


State of Louisiana



EXECUTIVE DEPARTMENT

PROCLAMATION NO. 8 BJ 2014

STATE OF EMERGENCY – Transportation and Delivery of Propane and Heating Fuels Products Due to Extreme Cold Weather

- WHEREAS,** the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake, or other natural or manmade causes, in order to ensure that preparations of this state will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;
- WHEREAS,** when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers the Governor to declare a state of emergency by executive order or proclamation, or both;
- WHEREAS,** extreme cold temperatures are impacting the citizens and property of this State, and also causing delays in the commercial transportation and delivery of propane and heating fuels products to the citizens of this State;
- WHEREAS,** numerous states, including Arkansas, Connecticut, Delaware, Kansas, Maine, Maryland, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Vermont and Wisconsin have declared emergencies addressing transportation of propane and heating fuels products to relieve the effects and threats the extreme cold weather conditions are having on their citizens and property;
- WHEREAS,** this State is a producer and exporter of propane and heating fuels products which, in these extreme weather conditions, will contribute to the safety and welfare of the inhabitants of the surrounding states, by relieving regulatory requirements for operators of commercial motor carriers transporting propane and heating fuel products traveling on the public highways of the state of Louisiana for the purpose of response to this emergency and emergencies in other states;
- WHEREAS,** the U.S. Department of Transportation, Federal Motor Carrier Safety Administration has issued Emergency Declarations under 49 CFR § 390.23 on January 21, 2014 to provide regulatory relief to commercial vehicles supporting the delivery of propane and heating fuels products in response to extreme cold weather conditions experienced and continued to be experienced throughout the Southern, Eastern and Midwestern regions of the United States;

NOW THEREFORE I, BOBBY JINDAL, Governor of the State of Louisiana, by virtue of the

authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is declared to exist in the State of Louisiana as a result of emergency conditions created extreme cold weather conditions and shortages and interruptions in the availability or delivery of propane and heating fuels products that threaten the lives and property of the citizens of the State and other states.

SECTION 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness is hereby authorized to undertake any activity authorized by law which he deems necessary and appropriate in response to this declaration.

SECTION 2: The enforcement of the regulatory provisions of 49 CFR Parts 390 through 399, as specified in the January 21, 2014 U.S. Department of Transportation, Federal Motor Carrier Safety Administration Emergency Declarations under 49 CFR § 390.23, to provide regulatory relief to commercial motor carriers transportation providing direct assistance supporting the delivery of propane and heating fuel products in this State or other States is hereby suspended.

SECTION 2: Nothing contained in this declaration shall be interpreted to suspend any other state or federal laws or regulations other than those federal regulations which are specifically addressed in this declaration.

SECTION 4: This state of emergency extends from Wednesday, January 22, 2014 to Thursday, February 20, 2014, unless terminated sooner.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 22nd day of January, 2014.

/s/ Bobby Jindal _____
GOVERNOR OF LOUISIANA

**ATTEST BY
THE GOVERNOR**

/s/ Tom Schedler _____
SECRETARY OF STATE