# State of South Carolina

## Executive Department

FILED

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Mark Hammond
SECRETARY OF STATE 8

## Office of the Governor

**EXECUTIVE ORDER NO.**

**2003-04**

**WHEREAS,** the uninterrupted supply of fuel oil, diesel oil, gasoline, kerosene, and liquid petroleum gas (LPG) 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 cold weather has increased the demand for the above-referenced fuels, and threatened the uninterrupted delivery of those fuels to residential and commercial customers; 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 declare a State of Emergency for the limited purpose of suspending 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, and LPG throughout South 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 10 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.

**GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 24th DAY OF JANUARY, 2003.**

**MARK SANFORD**
**Governor**

**ATTEST:**

MARK HAMMOND
SECRETARY OF STATE