



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

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PROCLAMATION BY THE GOVERNOR

20-01

WHEREAS, a severe winter weather event struck Washington State beginning on January 4, 2020, and additional winter weather systems are expected to extend this weather event impacting all counties and producing extensive snowfall and ice causing hazardous driving conditions, sporadic or extended road closures on mountain passes and other roadways throughout the lowlands and high elevations statewide; and

WHEREAS, road closures resulting from the severe weather event have prevented or delayed deliveries of fuel products to communities along US Highway 2, between Big Bend and Skykomish, and is expected to continue to prevent or delay such deliveries around the state, creating an emergency situation interrupting the delivery of essential fuel commodities to residents anticipated to be without power for another two weeks; and

WHEREAS, road closures resulting from severe weather have delayed, and will continue to delay, essential intrastate collection and delivery of bulk milk products by motor carriers and drivers of commercial motor vehicles between dairy farms and processing facilities, creating an emergency situation in the delivery of essential food supplies as drivers of these trucks cannot complete their routes within the time limits prescribed by the commercial motor vehicle driver hours of service rules; and

WHEREAS, the Washington State Military Department, through the State Emergency Operations Center, will continue to monitor and coordinate all event-related assistance to the affected areas, monitor the ongoing situation, and assess the impacts of the severe winter weather system.

NOW, THEREFORE, I, Jay R. Inslee, Governor of the state of Washington, as a result of the above-noted situation, do hereby proclaim that motor carriers and drivers of commercial motor vehicles collecting and delivering either (1) bulk milk products from dairy farms to dairy processing facilities and interplant between processing facilities or (2) fuel deliveries to municipalities impacted along Route 2 impacted by mountain pass or other road conditions implicated in these events are providing emergency relief during an emergency under 49 CFR § 390.23 are exempt from application of the driver hours of service rules in 49 CFR § 395, adopted pursuant to RCW 46.32.020 and WAC 446-65-010, until midnight on January 31, 2020.

Furthermore, under the provisions of RCW 43.006.220(1)(i), to preserve and maintain life, health, property or public peace, I also hereby impose temporary restrictions on motor carriers and drivers of commercial motor vehicles identified above as being exempt from application of the driver hours of service rules by prohibiting application of this exemption as follows:

1. Motor carriers are prohibited from operating under the terms of this exemption if either of the following conditions exist:

- a. They have an out-of-service order in effect; or
- b. They do not possess a current safety rating of "Satisfactory" or better assigned by the Federal Motor Carrier Safety Administration or the State in which the motor carrier has its principal place of business.

2. Motor carriers that I have not prohibited from operating under the terms of this exemption are prohibited from:

- a. Requiring or permitting a fatigued or ill driver to operate a commercial motor vehicle; and
- b. Requiring or permitting a driver to operate a commercial motor vehicle after the driver has informed the carrier (verbally or in writing) that he or she needs immediate rest, unless the driver has first received at least ten consecutive hours off-duty documented in writing by the motor carrier; and
- c. Requiring or permitting a driver to operate a commercial motor vehicle after the driver has been on duty for more than 96 hours in any 8 consecutive days, unless the driver has first received at least 34 consecutive hours off-duty documented in writing by the motor carrier.

I ask the motor carriers for the bulk milk and fuel industries to use their best judgment in operating under this exemption in a manner that ensures public health and safety. Drivers operating under this exemption should carry a copy of this Proclamation.

Signed and sealed with the official seal of the state of Washington this 17th day of January, A.D., Two Thousand and twenty at Olympia, Washington.

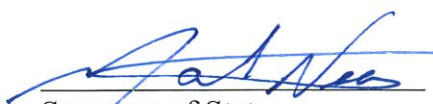
By:



Jay Inslee, Governor



BY THE GOVERNOR:



Secretary of State
Mark Neary
Assistant Secretary of State