

# STATE OF MISSISSIPPI

## Office of the Governor



### EXECUTIVE ORDER NO. 1577

**WHEREAS**, on January 14, 2024, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. § 33-15-11(b)(17), I issued a Proclamation declaring that a State of Emergency exists in the State of Mississippi as a result of extreme freezing temperatures and severe winter weather, including snow and freezing rain beginning January 14, 2024, and continuing; and

**WHEREAS**, 49 C.F.R Section 390.23(b) authorizes a state governor, following the declaration of a State of Emergency, to waive certain regulations of the United States Department of Transportation-Federal Motor Carrier Safety Administration ("FMCSA"), including 49 C.F.R. Section 395 (Hours of Service for Drivers), as it relates to the provision of direct assistance incident to the immediate restoration of essential services or providing essential supplies during an emergency. This includes, but is not limited to fuel, propane, and other essential products. The waiver for such an event shall terminate at the earliest of (1) the conclusion of the motor carrier's or driver's direct assistance in providing emergency relief; (2) 14 days from the date of the initial declaration of emergency; (3) the issuance of a proclamation terminating this state of emergency, or (4) any other time dictated by the FMCSA's Regulations.

**NOW, THEREFORE**, I, Tate Reeves, Governor of the State of Mississippi, pursuant to the authority vested in me under the Mississippi Constitution, the Mississippi Emergency Management Law as amended, Miss. Code Ann. § 33-15-1 *et seq.*, 49 C.F.R. Section 390.23(b), and in the public interest and for the general welfare, do hereby exempt any motor carrier or driver operating a commercial motor vehicle utilized for the provision of direct assistance incident to the immediate restoration of essential services or providing essential supplies from 49 C.F.R. Section 395.3 (Hours of Service for Drivers). Motor carriers that have an out of service order may not take advantage of the relief from regulations that this Order provides under 49 C.F.R. Section 390.23. Further, no motor carrier operating under the terms of this Order shall require or allow an ill or fatigued driver to operate a motor vehicle. This Executive Order shall be effective from the date of the declaration of this State of Emergency on January 14, 2024, and shall terminate at the earliest of (1) the conclusion of the motor carrier's or driver's direct assistance in providing emergency relief; (2) 14 days from the date of the initial declaration of emergency; (3) the issuance of a proclamation terminating this state of emergency, or (4) any other time dictated by the FMCSA's Regulations.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

**DONE** in the City of Jackson, on the 16<sup>th</sup> day of January, in the year of our Lord, two thousand and twenty-four, and of the Independence of the United States of America, the two hundred and forty-eighth.





**TATE REEVES  
GOVERNOR**