



STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

No. 52

**AN ORDER DECLARING A STATE OF EMERGENCY FOR THE PURPOSE OF ENSURING  
THE UNINTERRUPTED DELIVERY OF FOOD SUPPLIES**

**WHEREAS**, ensuring the uninterrupted delivery of food supplies is of critical importance, especially during winter storm conditions; and

**WHEREAS**, the winter storm and unusually cold conditions of recent days have resulted in hazardous travel conditions, and disruptions in the supply of food at both the warehouse and retail/consumer levels threaten to result in critical food supplies not being available to consumers; and

**WHEREAS**, the provisions of Part 395 of Title 49 of the Code of Federal Regulations limit the hours that operators of commercial vehicles may drive; and

**WHEREAS**, Section 390.23 of Title 49 of the Code of Federal Regulations provides for the temporary suspension of these hours of service limitations when the governor of a state has declared the existence of an emergency; and

**WHEREAS**, the developing disruption in the supply of necessary food has resulted in the determination that a state of emergency currently exists in the State of Tennessee.

**NOW THEREFORE**, I, Bill Haslam, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, including but not limited to Tenn. Code Ann. § 58-2-107(b), do hereby declare a state of emergency in Tennessee.

1. This state of emergency is being declared for the limited purpose of, and in accordance with 49 CFR § 390.23 as adopted by Tenn. Comp. R. & Regs, Chapter 1340-06-01-.08, providing a temporary exemption from the federal rules and regulations in 49 CFR, Part 395, limiting the hours of service for the operator of a commercial motor vehicle providing food supplies during this state of emergency.
2. Nothing in this Order 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.

3. No motor carrier operating under the terms of this Order shall require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor carrier that he or she needs immediate rest shall be given at least ten (10) consecutive hours off-duty before the driver is required to return to service.
4. The exemption authorized in paragraph one (1) shall remain in effect until January 27, 2016, or until the emergency conditions cease to exist.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 21<sup>st</sup> day of January, 2016.

  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE

