



2017 DEC 28 PM 3:53  
PROVIDENCE PLANTATIONS

State of Rhode Island and Providence Plantations

GUBERNATORIAL PROCLAMATION

WHEREAS, Rhode Island and the New England region is experiencing prolonged below average cold temperatures and below zero wind chill values forecast for the coming week; and

WHEREAS, these frigid temperatures have created and will continue to create an increase in demand for home heating fuel (fuel oil, natural gas and propane); and

WHEREAS, home heating fuel is an essential supply necessary to protect public health and safety; and

WHEREAS, 49 CFR 390.23 allows temporary emergency relief from federal motor carrier safety regulations codified at 49 CFR Parts 390-399 to any motor carrier or driver operating a commercial vehicle for the purpose of providing emergency relief during an emergency declared by a Governor;

NOW, THEREFORE, I, Gina M. Raimondo, by the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby proclaim as follows:

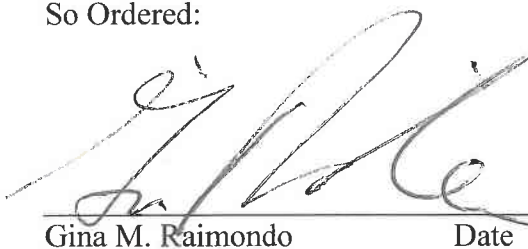
1. An emergency exists pertaining to the delivery of home heating fuel.
2. Temporary emergency relief from the Hours of Service Regulations contained in 49 CFR 395.3 of the Federal Motor Carrier Safety Regulations and incorporated by reference in R.I. Gen. Laws §31-27-5, subject to the limitations described below, is granted to any motor carrier or driver operating a commercial motor vehicle for delivery of home heating fuel (fuel oil, natural gas and propane) to customers in Rhode Island until the termination of this Proclamation.
3. Nothing contained in this Proclamation shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing requirements, the Commercial Driver's License requirements, Size and Weight requirements, motor carrier financial

responsibility/insurance requirements, or any other portion of the regulations not specifically identified.

4. Motor carriers that have an Out of Service Order in effect or a suspension or revocation of a Rhode Island State Certificate or Permit as a motor carrier of passengers or property cannot take advantage of the relief from regulations that this Proclamation provides under 49 CFR 390.23.
5. Drivers and carriers are expected to use good judgment and not operate vehicles with fatigued or ill drivers, or under any condition presenting a clear hazard to other motorists. A driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive hours off-duty before the driver is required to return to service. Drivers for motor carriers operating under this Proclamation should maintain a copy of it in their possession. Drivers should have a manifest in their possession demonstrating that they are delivering essential goods or services to affected locations.
6. Upon termination of this Proclamation, federal regulations shall again become effective. No motor carrier shall permit or require any driver used by it to drive nor shall any such driver drive in commerce until the driver has met the requirement of 49 CFR 395.3(a), (b) and (c).

This Proclamation shall take effect immediately and shall remain in effect up to midnight on January 9, 2018.

So Ordered:

  
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Gina M. Raimondo                      Date

12/28/17