicles may drive, in order to ensure the uninterrupted supply of emergency water to the State of West Virginia.

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 15 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 or the financial requirements in 49 CFR § 387.

This order takes effect immediately.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 10th DAY OF JANUARY, 2014.

NIKKI R. HALEY
Governor

ATTEST:

MARK HAMMOND
SECRETARY OF STATE