



STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS, due to Hurricane Harvey, I proclaimed a State of Emergency on August 30, 2017, to facilitate a waiver from the hours-of-service requirements of 49 C.F.R. Part 395 for motor carriers and drivers transporting petroleum products and petroleum-related supplies, goods, and services in support of emergency relief efforts (collectively, “petroleum products”);

WHEREAS, due to Hurricane Harvey, I issued a further proclamation on September 1, 2017, in accordance with Sections 8-31-1 through 8-31-6, Code of Alabama (1975), to place all persons on notice that it is unlawful to impose unconscionable prices (i.e., to engage in “price gouging”) during the existing State of Emergency;

WHEREAS, while the Nation is still responding to the devastation caused by Hurricane Harvey in Texas and Louisiana, Hurricane Irma is now a category-five hurricane whose potential track includes the State of Florida and other parts of the southeastern United States, including, potentially, the State of Alabama; and

WHEREAS Hurricane Irma poses conditions of disaster and extreme peril to the safety of persons and property within the State of Alabama and to those evacuating to the State from other states;

NOW, THEREFORE, I, Kay Ivey, Governor of the State of Alabama, hereby proclaim that during the State of Emergency now in effect (as of August 30, 2017), the waiver of the federal hours-of-service requirements of 49 C.F.R. Part 395 for motor carriers and drivers transporting petroleum products is expanded to exempt motor carriers and drivers transporting *all* materials, supplies, goods, and services—including, but not limited to, food, water, and portable generators—in direct support of disaster preparation and emergency relief efforts for Hurricanes Harvey and Irma. The hours-of-service waiver is extended until 30 days from the date of *this* proclamation, unless sooner terminated, or as otherwise specified in the Federal Motor Carrier Safety Administration’s regulations, whichever is earlier. Motor carriers that have an Out-Of-Service Order in effect may not take advantage of the relief from regulation that this declaration provides under 49 CFR 390.23.

FURTHER, I declare that all vehicles of legal size and weight transporting emergency-related materials, supplies, goods, and services in direct response to Hurricane Harvey or in preparation for, or response to, Hurricane Irma are hereby authorized to bypass all Alabama Department of Transportation weigh station facilities until 30 days from the date of this proclamation, unless the State of Emergency is sooner terminated.

FURTHER, I instruct all appropriate Alabama state agencies to exercise their statutory and regulatory authority in a State of Emergency to assist affected persons and entities in preparation for, and in recovery from, the impact of Hurricane Irma as necessary to prevent human suffering and loss of life.

FURTHER, I declare that the relief provided by this proclamation is supplemental to my emergency proclamations of August 30, 2017, and September 1, 2017, including notice that price gouging during the existing State of Emergency is unlawful.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal to be affixed by the Secretary of State at the State Capitol in the City of Montgomery on this 6th day of September, 2017.

Kay Ivey

Kay Ivey
Governor

ATTEST:

J. H. Merrill

John H. Merrill
Secretary of State