

**Executive Order No. 2018-18**

**Temporary Suspension of Certain Motor Vehicle Regulations  
Based on State of Emergency in North Carolina**

**WHEREAS**, due to the effects of the remnants of Subtropical Storm Alberto that began on May 27, 2018, and a separate weather system that began on May 15, 2018, the Governor of North Carolina has declared that a State of Emergency exists in the following counties in the State of North Carolina: Alexander, Alleghany, Ashe, Avery, Burke, Buncombe, Cabarrus, Caldwell, Catawba, Cherokee, Clay, Cleveland, Gaston, Graham, Haywood, Henderson, Iredell, Lincoln, Jackson, Macon, Madison, McDowell, Mecklenburg, Mitchell, Polk, Rowan, Rutherford, Stanly, Swain, Transylvania, Union, Watauga, and Wilkes (“the Emergency Area”); and

**WHEREAS**, due to the impacts from flooding, road closures, and landslides, the Governor of North Carolina has identified a need to ensure the uninterrupted supply and transportation on North Carolina highways of, *inter alia*, equipment and supplies for utility restoration and debris removal, livestock and poultry and feed for livestock and poultry, and food, medicine, and essential fuels; and

**WHEREAS**, federal law limits the hours operators of commercial motor vehicles may drive vehicles transporting materials pursuant to 49 C.F.R. §§ 390 *et seq.* and establishes certain weight limitations for vehicles on interstate highways pursuant to 23 U.S.C. § 127; and

**WHEREAS**, the Governor of a State may suspend certain requirements relating to registration, permitting, length, width, weight, load, and hours of service for commercial vehicles responding to an emergency if the Governor declares a state of emergency pursuant to 23 U.S.C. § 127, 49 C.F.R. § 390.23; and

**WHEREAS**, by Executive Orders dated May 30, 2018, copies of which are attached hereto as Exhibit A, the Governor of North Carolina has declared that a state of emergency exists in the aforementioned counties and suspended requirements related to registration, permitting, length, width, weight, load, and hours of service for certain commercial vehicles identified below and in Exhibit A; and **WHEREAS**, whenever a state of emergency is declared in North Carolina 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, due to the existing emergency in the State of North Carolina, I hereby declare that a reciprocal emergency exists in the State of South Carolina pursuant to and for the limited purpose of complying with section 56-5-70(B) of the South Carolina Code of Laws. Accordingly, I 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 federal rules and regulations that establish certain registration, permitting, length, width, weight, load, and hours of service requirements, in conjunction with S.C. Code Ann. §§ 56-5-4010 *et seq.*, which establish size, weight, and load requirements for South Carolina highways, for commercial vehicles responding to the emergency in the State of North Carolina as set forth in Exhibit A.

**IT IS FURTHER ORDERED** that although the federal rules and regulations that restrict registration, permitting length, width, and load requirements are waived, drivers in South Carolina are subject to the following state requirements to ensure safety on the roads:

(a) Weight, height, length, and width for any such vehicle on roadways maintained by the State of South Carolina shall not exceed for continuous travel on all non-interstates, United States, and South Carolina designated routes maximum dimensions of 12' wide, 13'6" high and weights of 90,000 pounds.

(b) Posted bridges may not be crossed.

(c) All vehicles shall be operated in a safe manner, shall not damage the highways nor unduly interfere with highway traffic, shall maintain the required limits of insurance, and shall provide appropriate documentation indicating they are responding to this emergency.

(d) Any dimensions and/or weights of vehicles that exceed the above must obtain a permit with defined routes from the South Carolina Department of Transportation Oversized/Overweight Permit Office. To order a permit, please call (803) 737-6769 during normal business hours, 8:30 a.m. – 5:00 p.m., or (803) 206-9566 after regular business hours.

(e) Transporters are responsible for ensuring they have oversize signs, markings, flags, and escorts as required by the South Carolina Code of Laws relating to oversize/overweight loads operating on South Carolina roadways.

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.

**FURTHER**, Executive Order 45 issued by the Governor of North Carolina on May 30, 2018, provides that it shall remain in effect for thirty (30) days or until the state of emergency ceases, whichever is less. Accordingly, for commercial vehicles responding to the emergency declared in the State of North Carolina, this Order shall take effect immediately and shall expire when the state of emergency in the State of North Carolina is terminated or on June 29, 2018, at 11:59 p.m., whichever is less, in accordance with section 56-5-70 of the South Carolina Code of Laws.

**GIVEN UNDER MY HAND AND THE  
GREAT SEAL OF THE STATE OF  
SOUTH CAROLINA, THIS 31st DAY OF  
MAY, 2018.**

**HENRY MCMASTER**  
Governor